STATEMENT OF FACTS AND FINDINGS
AND
STATEMENT OF OVERRIDING CONSIDERATIONS
REGARDING THE ENVIRONMENTAL EFFECTS FOR THE FIRST MARCH LOGISTICS PROJECT

Tentative Parcel Map 37965 (TPM20-05117) and Development Plan Review (DPR) 20-00004

AUGUST 2024

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SECTION 1.0 STATEMENT OF FACTS AND FINDINGS

1.1 INTRODUCTION

The California Environmental Quality Act ("CEQA") (Pub. Resources Code, Sections 21000-21178) and the Guidelines for Implementation of the California Environmental Quality Act (State CEQA Guidelines) (Cal. Code Regs., tit. 14, Sections 15000-15387) require that the lead agency for a project analyze and provide findings on the project's environmental impacts before approving the project. The City of Perris (the "City"), in its capacity as the CEQA Lead Agency, has prepared these Findings of Fact ("Findings") to comply with CEQA for the First March Logistics Project (Tentative Parcel Map 37965 (TPM20-05117) and Development Plan Review (DPR) 20-00004) (the "Project"), which is within the City's jurisdiction. Specifically, regarding Findings, State CEQA Guidelines Section 15091 establishes the following requirements:

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

(b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.

(c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

(d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

(e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.

(f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

Section 15093 of the State CEQA Guidelines further provides:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

Where a project will cause unavoidable significant environmental impacts, the Lead Agency may still approve a project where its benefits outweigh the adverse impacts. Further, as provided in the Statement of Overriding Considerations, the Lead Agency sets forth specific reasoning by which benefits are balanced against effects and approves the project.

1.2 CEQA COMPLIANCE DETERMINATION

The City, the CEQA Lead Agency, finds and declares that the *First March Logistics Project Environmental Impact Report* (EIR, State Clearinghouse [SCH] No. 2021120497) has been completed in compliance with CEQA and the State CEQA Guidelines. The City finds and certifies that the EIR was reviewed, and that information contained in the EIR was considered prior to approving the Project.

Having received, reviewed and considered the Draft Environmental Impact Report (Draft EIR) and the Final Environmental Impact Report (Final EIR) for the First March Logistics Project (Tentative Parcel Map 37965 (TPM20-05117) and Development Plan Review (DPR) 20-00004) (collectively, "the EIR"), as well as all other information in the record of proceedings on this matter, the Findings and Facts in Support of Findings (Findings) and Statement of Overriding Considerations (SOC) included in this document are hereby adopted by the City of Perris in its capacity as the CEQA Lead Agency.

Based upon its review of the EIR, the Lead Agency finds that the Final EIR is an adequate assessment of the potentially significant environmental impacts of the Project, represents the independent judgment of the City, and sets forth an adequate range of alternatives to this project.

1.3 RECORD OF PROCEEDING

For purposes of CEQA and these Findings, the Record of Proceedings for the Project consists of the following documents and other evidence:

a) The Notice of Preparation and all other public notices issued by the City in conjunction with the proposed Project (as defined below);

b) The Draft EIR, all appendices, and technical reports, thereto;

c) The certified Final EIR (State Clearinghouse No. 2021120497);

d) Comments and Responses to Comments on the Draft EIR received during the public review comment period, including a list of all persons, organizations, and public agencies commenting;

e) All written and verbal public testimony presented during noticed public hearings for the Project at which such testimony was taken;

f) Information provided in submissions of testimony from officials and Departments of the City, the public and other municipalities, and agencies;

g) The Mitigation Monitoring and Reporting Program (MMRP);

h) Transmittal packages to the Perris Planning Commission and City Council for review and minutes of the Perris Planning Commission and City Council hearing(s);

i) The Ordinances and Resolutions adopted by the City in connection with the Project, and all documents incorporated therein;

j) Matters of common knowledge to the City, including but not limited to federal, state, and local laws and regulations;

k) Any documents expressly cited in these Findings; and

l) Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(c).

1.4 CUSTODIAN AND LOCATION OF RECORDS

The documents and other materials that constitute the administrative record for the City's approval of the Final EIR and actions related to the Project are located at the City of Perris Planning Division, 11 S. "D" Street, Perris, California 92570. The City of Perris is the custodian of the Project's Administrative Record. Copies of the documents and other materials that constitute the record of proceedings are, at all relevant times have been, and will be available upon request directed to the City's Planning Division. These Findings provide this information in compliance with Section 21081.6(a)(2) of the *California Public Resources Code* and Section 15091(e) of the State CEQA Guidelines.

SECTION 2.0 PROJECT SUMMARY

2.1 INTRODUCTION

The proposed First March Logistics Project (Tentative Parcel Map 37965 (TPM20-05117) and Development Plan Review (DPR) 20-00004) is intended to implement land uses and related plans adopted by the City Council in January 2012 with the Perris Valley Commerce Center Specific Plan (PVCCSP) (Ordinance No. 1284). The PVCCSP is a comprehensive planning effort undertaken by the City to redesignate a large portion of the northern part of the City with job-creating land uses. The City has long suffered from a poor jobs-housing balance (meaning most City residents commute to Los Angeles or Orange Counties for employment) and one of the goals of the PVCCSP is to implement job-creating land uses to help alleviate the jobs-housing imbalance in the City. To this end, the PVCCSP designates a large portion of the City with broad categories of compatible commercial and industrial uses. The Project site is within the PVCCSP area and is consistent with the land use and growth assumptions anticipated in the PVCCSP. The western portion of the Project site is designated for Light Industrial uses and the eastern portion of the Project site is designated for General Industrial uses in the PVCCSP.

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, SCH No. 2009081086), which was certified by the City of Perris in January 2012. The PVCCSP EIR is a program EIR and was prepared in accordance with CEQA and the State CEQA Guidelines. Project-specific evaluation in a later-tier environmental document for individual development projects within the PVCCSP area was anticipated. As stated in Section 15168(d)(3) of the State CEQA Guidelines, "The program EIR can focus an EIR on a later activity to permit discussion solely of new effects which had not been considered before." As such, the environmental analysis for the Project presented in the EIR is based on, or "tiered" from, the analysis presented in the PVCCSP EIR, when applicable, and the PVCCSP EIR is incorporated by reference (refer to Section 2.4 of the EIR).

A Notice of Preparation (NOP) was prepared for the Project (1) to identify environmental issues/impacts that would have no impact and would require no further evaluation in the Project-level EIR, and (2) to identify those issues requiring additional Project-level impact analysis. The NOP is included in Appendix A of the Draft EIR. The environmental analysis conclusions of the NOP and Draft EIR for the Project are addressed in these Findings.

2.2 DESCRIPTION OF PROJECT PROPOSED FOR APPROVAL AND SETTING

2.2.1 PROJECT LOCATION AND SETTING

The 27.56-acre[1] Project site is in the northwest portion of the PVCCSP planning area, in the City of Perris, in Riverside County. The Project site is located north of Nandina Street; immediately west of Western Way; and immediately south of March Air Reserve Base/Inland Port Airport (MARB/IPA). The Project site is located immediately east of I-215, 1.74 miles north of Ramona Expressway, and approximately 5.0 miles south of State Route (SR)-60.

Under existing conditions, the Project site consists of vacant and undeveloped land that can generally be characterized as disked and disturbed vacant land. The Project site is relatively flat with elevations ranging from approximately 1,511 to 1,521 feet above mean sea level (amsl)

[1] Assessor Parcel Numbers (APNs): 295-300-005, -017; 294-180-013, -028, -029, -030, and -032.

descending gradually to the southeast. An existing dirt road extends from Natwar Lane in a northwest-southeast orientation to an existing billboard located in the northwest corner of the site. Based on the California Department of Conservation's (DOC's) 2018 Farmland Mapping and Monitoring Program (FMMP), the Project site does not have any lands mapped by the DOC as Farmland (Prime Farmland, Unique Farmland, or Farmland of Statewide Importance). The DOC classifies the entire Project site as Farmland of Local Importance and Urban Built-Up Land, and there are no existing agricultural operations at the Project site.

The Project site is within the San Jacinto Habitat Management Unit (HMU) of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and is not within an MSHCP Criteria Cell, Core or Linkage Area, or Mammal or Amphibian Survey Area. Additionally, the Project site is not located within the Criteria Area Plant Species Survey Area, Narrow Endemic Plant Species Survey Area. The Project site includes disturbed land ruderal vegetation types. The Project site is located within a Burrowing Owl Survey Area and the Project site contains a drainage channel (Drainage A) on the southern portion of the site, which is identified as an MSHCP riparian/riverine resource. The PVCCSP planning area, which includes the Project site, is relatively flat and generally slopes in a southeasterly direction towards the Perris Valley Storm Channel (PVSC). The Project site is not located within a 100-year flood hazard area.

The Project site is located directly south and southeast of MARB/IPA, which covers approximately 7,000 acres. The site is within the MARB/IPA Airport Influence Policy Area, and the City's Airport Overlay Zone. Specifically, the Project site is within the Outer Horizontal Surface and Approach/Departure Clearance Surface of the Federal Aviation Regulations (FAR), Part 77 (Imaginary Surfaces), and Compatibility Zone B2 (High Noise Zone) of the 2014 MARB/IPA Airport Land Use Compatibility Plan (ALUCP).

The existing General Plan land use designation and zoning for the Project site is Specific Plan (i.e., the PVCCSP). As identified in Section 2.1, Perris Valley Commerce Center Land Use Designations, of the PVCCSP, the western portion of the Project site is designated for Light Industrial uses and the eastern portion of the Project site is designated for General Industrial uses in the PVCCSP. The Light Industrial 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. The General Industrial zone provides for provides for the development of basic industrial uses which may support a wide range of manufacturing and non-manufacturing uses, from large-scale warehouse and warehouse/distribution facilities to outdoor industrial activities and correlates with the "General Industrial" General Plan Land Use designation.

Land uses surrounding the Project site include vacant land to the north, an existing billboard to the northwest, MARB/IPA to the north and northeast; commercial/warehouse uses to the east, southeast, and south; I-215 to the west; and a water treatment facility to the west across the I-215. Areas to the east are designated as "General Industrial." Industries in this area are anticipated to be related to air-cargo support, due to its close proximity to MARB/IPA. High truck traffic volume is anticipated and the General Industrial designation wraps around the northerly boundary of the Specific Plan, bordering MARB/IPA. The Light Industrial designation covers the majority of the remaining Specific Plan area. According to the PVCCSP, this Project site is primarily intended to accommodate commercial and industrial uses and as such, requires a greater need for established truck routes to serve existing and future businesses.

2.2.2 PROJECT DESCRIPTION

As further described in Section 3.0 of the EIR, the Project Applicant is requesting discretionary approvals to develop the Project site with two industrial buildings (totaling 544,375 square feet [sf]) on 26.40 acres. Building 1 would be constructed within the western portion of the Project site (Building 1 site) and Building 2 would be constructed within the eastern portion of the Project site (Building 2 site).Figure 3-4 in Section 3.0 of the EIR depicts the project site plan consisting of the industrial land uses. The Project has been designed to comply with the development standards set forth in the PVCCSP including, but not limited to, the following: structure size/floor area ratio, lot coverage by structure, and height requirements.

At the time this EIR was prepared, the specific occupants of the proposed industrial warehouse buildings were unknown. As shown in Table 2-1, *Buildings 1 and 2 Summary,* Building 1 consists of a 419,034-square-foot warehouse including 8,000 sf of ancillary office space and Building 2 consists of a 125,341-square-foot warehouse with 7,000 sf of ancillary office space. The buildings would allow for either high-cube, non-refrigerated warehouse/distribution, or manufacturing uses. The office locations are designated to be located at the corners of the buildings. As shown on the site plans, the proposed buildings are rectangular-shaped. Building 1 is approximately 879 feet long and 460 feet wide with 77 dock doors located on the west and east sides of the building. Building 2 is approximately 214 feet long and 494 feet wide with 16 dock doors located on the south side of the building. The truck courts for each building would be enclosed and screened from view as further discussed in Section 3.6.3 of the EIR.

Table 2-1 Buildings 1 and 2 Summary

	Building 1	**Building 2**	**Total**
Office Floor Space	8,000 sf	7,000 sf	15,000 sf
Warehouse Floor Space	411,034 sf	118,341 sf	529,375 sf
Total Building Area	***419,034 sf***	***125,341 sf***	***544,375 sf***
Lot Coverage (maximum 50% of lot allowed)	48.1%	45.0%	
Floor Area Ratio (FAR) (maximum 0.75 FAR allowed)	.50	.49	
Building Height (maximum height of 50 feet allowed)[1]	51’	51’	

sf: square feet
[1] Structure heights may be increased to a maximum of 100 feet above grade, provided that the front and street side yards are increased at least (1) one foot for every (1) one foot of height increase beyond the standard set forth in Section 19.44.030 and provided that side and rear yard setbacks are increased by (1) one foot for every (2) two-foot increase beyond the standard set forth in Section 19.44.030.

In general, and as shown on the conceptual building elevations presented on Figures 3-7 through 3-10 of the EIR, the architectural style consists of modern industrial design. The buildings would be constructed of painted concrete tilt-up panels and low-reflective materials, including low-reflective glass. The exterior color palette would be comprised of various shades of white, gray, and beige with accent colors and black brick veneer façade accent. The proposed buildings would be a maximum of 51 feet in height above the exterior finish grade level at the top of parapet, although the roof height would vary based on the building’s architectural features. As shown by the building’s elevations, visual relief from building form would be achieved through fenestration, mullions, exterior canopies at the office entries, and through variations in height and rooflines, and the use of parapets. The various architectural elements would effectively avoid monotony and repetition in building elevations and would minimize glare. It should also be noted that rooftop equipment would be screened behind the parapet and would not be visible from the street.

Based on the employment generation rates identified in the PVCCSP EIR Table 4.8-E, Development Intensity and Employment Projections, the Project could generate up to approximately 529 new employees.

Truck and automobile access to the Project site would be provided from Natwar Lane via four Project driveways. Street improvements for Natwar Lane are being constructed to its ultimate half section pavement width as a Collector (64-foot right-of-way) between the Project site's northern and southern boundaries. This includes installing a 34-foot-wide asphalt paving, 6-inch curb and gutter 22 feet west of the centerline, sidewalk and streetlights per the City of Perris, County of Riverside, and Caltrans standards. The Project Applicant would be required to improve Natwar Lane as required by the final Conditions of Approval for the Project and applicable City of Perris standards. The proposed improvements to Natwar Lane associated with the proposed building would include the improvements to the existing sidewalk along the Project site's frontage. Additionally, to meet the requirements for bicycle parking, bicycle racks would be provided at the primary building entrances. Access would also be provided from one driveway off Western Way. Western Way is planned to be extended northerly to connect to a future extension of Van Buren Boulevard. Street improvements for Western Way are being constructed to its ultimate full-section pavement width as a Secondary Arterial (94-foot right-of-way) between the Project site's northern and southern boundaries. A future east-west roadway (Van Buren Boulevard) connecting to MARB/IPA will be constructed adjacent to the northern boundary of the Project site; the roadway would not be developed as part of the Project. No access to/from the Project site would occur off the MARB/IPA roadway. Project truck traffic would be required to use Harley Knox Boulevard to access I-215. Signage would be posted on-site directing truck drivers to use the existing City truck routes. The traffic analysis in this Draft EIR conservatively assumes that all truck traffic would use the Harley Knox Boulevard interchange to access I-215.

The Project is designed to include a total of 184 surface automobile spaces: 107 automobile spaces for Building 1, and 77 automobile spaces for Building 2. Additionally, 169 trailer spaces would be provided: 137 trailer spaces for Building 1, and 32 trailer spaces for Building 2. Automobile parking would consist of standard spaces, van accessible spaces, and accessible spaces. The automobile parking would meet or exceed the required amount of 106 spaces for Building 2 and 74 spaces for Building 2. Of the parking spaces provided, 11 of the spaces at Building 1 would be designated for electric vehicle (EV) parking with 6 installed EV chargers and Building 2 would have 8 designated EV spaces with 4 installed EV chargers.

Additional improvements associated with the Project include, but are not limited to, vehicle drive aisles, landscaping, walls/fences, storm water quality/storage, utility infrastructure, and exterior lighting.

The Project would also include the installation or accommodation for onsite storm drain, water quality, water, sewer, electric, and telecommunications infrastructure systems to serve the proposed industrial uses. The onsite utility infrastructure would connect to existing utilities in the vicinity of the Project site. As further discussed in Section 4.10, Hydrology and Water Quality, of the EIR, during Phase 1, all Project off-site runoff from Building 1 would be discharged to a public storm drain system that will drain into the temporary detention basin, which will be constructed on the Building 2 site. Once the future proposed storm drain is constructed, the detention basin will not be required and runoff from Buildings 1 and 2 would discharge to the northeast portion of the Project site. Flows will continue south on Western Way to Nandina. The public storm drain system ultimately connects east to the future storm drain along the MARB/IPA western boundary.

Construction of the Project would be in two phases: 1) Building 1 on 20.2 acres and a detention basin on 6.4 acres (between Natwar Lane and Western Way) on the Building 2 site would be constructed over a period of 16-months and 2) Building 2 would be constructed over 12 months. The Project site would be cleared and over-excavated per the recommendations of the Project-specific geotechnical investigations. Excavation activities associated with the Project are not anticipated to reach a depth of 23 feet; approximately 10 to 15 feet of excavation is anticipated to be required for the associated utility connections. It is estimated that the Project would require approximately 69,053 cubic yards (cy) of cut and 69,054 cy of fill during Phase 1 and 18,666 cy of cut and 18,666 cy of fill during Phase 2, resulting in no import/export of soil due to the 10 percent shrinkage in soils.

The Project involves a Tentative Parcel Map 37965 (TPM20-05117) and Development Plan Review (DPR) 20-00004, which are further described in Section 3.7, Summary of Requested Actions, of this EIR.

2.2.3 PROJECT OBJECTIVES

The following objectives have been established for the Project:

1. Implement the Perris Valley Commerce Center Specific Plan through development of land uses allowed by the Light Industrial and General Industrial land use designations and consistent with the Standards and Guidelines relevant to the Project site and proposed uses.
2. Implement City of Perris General Plan policies and objectives relevant to the Project site and proposed industrial development.
3. Expand economic development and facilitate job creation in the City of Perris by establishing a new industrial development area adjacent to an already-established industrial area.
4. Maximize development of speculative high-cube, non-refrigerated warehouse/distribution use, or manufacturing buildings in the Project site that meets contemporary industry standards for operational design criteria, can accommodate a wide variety of users, and are economically competitive with similar warehouse buildings in the local area and region, which will assist the City of Perris in competing economically on a domestic and international scale through the efficient and cost-effective movement of goods.
5. Attract new businesses to the City of Perris and thereby provide a more equal jobs-housing balance in the Riverside County/Inland Empire area that will reduce the need for members of the local workforce to commute outside the area for employment.
6. Provide for uses that will generate tax revenue for the City of Perris including, but not limited to, increased property tax, to support the City's ongoing municipal operations.
7. Provide high-cube, non-refrigerated warehouse/distribution use, or manufacturing buildings that takes advantage of the area's proximity to various freeways and existing and planned transportation corridors to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources.
8. Accommodate new development in a phased, orderly manner that is coordinated with the provision of necessary infrastructure and public improvements.
9. Assist the SCAG region in achieving jobs/housing balance region-wide by providing additional job opportunities in a housing rich area of the Inland Empire.

2.2.4 REQUIRED DISCRETIONARY ACTIONS AND PERMITS

The following discretionary actions are anticipated to be taken by the City of Perris as part of the Project:

- **Certification of the EIR** with the determination that the EIR has been prepared in compliance with the requirements of CEQA.
- **Development Plan Review (DPR) 20-00004** for the First March Logistics Project site plan and building elevations.
- **Tentative Parcel Map 37965 (TPM20-05117)**.

Other non-discretionary actions anticipated to be taken by the City at the staff level as part of the Project include:

- Approval of all on-site plans, including grading plan and onsite utility plans;
- Approval of all off-site infrastructure plans, including street and utility improvement pursuant to the conditions of approval; and
- Approval of Final Water Quality Management Plans (FWQMP) to mitigate post-construction runoff flows.

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

- **Regional Water Quality Control Board (RWQCB).** Issuance of a Construction Activity General Construction Permit and a National Pollutant Discharge Elimination System (NPDES) permit.
- **California Department of Fish and Wildlife.** Approval of Determination of Biologically Equivalent or Superior Preservation and issuance of a Section 1602 Streambed Alteration Agreement.
- **Riverside County Flood Control and Water Conservation District.** Approval of master plan of drainage infrastructure.
- **South Coast Air Quality Management District (SCAQMD).** Permits to construct and/or permits to operate new stationary sources of equipment that emit or control air contaminants, such as heating, ventilation, and air conditioning (HVAC) units and diesel fire water pumps.
- **Other Utility Agencies.** Issuance of permits and associated approvals, as necessary for the installation of new utility infrastructure or connections to existing facilities.

2.3 OTHER CEQA DOCUMENTS REFERENCED

Under Section 15150 of the State CEQA Guidelines, an EIR may incorporate by reference all or portions of another document that are a matter of public record or are generally available to the public. The previously prepared EIRs and environmental analyses listed below were relied upon or consulted in the preparation of the Project's EIR and were incorporated by reference:

- *Perris Comprehensive General Plan 2030*, City of Perris, originally approved on April 26, 2005
- *Perris General Plan 2030 Draft Environmental Impact Report* (SCH No. 2004031135), certified April 26, 2005

- *Perris Valley Commerce Center Specific Plan* adopted January 10, 2012 and subsequently amended.

- *Perris Valley Commerce Center Specific Plan Final Environmental Impact Report* (SCH No. 2009081086), certified January 10, 2012.

SECTION 3.0 ENVIRONMENTAL REVIEW / PUBLIC PARTICIPATION

The City of Perris conducted an extensive review of this Project, which included a Draft EIR, a Final EIR, and technical reports, along with a public review and comment period. The following is a summary of the City's environmental review of this Project:

- Pursuant to the provision of Section 15082 of the State CEQA Guidelines, as amended, the City of Perris circulated a Notice of Preparation (NOP) to the State Clearinghouse, responsible agencies, and other interested parties for a 30-day period. On December 22, 2021, the City posted the NOP on the Governor's Office of Planning and Research State Clearinghouse (SCH) CEQAnet Web Portal. The NOP was also posted at the Riverside County Clerk's office. The City also directly distributed the NOP to 44 federal, state, regional, and local government agencies and interested parties for a 30-day public review period to solicit comments and to inform agencies and the public of the Project.
- A scoping meeting was held before the City of Perris Planning Commission on January 19, 2022, pursuant to the requirements of Section 15082(c)(1) of the State CEQA Guidelines.
- The City of Perris circulated the Draft EIR for the First March Logistics Project (Tentative Parcel Map 37965 (TPM20-05117) and Development Plan Review (DPR) 20-00004) from April 28, 2023 to June 12, 2023. A notice advising of the availability of the Draft EIR was posted by the Riverside County Clerk on April 27, 2023. The Notice of Availability (NOA), Notice of Completion, and the Draft EIR and supporting technical appendices were also posted on the SCH CEQANet Web Portal, and was sent to responsible agencies, and other interested agencies and parties on April 28, 2023.
- The NOA was also sent to adjacent property owners within 300-feet of the Project site on April 27, 2023.
- The NOA was posted in the Perris Progress (the newspaper of general circulation in the area affected by the Project) on April 28, 2022.
- The NOA, Draft EIR, and associated technical studies were made available to the public on the City's website.
- The City received eleven comment letters. The comment letters and responses are contained in Section 2.2 of the Final EIR.
- In accordance with the provisions of Section 21092.5 of the *California Public Resources Code,* the City of Perris has provided a written response to the commenting public agency no less than ten days prior to the proposed certification date of the Final EIR.
- The City published a notice on August 23, 2024, in the Perris Progress that the Planning Commission would hold a public hearing on September 4, 2024, to consider recommending approval of the Project and certification of the Final EIR.
- The City mailed notice of the Planning Commission hearing to all property owners within a 300-foot radius of the Project site from August 20 to August 22, 2024.
- The City sent notice of the Planning Commission's hearing to all organizations and individuals who had previously requested notification of anything having to do with the Project on August 23, 2024.

- The City held a public hearing of the Planning Commission on September 4, 2024, and, after full consideration of all comments, written and oral, recommended certification of the Final EIR, prepared in compliance with CEQA, and approval of the Project.

SECTION 4.0 INDEPENDENT JUDGMENT AND FINDING

The Project Applicant retained the independent consulting firm of T&B Planning, Inc. (T&B Planning) to prepare the EIR for the First March Logistics Project (Tentative Parcel Map 37965 (TPM20-05117) and Development Plan Review (DPR) 20-00004). T&B Planning prepared the EIR under the supervision, direction, and review of the City with the assistance of an independent peer review consultant hired by the City (Cadence Environmental Consultants). The City of Perris is the Lead Agency for the preparation of the EIR, as defined by CEQA (*California Public Resources Code,* Section 21067 as amended). The City has received and reviewed the EIR prior to its certification and prior to making any decision to approve or disapprove the First March Logistics Project (Tentative Parcel Map 37965 (TPM20-05117) and Development Plan Review (DPR) 20-00004). All findings set forth herein are based on substantial evidence in the record as indicated with respect to each specific finding.

FINDING

The EIR for the Project reflects the independent judgment of the City of Perris. The City has exercised independent judgment in accordance with Section 21082.1(c)(3) of the *California Public Resources Code* in retaining its own environmental consultant to review the EIR and directing the consultant in the preparation of the EIR. The City has independently reviewed and analyzed the EIR and accompanying studies and finds that the report reflects the City's independent judgment.

The City has considered all the evidence presented in its consideration of the Project and the EIR, including, but not limited to, the Final EIR and its supporting studies; written and oral evidence presented at hearings on the Project; and written evidence submitted to the City by individuals, organizations, regulatory agencies, and other entities. On the basis of such evidence, the City finds that, with respect to each environmental impact identified in the review process, the impact (1) is less than significant and would not require mitigation; or (2) is potentially significant but would be avoided or reduced to a less than significant level by implementation of identified mitigation measures; or (3) would be significant and not able to be fully mitigated but would be, to the extent feasible, lessened by implementation of identified mitigation measures. The EIR also identifies certain significant adverse environmental effects of the Project which cannot be avoided or substantially lessened. Prior to approving this Project, the City will also adopt a Statement of Overriding Considerations which finds, based on specific reasons and substantial evidence in the record (as specified in Section 7.0), that certain identified economic, social, or other benefits of the Project outweigh such unavoidable adverse environmental effects.

SECTION 5.0 ENVIRONMENTAL IMPACTS AND FINDINGS

5.1 EFFECTS DETERMINED NOT TO BE SIGNIFICANT

Through the preparation of the NOP included in Appendix A of the Draft EIR, and analysis conducted during preparation of the Draft EIR, it was concluded that the Project would have no impact or result in a less than significant impact for certain thresholds of significance under each topical area identified below.

Findings:

The City finds that, based on substantial evidence in the record, the following impacts, to the extent they result from the Project, will be less than significant.

5.1.1 AESTHETICS

Aesthetics impacts listed in this section include the thresholds that are less than significant without mitigation measures. Lighting impacts during Construction are discussed in Section 5.2.1.

Scenic Vistas. As discussed in Section 4.1, Aesthetics, of the Draft EIR, scenic vistas are the view of an area that is visually or aesthetically pleasing. The City identifies views of Lake Perris Dam, the Bernasconi Hills, the Gavilan Hills, Motte-Rimrock Reserve, and the MARB/IPA as scenic vistas. The Project site is not within a scenic vista and development of the Project site would not adversely affect a scenic vista because of the relatively flat nature of the Project site. Additionally, the Project would be developed in compliance with the Standards and Guidelines identified in the PVCCSP to address visual character. The Project proposes the construction and operation of two warehouse buildings (Building 1 and 2) and the implementation of landscaping as required by the PVCCSP; specifically, landscape setbacks are provided along Natwar Lane and Western Way. Implementation of the Project would not result in a substantial adverse effect on a scenic vista. **This impact would be less than significant.**

Damage Scenic Resources within a State Scenic Highway. As discussed in Section 4.1, Aesthetics, of the Draft EIR, no specific scenic resources such as trees, rock outcroppings or unique features exist within the PVCCSP area, including the Project site. The Project site is not located within the vicinity of scenic highways. The nearest “Officially Designated” State Scenic highway is the segment of Highway 74, located east of the City of Hemet, and the nearest “Eligible” State Scenic Highway is the segment of Highway 74 located approximately 6.13 miles south of the Project site that extends from Hemet to the coast. As such, development of the Project would not affect views from a state scenic highway. **No impact would occur.**

Substantially Degrade the Existing Visual Character of the Site. As discussed in Section 4.1, Aesthetics, of the Draft EIR, due to the relatively flat topography of the Project site and surrounding area, and existing development in the surrounding area, views of the Project site are largely limited to vantage points adjacent to the site. Implementation of the Project would result in a permanent and obvious change in the visual character of the site from its current condition (i.e., vacant land) to an urban setting with industrial warehouse uses. The site would be developed in compliance with the Standards and Guidelines outlined in the PVCCSP. The architectural Standards and Guidelines outlined in the PVCCSP have been developed to ensure aesthetic cohesiveness and superior architectural design and to improve the visual character in the PVCCSP area. The streetscapes and screening adjacent to the Project site would be the primary visual focal point for motorists traveling along I-215, Natwar Lane, and Western Way.

Therefore, the development of the Project and associated features would not degrade the visual character or quality of public views of the Project site and its surroundings. This impact would be **less than significant.**

Light During Operation and Glare During Operation. As discussed in Section 4.1, Aesthetics, of the Draft EIR, development of the Project with industrial uses would introduce new permanent sources of light into the area in the form of signage, building lighting, and parking lot lighting for nighttime operations, security, and safety. Lighting in loading areas would consist of building-mounted lighting. All lighting would be subject to lighting requirements contained in the PVCCSP, the County of Riverside Ordinance No. 655, and City of Perris Municipal Code Section 19.02.110. Adherence to these regulations would ensure that the Project's lighting would not significantly affect adjacent uses. Therefore, operational impacts related to lighting **would be less than significant**.

Building materials would be subject to the PVCCSP Standards and Guidelines related to exterior color and materials. The buildings would be constructed of painted concrete tilt-up panels and low-reflective materials, including low-reflective glass. The project would comply with the requirements of the PVCCSP related to building materials to ensure that glare would not create a nuisance to on- and off-site viewers of the Project site or aircraft traveling to or from MARB/IPA. The potential impact **would be less than significant**.

Cumulative Impacts. As discussed in Section 4.1, Aesthetics, of the Draft EIR, development within the City of Perris and specifically the PVCCSP area, would result in the cumulative conversion of land that is currently undeveloped to a more urbanized land use. However, this is a continuing development trend currently occurring within the City that has been anticipated in the City's General Plan and approved Specific Plan areas. Cumulative projects in the same viewshed as the Project would be required to comply with all standards and guidelines set forth in the PVCCSP regarding architectural design, landscaping, and similar design requirements, it is expected that these projects would also conform to the overall visual theme of the area. Cumulative impacts related to the change in visual character would be **less than significant.** Cumulatively, more lighting would be introduced into the area by proposed, existing, and future development. As with past and currently proposed development, cumulative lighting-related impacts would be reduced through the adherence to applicable City and County lighting standards, and requirements outlined in the PVCCSP. Cumulative light and glare impacts would be **less than significant**.

5.1.2 AGRICULTURE AND FORESTRY RESOURCES

Conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. As discussed in Section 4.2, Agriculture and Forestry Resources, of the Draft EIR, the Project site does not have any lands mapped as Farmland (Prime Farmland, Unique Farmland, or Farmland of Statewide Importance). The entire Project site is classified as Farmland of Local Importance and there are no existing agricultural operations at the Project site. Further, there is no agricultural irrigation source available to serve the Project site. For these reasons, implementation of the Project would not convert Farmland to non-agricultural uses and no impact would occur. Notwithstanding the lack of Farmland within the Project impact area, based on the LESA analysis conducted for the Project, and as discussed under Threshold "e" the loss of Farmland of Local Importance would result in a **less than significant impact.**

Conflict with an Agricultural Zoning or a Williamson Act Contract. As discussed in Section 4.2, Agriculture and Forestry Resources, of the Draft EIR, according to the City of Perris Zoning

Map, the Project site is not zoned for agricultural use; the Project site is zoned for Light Industrial and General Industrial uses. Furthermore, the City of Perris General Plan EIR determined that the City's General Plan area resulted in no impacts related to a conflict with existing zoning for agricultural uses or a Williamson Act contract because all agricultural lands within the City's General Plan area have been re-designated for uses other than agriculture. The Project site is not covered under a Williamson Act Contract; therefore, the Project would not conflict with any Williamson Act Contract. **No impact would occur.**

Conflict with Zoning for or Cause Forest Land or Timberland to Be Rezoned. Result in Loss or Conversion of Forest Land to Non-Forest Use. As discussed in Section 4.2, Agriculture and Forestry Resources, of the Draft EIR, according to the PVCCSP, there are no areas within the PVCCSP, including the Project site, that are designated for forest land. Further, the Project site does not contain forest land or any vegetation communities associated with forest land. Accordingly, the Project would not conflict with areas currently zoned as forest, timberland, or Timberland Production, and would not result in the rezoning of any such lands, nor would the Project result in the loss of forest land of the conversion of forest land to non-forest use. **No impact would occur**.

Involve Other Changes that Could Result in the Conversion of Farmland to Non-Agricultural Use or Conversion of Forest Land to Non-Forest Use. As discussed in Section 4.2, Agriculture and Forestry Resources, of the Draft EIR, the Project impact area is classified Farmland of Local Importance and Urban Built-Up Land; however, it is not in agricultural production. Site adjacent areas are either designated as Urban and Built-Up Land or as Farmland of Local Importance that is located within the MARB and not used for agricultural purposes. As part of the LESA prepared for the Project, a Zone of Influence for the Project impact area totaling 908.4 acres was examined and none of these areas are currently producing agricultural crops. The Project impact area received a Land Evaluation (LE) subscore of 34.2 and a Site Assessment (SA) subscore of 19.5, which sums to a final LESA score of 53.7. Pursuant to the LESA Model scoring system, a final LESA score between 40 to 59 points corresponds to a significant impact when both the LE and SA factor scores are each equal to or greater than 20. Because the Project site received a final LESA score of 53.7, with the LE factor score greater than 20 and the SA factor score less than 20, the Project's conversion of Farmland to a non-agricultural use would be less than significant. Therefore, the conversion of Farmland of Local Importance to a non-agricultural use as a result of the Project would result in a **less than significant impact.**

Cumulative Impacts. As discussed in Section 4.2, Agriculture and Forestry Resources, of the Draft EIR, buildout of the PVCCSP, would result in the conversion of Prime Farmland and Farmland of Statewide Importance to non-agricultural uses. However, the Project site does not include Prime Farmland or Farmland of Statewide Importance; the Project site is mapped as farmland of local importance.

The Farmland conversion was previously addressed in the EIR that was prepared for the City of Perris' 1991 General Plan and in the Perris General Plan EIR and a Statement of Overriding Considerations was adopted for the loss of designated farmland related to the 1991 General Plan. The conversion of agricultural uses and Farmland to a more urbanized, non-agricultural land use is a continuing development trend occurring in the region. The City of Perris continues to undergo a transition into an urban area and conversion of agricultural lands has been identified as goals of both the current (2005) and past (1991) General Plans. Agricultural land use designations were not established in either plan, except for one small parcel in the current General Plan. The continued utilization of property in the City, including the Project site, for continued low quality agricultural activity would impede the City from achieving the goals and objectives set forth in its

General Plan. Therefore, build out of the City's General Plan and the PVCCSP would result in the continued conversion of Farmland to non-agricultural uses. Project impacts related to farmland conversion would be **less than significant and therefore not cumulatively considerable**.

The Project site does not have a Williamson Contract nor does the Project conflict with zoning of agricultural use. Accordingly, the Project would not have cumulative significant impact due to conflicting with a Williamson Contract or zoning of agricultural use. Additionally, there are no forest lands, timberlands, or Timberland Production zones within the Project site or in the Project site's vicinity, nor are any nearby lands under active production as forest land. Therefore, cumulatively significant impacts to agricultural and forest land would not occur and the **Project has no potential to result in a cumulatively considerable impact** to the loss of these lands.

5.1.3 AIR QUALITY

Air quality impacts listed in this section include the thresholds that are less than significant without mitigation measures. Operational impacts are discussed in Section 5.2.2.

Air Quality Management Plan (AQMP) Consistency. As discussed in Section 4.3, Air Quality, of the Draft EIR, the AQMP's control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, if a project demonstrates compliance with local land use plans and/or population projections, then the AQMP would have taken into account such uses when it was developed. The City of Perris General Plan land use and Zoning designation for the Project site is "PVCCSP." According to the PVCCSP, the Project site is designated as a Light Industrial and General Industrial uses. The Light Industrial designation provides for light industrial uses and related activities including manufacturing, research, warehouse and distribution, assembly of non-hazardous materials and retail related to manufacturing. The General Industrial designation provides for the development of basic industrial uses which may support a wide range of manufacturing and non-manufacturing uses, from large-scale warehouse and warehouse/distribution facilities to outdoor industrial activities.

Based on the PVCCSP development standards and review of allowed uses for the PVCCSP, the Project's proposed two warehouse buildings: Building 1 (419,034 sf) and Building 2 (139,971 sf), are consistent with the City's General Plan and PVCCSP land use designations and intensity. The Project would not exceed the applicable regional significance thresholds for construction activity. Therefore, the Project does not have the potential to conflict with the AQMP according to Consistency Criterion No. 1. Additionally, as evaluated, the Project would not exceed the applicable regional and localized significance thresholds for operational activity. Therefore, the Project would not conflict with the AQMP according to Consistency Criterion No. 1.

Growth projections from local general plans adopted by cities in the district are provided to the SCAG, which develops regional growth forecasts, which are then used to develop future air quality forecasts for the AQMP. Development consistent with the growth projections in the City of Perris General Plan is considered to be consistent with the AQMP. The Project is proposed to consist of two warehouse buildings: Building 1 (419,034 sf) and Building 2 (139,971 sf), which is consistent with the City's General Plan and PVCCSP land use designations and intensity. The Project would not require a general plan amendment or zone change and therefore would be consistent with the City's growth projections. Additionally, the Project's construction and operational-source air pollutant emissions would not exceed the regional or localized significance thresholds. Therefore, the Project would not conflict with Consistency Criterion No. 2.

The Project would not result in or cause NAAQS or CAAQS violations. The Project is consistent with the land use and growth intensities reflected in the adopted General Plan. Furthermore, the Project would not exceed any applicable regional or localized thresholds. As such, the Project is consistent with the AQMP and a **less than significant** impact would occur.

Result in a Cumulatively Considerable Net Increase of Any Criteria Pollutant for Which the Project Region is Nonattainment During Construction. As discussed in Section 4.3, Air Quality of the Draft EIR, and shown in Table 4.3-3, Attainment Status of Criteria Pollutants in the SoCAB, the CAAQS designate the Project site as nonattainment for O_3, PM_{10}, and $PM_{2.5}$, while the NAAQS designates the Project site as nonattainment for O_3 and $PM_{2.5}$. In compliance with PVCCSP EIR mitigation measure MM Air 1, a Project-specific air quality analysis was conducted to determine the potential air quality impacts resulting from the Project during construction of the Project.

The estimated emissions resulting from the Project construction would not exceed criteria pollutant thresholds established by the SCAQMD for emissions of any criteria pollutant. Therefore, regional construction impacts would be **less than significant**.

Because emissions resulting from the Project's construction activities would not exceed criteria pollutant thresholds established by SCAQMD for any criteria pollutant, the Project would not result in a considerable net increase of a criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard. A **less than significant impact** would occur for Project-related regional construction-source emissions and no additional mitigation is required beyond compliance with the PVCCSP EIR mitigation measures.

Additionally, the Project would not result in emissions that exceed the South Coast AQMD's LSTs. Therefore, the Project would not be expected to exceed the most stringent applicable federal or State ambient air quality standards for emissions of CO, NO_X, PM_{10}, and $PM_{2.5}$. Lastly, the Project's HRA determined that the Project **would not result in any significant health risk impacts** from exposure to toxic air contaminants (TACs) resulting from the Project.

Expose Sensitive Receptors to Substantial Pollutant Concentration During Construction and Operation. As discussed in Section 4.3, Air Quality, of the Draft EIR, localized construction source emissions would not exceed the numerical thresholds of significance established by the SCAQMD for any criteria pollutant during construction and operation. Thus, a less than significant impact would occur for Project-related localized construction-source and operational emissions and no additional mitigation is required. Notwithstanding, all development projects within the PVCCSP planning area are required to comply with applicable PVCCSP EIR construction-related mitigation measures (notably mitigation measures MM Air 3 [fugitive dust emissions], MM Air 6 (use of alternative fueled off-road construction equipment], and MM Air 9 [use of low-VOC paints]). Because Project localized emissions would not exceed the SCAQMD's LSTs for any criteria pollutant, the Project's localized emissions during construction and operation would be less than cumulatively considerable. Further, as discussed in the Project-specific Health Risk Assessment (HRA) included in Appendix B2 of the Draft EIR, the Project would not expose sensitive receptors to construction-related DPM and impacts would be **less than significant**.

The Project-specific HRA also evaluated the potential significance of the Project's mobile-source DPM emissions as required by PVCCSP EIR mitigation measure MM Air 15. The HRA concluded that maximum incremental cancer risks at the maximally exposed residential and worker receptors would be 0.10 and 0.22 in one million, which would not exceed the applicable significance threshold of 10 in one million. Maximum non-cancer risks at these receptors were

estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. As such, the Project would not cause a significant human health or cancer risk to the nearest residents and workers. The nearest school is Rainbow Ridge Elementary School, which is located approximately 9,700 feet northeast of the Project site. Because there is no reasonable potential that TAC emissions would cause significant health impacts at distances of more than ¼ mile from the air pollution source, there would be no significant impacts that would occur to any schools in the vicinity of the Project. As such, the Project would not cause a significant human health or cancer risk to nearby school children. Therefore, **less than significant impacts** to sensitive receptors during operation would occur and no mitigation is required.

Other Emissions (Such as Those Leading to Odors). As discussed in Section 4.3, Air Quality, of the Draft EIR, the construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. The Project does not propose or require any additional land uses typically associated with emitting objectionable odors. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations. The Project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, odors associated with the Project construction and operations would be **less than significant** and no mitigation is required.

Cumulative Impacts. As discussed in Section 4.3, Air Quality, of the Draft EIR, the Project would not result in a conflict with the SCAQMD AQMP. As such, cumulatively-considerable impacts due to a conflict with the AQMP would be **less than significant.** The Project would not exceed the SCAQMD LST thresholds during either construction or operation. Additionally, the Project would not cause or contribute to any CO "Hot Spots." The Project also would not result in cancer risk or health hazards exceeding the SCAQMD thresholds of significance of 10 in one million and 1.0, respectively. Consistent with SCAQMD report on how to address cumulative impacts from air pollution discussed above, since the Project does not exceed the applicable health risk thresholds and does not result in a significant impact on an individual basis, the Project would not be considered to be cumulatively significant, and a **less than significant** cumulative health risk impact would occur.

With respect to odors, the Project does not include any land uses associated with the generation of odors or other emissions that could adversely affect a substantial number of people and would have a less than significant odor impact. Thus, Project-related odor impacts would be **less than cumulatively considerable**.

5.1.4 BIOLOGICAL RESOURCES

Biological resource impacts listed in this section include the thresholds that are less than significant without mitigation measures. Impacts to burrowing owl, riparian/natural communities, and wildlife movement are discussed in Section 5.2.3.

Local Policies and Ordinances Protecting Biological Resources. As discussed in Section 4.4, Biological Resources, of the Draft EIR, the Project Applicant is required to contribute a local mitigation fee, which requires a fee payment to assist the City in implementing the Western Riverside County MSHCP reserve system (including the acquisition, management, and long-term maintenance of sensitive habitat areas). With mandatory compliance with standard regulatory requirements (i.e., mitigation fee payment), the Project would not conflict with any City policies or ordinances related to the mitigation fee program associated with Western Riverside County MSHCP and impacts would be **less than significant**.

Currently, there are four black willow saplings and several mulefat shrubs within Drainage A. Pursuant to the provisions of the City's Urban Forestry Ordinance 1262 Section 19.71, the black willow saplings and mulefat shrubs on the Project site would not be afforded protection under the ordinance due to the truck sizes being smaller than two inches when measured 4.5 feet from the ground. Therefore, the Project would not conflict with the provisions of this Ordinance. The planting and maintenance of trees as part of the Project would comply with the City's Ordinance related to Urban Forestry, and **no impacts** would result.

Habitat Conservation Plan, Natural Conservation Community Plan, or Other Plan (MSHCP). As discussed in Section 4.4, Biological Resources, of the Draft EIR, the Project site occurs within the San Jacinto Habitat Management Unit (HMU) of the Western Riverside County MSHCP; but does not occur within a Western Riverside County MSHCP Criteria Area nor is it located within any Criteria Cell. As such, the Project is not required to set aside conservation lands pursuant to the MSHCP, and the Project is not subject to the MSHCP's Habitat Evaluation and Acquisition Negotiation Strategy (HANS) process nor Joint Project Review (JPR). Accordingly, the Project would not conflict with the Western Riverside County MSHCP Reserve Assembly requirements and **no impact** would occur.

The Project would permanently impact approximately 0.18-acre of MSHCP riparian/riverine areas within Drainage A located on the southern portion of the Project site. Given the low quality of riparian habitat as discussed above, the Project site does not provide suitable habitat for riparian species including least Bell's vireo, southwestern willow flycatcher, and/or western yellow-billed cuckoo. Impacts to riparian/riverine areas must be mitigated such that the resulting Project, with mitigation, is biologically equivalent or superior to the existing site conditions. As such, a DBESP is required, which represents a potentially significant impact.

In compliance with MSHCP Section 6.1.2, a DBESP has been prepared for the Project's impacts to riparian/riverine areas, which is contained as Appendix C2. The DBESP requires that riparian resources be mitigated through the purchase of at least 0.18 acres of riparian establishment mitigation credits and 0.36 acre of rehabilitation, re-establishment, and/or establishment mitigation credits at an approved mitigation bank or in-lieu fee program within the San Jacinto River and/or Santa Ana River Watershed, such as the Riverpark Mitigation Bank. With the implementation of the mitigation provided by the DBESP (Project-level mitigation measure MM 4-2), the Project would not conflict with Section 6.1.2 of the Western Riverside County MSHCP.

No vernal pools occur on the Project site; therefore, **no impact** to vernal pools or vernal pool species including listed fairy shrimp will occur as a result of the Project.

The Project site is not located in the Narrow Endemic Plant Species Survey Areas; therefore, the Project would be consistent with Section 6.1.3 of the MSHCP. **No impacts would occur**.

The Project site and its surrounding environs have been routinely disturbed and maintained for decades, and do not comprise a wildlife movement corridor; rather, the area is already fragmented by existing industrial development, the I-215 Freeway, and MARB/IPA. The development of an industrial building and its associated improvements will not result in further fragmentation than what already exists and will not result in lower functions and values of natural open space for native species or other effects associated with such natural open space.

As discussed previously, the Project site does not occur in proximity to the MSHCP Conservation Area; therefore, the MSHCP Urban/Wildland Interface Guidelines do not apply to the Project. As

such, the Project would be consistent with the biological requirements of the MSHCP, specifically pertaining to the MSHCP Urban/Wildlands Interface Guidelines.

the required focused surveys for burrowing owl have been conducted and no burrowing owls or sign were observed on or within 500 feet of the Project site, where accessible, during the focused surveys. As a result, burrowing owl are presumed absent from the Project site. However, a Pre-construction survey for resident burrowing owls shall occur within 30 days prior to commencement of construction activities as required by Project-level mitigation measure 4-1. As the Project site does not occur within amphibian and/or mammal survey areas, no Amphibian and/or Mammal surveys are required. As the Project site does not occur within the Criteria Area Plant Species Survey Area, no Criteria Area Plant Species surveys are required.

Cumulative Impacts. As discussed in Section 4.4, Biological Resources, of the Draft EIR, the Project site contains one special-status plant species, paniculate tarplant. However, due to the relatively small population of this species on the site and the heavily disturbed nature of the site, impacts to the paniculate tarplant would be **less than cumulatively significant**.

The Project would not conflict with any local policies or ordinances protecting biological resources. Other development projects in the cumulative study area would be required to comply with applicable local policies and/or ordinances related to the protection of biological resources as a standard condition of review/approval. Because the Project and cumulative development would be prohibited from violating applicable, local policies or ordinances related to the protection of biological resources, a **cumulatively considerable impact would not occur**.

The Project site is subject to the Western Riverside County MSHCP and its survey requirements for the burrowing owl. As previously discussed, the Project would be consistent with the Western Riverside County MSHCP and **no cumulatively considerable impact would occur**.

5.1.5 CULTURAL RESOURCES

Cultural resources impacts listed in this section include the thresholds that are less than significant without mitigation measures. Impacts to archeological resources are discussed in Section 5.2.4.

Historic Resources. As identified in Section 4.5, Cultural Resources, of the Draft EIR, under existing conditions, the Project site is undeveloped and vacant. The EIC records search indicated that no historic resources are contained within the boundaries of the Project site. Additionally, according to the field survey, portions of the Project site were disturbed and do not contain any historic or prehistoric resources. The closest historical resources to the Project are located ¼ mile of the site and include a section of the Burlington North Santa Fe Railroad located west on the opposite side of I-215 and a 1950's flood control channel located to the northwest within MARB/IPA. Therefore, due to the lack of historical resources located within the Project site or within proximity to the Project site, implementation of the Project would not cause a substantial adverse change in the significance of a historical resource and **no impact would occur**.

Cumulative Impacts. Implementation of the Project would not result in a substantial adverse change to the significance of a historical resource and **would not contribute to a significant cumulative impact** to historical sites and/or resources.

5.1.6 ENERGY

Wasteful, Inefficient, or Unnecessary Energy Consumption. As identified in Section 4.6, Energy, of the Draft EIR, Project construction and operations would not result in the inefficient,

wasteful or unnecessary consumption of energy. Further, the energy demands of the Project can be accommodated within the context of available resources and energy delivery systems. The Project would therefore not cause or result in the need for additional energy producing or transmission facilities. The Project would not engage in wasteful or inefficient uses of energy. As such, the Project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during Project construction or operation. This impact would be **less than significant**.

Conflict with or Obstruct a State or Local Plan for Renewable Energy or Energy Efficiency. As identified in Section 4.6, Energy, of the Draft EIR, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, including the ISTEA, TEA-21, Integrative Energy Policy Report (IEPR), State of California Energy Plan, Title 24 Energy Efficiency Standards, and Senate Bills (SB) 350 (Clean Energy and Pollution Reduction Act of 2015). This impact would be **less than significant**.

Cumulative Impacts. As identified in Section 4.6, Energy, of the Draft EIR, as with the Project, cumulative development projects would be required to demonstrate that the wasteful, inefficient, or unnecessary consumption of energy would not occur, and would be subject to the same regulatory requirements as the Project. As such, the Project would not result in a potentially cumulatively considerable environmental impact due to wasteful, inefficient, or unnecessary consumption of energy. Additionally, the Project would not conflict with or obstruction of a State or local plan for renewable energy or energy efficiency and impacts due to a conflict with or obstruction of a State or local plan for renewable energy or energy efficiency would be **less than cumulatively considerable**.

5.1.7 GEOLOGY AND SOILS

Rupture of a Known Earthquake Fault. As identified in Section 4.7, Geology and Soils, of the Draft EIR, the PVCCSP area is not located in an Alquist-Priolo Earthquake Fault Zone and there are no other known faults in the Project vicinity. The Project-specific Geotechnical Investigation concludes that the site is not within an Alquist-Priolo Earthquake Fault Zone and also did not identify any evidence of faulting during the geotechnical investigations. Accordingly, the potential for fault rupture on the Project site is extremely low. There would be **no impact** related to the potential to directly or indirectly expose people or structures to substantial adverse effects related to ground rupture.

Landslides. As identified in Section 4.7, Geology and Soils, of the Draft EIR, the PVCCSP area, which includes the Project site, is relatively flat and is not located near any areas that possess potential landslide characteristics. There are no hillsides or steep slopes within the Project site or in the immediate vicinity of the area. As such, the implementation of the Project would not expose people or structure within the Project site to substantial landslide risks. **No impacts would occur.**

Soil Erosion or Loss of Top Soil. As identified in Section 4.7, Geology and Soils, of the Draft EIR, short-term construction-related erosion potential would be addressed through compliance with National Pollutant Discharge Elimination System (NPDES) permit requirements, and SCAQMD Rule 403's requirements related to fugitive dust control, and impacts would be less than significant. Implementation of the Project would result in less long-term erosion and loss of topsoil than under the existing conditions of the Project site. The Building 1 WQMP indicates that storm water flows generated by the development of the western portion of the Project site would be collected and conveyed to a temporary detention basin that would be constructed in the eastern portion of the Project site. A future storm drain system would be constructed in the future

to serve Buildings 1 and 2. These design features would be effective at removing silt and sediment from stormwater runoff, and the Preliminary WQMP requires post-construction maintenance and operational measures to ensure ongoing erosion protection. Erosion impacts would be **less than significant.**

Soils Incapable of Supporting Septic Tanks. As identified in Section 4.7, Geology and Soils, of the Draft EIR, the Project would be connected to the existing sewer line in Natwar Lane and Western Way for conveyance of wastewater to treatment facilities, and there would be no impact related to on-site soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems. **No impact would occur.**

Cumulative Impacts. As identified in Section 4.7, Geology and Soils, of the Draft EIR, with exception of erosion hazards, the effects of geology and soils are inherently restricted to the areas proposed for development and would not contribute to cumulative impacts associated with other existing, planned, or proposed development. Compliance of individual projects with the recommendations of the applicable geotechnical investigation, and adherence to the CBC and City of Perris Building Code would prevent hazards associated with geologic issues (e.g., fault rupture, seismic ground shaking, landslides). Therefore, the Project would not result in a cumulatively considerable contribution to a significant cumulative impact related to geology and soils.

With respect to erosion, because the Project and other cumulative projects would be subject to similar mandatory regulatory requirements to control erosion hazards during construction and long-term operation, the Project would not result in a cumulatively considerable contribution to a significant cumulative impact related to erosion.

The Project would connect to the existing sewer system and there would be no impact related to on-site soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems. **No cumulative impacts would occur.**

5.1.8 GREENHOUSE GAS EMISSIONS

Conflict with Plan, Policy, or Regulation Adopted to Reduce GHG Emissions. As identified in Section 4.8, Greenhouse Gas Emissions, of the Draft EIR, the Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases, including the Senate Bill (SB) 32, CARB 2017 Scoping Plan, and the City of Perris Climate Action Plan. This impact would be **less than significant.**

Cumulative Impacts. As identified in Section 4.8, Greenhouse Gas Emissions, of the Draft EIR, Project impacts due to a conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs also would be **less than significant on a cumulatively-considerable basis**.

5.1.9 HAZARDS AND HAZARDOUS MATERIALS

Create a Significant Hazard to the Public or Environment Through Use, Transport, and/or Disposal of Hazardous Materials. As identified in Section 4.9, Hazards and Hazardous Materials of the Draft EIR, the Project's construction phase would include the use of heavy equipment, which would be fueled and maintained by petroleum-based substances such as diesel fuel, gasoline, oil, and hydraulic fluid, all of which are considered hazardous if improperly stored or handled. Improper use, storage, or transportation of hazardous materials can result in accidental releases or spills, potentially posing health risks to workers, the public, and the

environment. This is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with the Project than would occur on any other similar construction site. Construction contractors would be required to comply with all applicable federal, State, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials, including but not limited to requirements imposed by the EPA, California Department of Toxic Substances Control (DTSC), SCAQMD, and the RWQCB. With mandatory compliance to applicable hazardous materials regulations, the Project would not create a significant hazard to the public or the environment and impacts would be **less than significant**.

The operation of the Project's proposed buildings would involve the use of materials common to urban development that are labeled hazardous. There is a potential for potential for routine use, storage, or transport of other hazardous materials; however, the precise materials are not known as the tenants of the proposed warehouses are not yet defined. The Project's future tenants would be required to comply with the requirements of the Hazardous Materials Transportation Act. In the event that hazardous materials, other than those common materials described above, are associated with future warehouse operations, the hazardous materials would only be stored and transported to and from the building sites. Manufacturing and other chemical processing would not occur within the proposed warehouse uses. Additionally, hazardous materials or wastes stored onsite would be subject to requirements associated with accumulation time limits, amounts, and proper storage locations and containers, and proper labeling. Moreover, for the removal of hazardous waste from the site, hazardous waste generators are required to use a certified hazardous waste transportation company which must ship hazardous waste to a permitted facility for treatment, storage, recycling, or disposal.

With compliance with applicable regulations, operation of the Project would result in a **less than significant impact** related to a significant risk to the public or the environment through the potential routine transport, use, or disposal of hazardous materials.

Emissions and/or Handling of Hazardous Materials Substances or Waste within One-Quarter Mile of an Existing or Proposed School. As identified in Section 4.9, Hazards and Hazardous Materials, of the Draft EIR, no existing or proposed schools are located within one-quarter mile of the Project site. The nearest operating school to the Project site is Rainbow Ridge Elementary School, located at 15950 Indian Street, approximately 1.9 miles northeast of the Project site. No impact related to emissions of hazardous materials within one-quarter mile of a school would occur. **No impact would occur.**

Hazardous Materials Sites Compiled Pursuant to Section 65962.5 of the *California Government Code.* As identified in Section 4.9, Hazards and Hazardous Materials, of the Draft EIR, the Project site is not included on any regulatory agency database reports and is not located on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Cortese List). **No impact would occur**.

Impair Implementation of or Interfere with an Emergency Response Plan. As identified in Section 4.9, Hazards and Hazardous Materials of the Draft EIR, emergency access throughout the PVCCSP area, including the Project site, would be maintained and provided in accordance with the County of Riverside's Multi-Jurisdictional Hazard Mitigation Plan, which is applicable to the Project. Development pursuant to the PVCCSP would not interfere with adopted emergency response or evacuation plans. Additionally, the Project site does not contain any emergency facilities nor does it serve as an emergency evacuation route. During construction and long-term operation of the Project, adequate emergency access for emergency vehicles would have to be

maintained along public streets that abut the Project site. As part of the City's discretionary review process, the City of Perris reviewed the Project's application materials to ensure that appropriate emergency ingress and egress would be available to-and-from the Project site and that circulation on the Project site was adequate for emergency vehicles. Accordingly, implementation of the Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan, and impacts would be **less than significant**.

Wildland Fires. As identified in Section 4.9, Hazards and Hazardous Materials, of the Draft EIR, the PVCCSP area, including the Project site, is not adjacent to any wildlands or undeveloped hillsides where wildland fires would be expected to occur, and the City's General Plan (Exhibit S-16, Wildfire Constraint Areas) does not designate the PVCCSP area as being at risk from wildfires. Accordingly, implementation of the Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires and **no impact** would occur.

Cumulative Impacts. As identified in Section 4.9, Hazards and Hazardous Materials, of the Draft EIR, the potential for release of toxic substances or hazardous materials into the environment, either through accidents or due to routine transport, use, or disposal of such materials, would be **less than significant** for the Project and development in the surrounding area. Accordingly, the Project would not result in a cumulatively considerable contribution to a significant cumulative impact related to hazardous materials.

The Project site is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. In the unlikely event that hazardous materials are encountered beneath the surface of the site during grading or construction, the materials would be handled and disposed of in accordance with regulatory requirements. Therefore, the Project **would not contribute to a cumulatively significant hazardous materials impact associated with a listed hazardous materials site**.

The Project would not contribute to any cumulative impacts associated with an adopted emergency response plan or emergency evacuation plan. Additionally, fire hazards are anticipated to decline over time, and the Project would **not contribute to any cumulative impacts related to wildland fires**.

5.1.10 HYDROLOGY AND WATER QUALITY

Violate Water Quality Standards or Waste Discharge Requirements or Substantially Degrade Surface or Groundwater Quality. As identified in Section 4.10, Hydrology and Water Quality, of the Draft EIR, construction-related activities have the potential to result in impacts to water quality. The construction-phase BMPs would ensure effective control of not only sediment discharge, but also of pollutants associated with sediments (e.g., nutrients, hydrocarbons, and trace metals). Mandatory compliance with regulatory requirements (RR 10-1 through RR 10-3), including implementation of a SWPPP would ensure that the Project does violate any water quality standards or waste discharge requirements during construction activities. Therefore, water quality impacts associated with construction activities would be **less than significant**.

Development of the proposed warehouse buildings would result in the conversion of existing onsite permeable surfaces to impermeable surfaces. The water runoff, including runoff from proposed buildings, landscaped areas, roadways, and parking lots, may carry a variety of pollutants. Following construction of Phase 1, stormwater runoff will be routed easterly into an interim detention basin (on the Building 2 site) that will outlet into an interim proposed public storm drain and traverse southerly through Western Way to the Perris Valley Storm Drain. In the ultimate

condition, the northerly 84" public storm drain will have been extended easterly and the Project's stormwater will tie directly into the future Perris Valley Channel Lateral "B". At Project buildout, all runoff would be captured by on-site catch basins and conveyed via underground storm drain pipes to underground chamber systems (StormTech MC-4500 Chambers) and proprietary biotreatment units (Bio Clean Modular Wetlands Systems). During peak storm events when the underground chamber system is filled, storm water would be temporarily detained – or – pond in one of the truck courts (one located in the western portion of the site and the other located in the eastern portion of the site). The truck courts would temporarily detain the runoff before entering the underground chamber systems and proprietary biotreatment units, which would remove potential pollutants within the runoff and filter the water to meet the water quality standards of the Santa Ana RWQCB. Based on the Project's WQMP, the water quality volume for the 85th percentile, 24-hour storm event on the Project site would be treated through detention and filtration by the underground detention systems and proprietary biotreatment units. By complying with the NPDES permit and WQMP requirements (refer to RR 10-4, below) and by incorporating Standards and Guidelines from the PVCCSP related to water quality, the Project would not provide substantial additional sources of polluted runoff to receiving waters. Long-term water quality impacts would be **less than significant.**

Construction activities are not anticipated to encounter significant amounts of groundwater. Nonetheless, since the Project would comply with regulatory requirements (see regulatory requirements RR 10-1 to RR 10-3), including the Construction General Permit, surface water that may percolate into the soil would not adversely affect groundwater on- or off-site.

RR 10-1 Prior to grading plan approval and the issuance of a grading permit, the Project proponent shall provide evidence to the City that a Notice of Intent (NOI) has been filed with the Regional Water Quality Control Board for coverage under the State National Pollutant Discharge Elimination System (NPDES) General Construction Permit for discharge of storm water associated with construction activities.

RR 10-2 Prior to grading plan approval and the first issuance of a grading permit by the City, the Project proponent shall submit to the City of Perris a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion-control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and non-structural Best Management Practices (BMPs) to control sediment and nonvisible discharges from the site. BMPs to be implemented in the SWPPP may include (but shall not be limited to) the following:

- Sediment discharges from the site may be controlled by the following: sandbags; silt fences; straw wattles and temporary debris basins (if deemed necessary); and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.

- No materials of any kind shall be placed in drainage ways.

- Materials that could contribute nonvisible pollutants to storm water must be contained, elevated, and placed in temporary storage containment areas.

- All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected per RWQCB standards to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.

- The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.

- Additional BMPs and erosion-control measures will be documented in the SWPPP and utilized if necessary.

- The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.

In the event that it is not feasible to implement the above BMPs, the City of Perris can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

RR 10-3 Prior to issuance of grading permits, the Project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the Project:

- The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment-control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Perris and the representatives of the Regional Water Quality Control Board.

RR 10-4 Prior to grading plan approval and issuance of a grading permit by the City, the Project proponent shall receive approval from the City of Perris for a Final Water Quality Management Plan (Final WQMP). The Final WQMP shall specifically identify pollution-prevention, site-design, source-control, and treatment-control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable. Source-control BMPs to be implemented in the Final WQMP may include (but shall not be limited to) those listed in Table 4.10-3. Treatment-control BMPs shall include on-site detention/sand filtration basins to treat the site's runoff; these facilities shall be maintained and inspected at least twice per year and prior to October 1. Additional BMPs will be documented in the WQMP and utilized if necessary. In the event that it is not feasible to implement the BMPs identified in the Final WQMP, the City of Perris can make a determination that other BMPs shall provide equivalent or superior treatment either on or off-site.

Substantially Decrease Groundwater Supplies or Interfere Substantially with Groundwater Recharge Such that the Project May Impede Sustainable Groundwater Management of the Basin. As identified in Section 4.10, Hydrology and Water Quality, of the Draft EIR, according to the Project-specific Water Supply Assessment (WSA) prepared by EMWD, the EMWD has determined has adequate water supply to meet the Project's projected water demand. The Project Applicant does not propose the use of any wells or other groundwater extraction activities.

Therefore, the Project would not directly draw water from the groundwater table. Accordingly, implementation of the Project has no potential to substantially deplete or decrease groundwater supplies and the Project's impact to groundwater supplies would be less than significant. Further, the Project site is not located within a recharge area. Therefore, the Project is not anticipated to substantially decrease groundwater supplies or interfere with groundwater recharge and impacts would be **less than significant.**

Alter the Existing Drainage Pattern Resulting in Erosion or Siltation On- or Off-Site, Flooding Onsite, or Off-Site, Contribute Runoff Water that Would Exceed the Capacity of Storm Water Drainage Systems, or Impede or Redirect Flood Flows. As identified in Section 4.10, Hydrology and Water Quality, of the Draft EIR, the Project would install an integrated, on-site system of underground storm drain pipes, catch basins, underground chamber systems, and proprietary biotreatment units to capture on-site stormwater runoff flows, convey the runoff across the site, and treat the runoff with BMPs to minimize the amount of water-borne pollutants carried from the Project site. The BMPs proposed for the Project site are effective at removing sediment from storm water runoff during long-term operation. Compliance with the WQMP, and long-term maintenance of on-site BMPs by the property owner or operator to ensure their long-term effectiveness, would be required by the City as a condition of approval for the Project. Therefore, storm water runoff flows leaving the Project site would not carry substantial amounts of sediment. Impacts would be **less than significant**. In addition, the Project would be designed so that runoff from the Project site is directed to on-site treatment-control BMPs; therefore, flow volumes exiting the site would be less than or equal to pre-development conditions. Based on the foregoing information, development of the Project site as proposed would not substantially alter the existing drainage pattern of the subject property or substantially increase the rate or amount of surface water runoff from the site in a manner that would result in flooding on- or off-site. Accordingly, a **less-than-significant** impact would occur.

As discussed above, the future public storm drain would have adequate capacity to accommodate the increase rate of runoff from the Project site under proposed conditions. In addition, the Project would be designed so that runoff from the Project site is directed to on-site treatment-control BMPs and flow volumes exiting the site would be less than or equal to pre-development conditions. Accordingly, the Project would not contribute stormwater runoff to an existing stormwater drainage system that would exceed the system's available capacity. Impacts would be **less than significant**.

Additionally, the Project's construction contractors would be required to comply with a SWPPP and the Project's owner or operator would be required to comply with the Preliminary WQMPs to ensure that Project-related construction activities and operational activities do not result in substantial amounts of polluted runoff. Impacts would be **less than significant**.

The Project site is not located within a 100-year flood hazard area. The Project site's northwest corner and a portion of the western boundary are identified as being within Zone D, which are areas with possible but undetermined flood hazards, and the remaining portions of the site are identified as being within Zone X, an area of minimal flood hazard. Accordingly, the Project would have no potential to impede or redirect flood flows within a 100-year floodplain. **No impact** would occur.

Risk Release of Pollutants Due to Project Inundation. As discussed in Section 4.10, Hydrology and Water Quality of this Draft EIR, the Project site is located more than 38 miles northeast of the Pacific Ocean and, as such, a tsunami would not affect the Project site. **No impacts** related to inundation due to a tsunami would occur.

The nearest large body of surface water is approximately 3.8 miles southeast of the Project (Lake Perris), which is too far away from the subject property to result in inundation in the event of a seiche. Additionally, the Project site also is located outside of the 100-year floodplain. Accordingly, implementation of the Project would not risk release of pollutants due to inundation. **No impact would occur.**

Conflict or Obstruct the Implementation of a Water Quality Control Plan or Sustainable Groundwater Management Plan. As identified in Section 4.10, Hydrology and Water Quality, of the Draft EIR, the Project site is located within the Perris North Groundwater Management Zone of the West San Jacinto Groundwater Basin, which is regulated by the Santa Ana Regional Water Quality Control Board. The Project Applicant has prepared hydrology studies and WQMPs which demonstrate that the Project's proposed drainage plan would meet all applicable requirements of the Basin Plan, including requirements and conditions of approval associated with NPDES permits, issuance of WDRs, and Water Quality Certifications. As such, the Project would not conflict with the Basin Plan, and impacts would be **less than significant**.

The San Jacinto Groundwater Basin is a high priority basin. The EMWD, as the GSA, adopted the GSP in September 2021. The Project would not conflict with the plan because groundwater would not be used to serve the Project. The Project would also be supplied with imported, purchased water for potable water demands and recycled water for non-potable water demands, and the Project site is not within a groundwater recharge area. Therefore, the Project does not have the potential to conflict or obstruct implementation of a sustainable groundwater management plan and **no impacts would occur**.

Cumulative Impacts. As identified in Section 4.10, Hydrology and Water Quality, of the Draft EIR, although continued growth is anticipated to occur in the City of Perris and surrounding areas, new development and significant redevelopment would have to minimize their individual impacts to water quality and pollutant transport through implementation of construction and post-construction BMPs. Because these requirements would be imposed on all developments, each development would be required to mitigate its own specific impact on water quality and drainage. **No significant cumulatively-considerable impacts related to surface or groundwater water quality would occur.**

Existing regulations effectively minimize potential impacts to flow conveyance and flooding. The Project-related contribution to impacts associated with storm water flow conveyance would not be cumulatively considerable, and thus **less than significant**.

The Project would not conflict with any water quality control plans or sustainable groundwater management plans on a direct basis. As such, the Project would not conflict with such plans on a cumulative basis; **no significant cumulative impacts** from the Project related to conflicts with water quality control plans or sustainable groundwater management plans would result.

5.1.11 LAND USE AND PLANNING

Physically Divide an Established Community. As identified in Section 4.11, Land Use and Planning, of the Draft EIR, the Project involves the development of industrial uses, consistent with development anticipated by the PVCCSP. Additionally, the proposed amendment to the PVCCSP involves removal of Dawes Street, a "paper" street within the Project site that would be vacated as part of the Project. Rather than dividing a community, development within the PVCCSP intends to bring the area together as a unified neighborhood for higher quality business development

including industrial, commercial, and office uses. Therefore, since the Project site does not contain an established community and does not serve as a point of connect between established communities, the Project would not physically divide an established community. **No impact** would occur.

Conflict with any Land Use Plan, Policy, or Regulation to Avoid or Mitigate an Environmental Effect. As identified in Section 4.11, Land Use and Planning, of the Draft EIR, the Project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, including the Regional Transportation Plan/Sustainable Communities Strategy (refer to Table 4.11-3 of the Draft EIR) and the City of Perris General Plan 2030 (refer to Table 4.11-4 of the Draft EIR). Additionally, the Project does not require a zone change or any amendment to the PVCCSP. Project impacts would be **less than significant.**

Cumulative Impacts. As identified in Section 4.11, Land Use and Planning, of the Draft EIR, cumulative impacts associated with the development of allowed uses under the PVCCSP, which would include the Project, would be consistent with all applicable General Plan Policies and regional plans, and cumulative impacts would be less than significant. The Project would not divide an established community and would not contribute to a cumulative impact with respect to this impact. Cumulative development projects would be reviewed for consistency with adopted land use plans and policies by the City of Perris (including General Plan policies and zoning requirements), in accordance with the requirements of CEQA, the state Zoning and Planning Law, and the State Subdivision Map Act, all of which require findings of plan and policy consistency prior to approval of entitlements for development. Through these requirements, future development would be consistent with adopted goals and polices, would be in compliance with applicable regulations, and would be compatible with existing land uses. Even if the cumulative impact of these projects would be significant, the Project's contribution to such cumulative land use impacts is less than significant and is thus **not cumulatively considerable** because (1) the proposed development would not change the type or amount of development anticipated by the City's General Plan and PVCCSP; (2) the Project does not conflict with adopted goals and policies as identified through the analysis presented in this section.

5.1.12 NOISE

Substantial Permanent Increase in Ambient Noise Levels from Onsite Operations and Off-site Traffic. As identified in Section 4.12, Noise, of the Draft EIR, the Project-only operational noise levels were evaluated against exterior noise level thresholds based on the City of Perris L_{max} exterior noise level standards at the nearby noise-sensitive receiver locations. The operational noise levels associated with the Project would satisfy the City of Perris operational noise level standards at all the nearest receiver locations. Further, the Project-related operational noise levels would satisfy the City of Perris 60 dBA CNEL exterior noise level standards at the nearby sensitive receiver locations. Therefore, Project-related noise during long-term operations would be **less than significant.**

The Project would contribute a daytime operational noise level increase of up to 0.7 dBA Leq and a nighttime operational noise level increase of up to 1.6 dBA Leq at the receiver locations. The Project's increase in ambient noise would not exceed the significance criteria of 5 dBA when "without Project" noise levels are below 60 dBA CNEL or 3 dBA when "without Project" noise levels exceed 60 dBA CNEL. Thus, the Project's increase in ambient noise is considered **less than significant**.

The expected roadway noise level increases from vehicular traffic were calculated using a computer program that replicates the Federal Highway Administration (FHWA) Traffic Noise Prediction Model FHWA-RD-77-108. To quantify the off-site noise levels, the Project-generated truck trips were added to the heavy truck category in the FHWA noise prediction model. The addition of Project-generated truck trips increases the percentage of heavy trucks in the vehicle mix. This approach recognizes that the FHWA noise prediction model is significantly influenced by the number of heavy trucks in the vehicle mix. As shown in Table 4.12-9, Existing Conditions with Project (Phase I) Traffic Noise Impacts, of the EIR, the Project is expected to generate existing off-site traffic noise level increases ranging from 0.0 dBA CNEL to up to 3.8 dBA CNEL. Based on the 5 dBA CNEL increase significance criteria when noise levels at noise-sensitive land uses are below 60 dBA CNEL or the 3 dBA CNEL increase criteria when the noise levels already exceed 60 dBA CNEL, all other roadway segments would not experience noise level increases at sensitive receivers under Existing with Project (Phase 1) conditions that would exceed the established thresholds of significance. Therefore, impacts would be **less than significant**.

Result in Excessive Groundborne Vibration and Groundborne Noise Levels. As identified in Section 4.12, Noise, of the Draft EIR, it is expected that ground-borne vibration from Project construction activities associated with various types of construction equipment would cause only intermittent, localized intrusion. Construction vibration velocity levels are estimated at 0.000 PPV (in/sec). Based on maximum acceptable vibration threshold identified in the PVCCSP EIR of 0.5 PPV (in/sec), the typical Project construction vibration levels would not exceed the building damage thresholds at all sensitive residential receiver locations, and therefore, Project-related vibration impacts are considered **less than significant during the construction** activities at the Project site. In addition, the typical construction vibration levels are unlikely to be sustained during the entire construction period but would occur rather only during the times that heavy construction equipment is operating.

Located within the Vicinity of a Private Airstrip or an Airport Land Use Plan or within Two Miles of a Public Airport or Public Use Airport and Would Expose People to Excessive Noise Levels. As discussed in Section 4.12, Noise, of the Draft EIR, there are no private airport facilities within the Project vicinity. The MARB/IPA is located adjacent to the Project site. The MARB/IP ALUCP, Map MA-1, indicates that the Project site is located within Compatibility Zones B-2 and the Table MA-1 Compatibility Zone Factors indicates that this area is considered to have a high noise impact, and is mostly within or near the 60 to 70 dBA CNEL noise contour boundaries. Further, the Basic Compatibility Criteria, listed in Table MA-2 of the MARB/IPA ALUCP identifies no prohibited uses other than noise sensitive outdoor uses are not permitted. The MARB/IPA ALUCP does not identify industrial-use specific noise compatibility standards, and therefore, the OPR Land Use Compatibility for Community Noise Exposure, previously discussed, is used to assess potential aircraft-related noise levels within the Project area. The OPR guidelines indicate that industrial uses, such as the Project, are considered normally acceptable with exterior noise levels of up to 70 dBA CNEL. The Project is within the 70 dBA CNEL noise contour and would have a **less than significant** impact related to the exposure of people to excessive noise levels from airport operations. Notwithstanding this conclusion, as required by the PVCCSP, notice would be provided to potential purchasers or tenants that the Project is within the MARP/IPA AIA (refer to mitigation measure MM Haz 4 in Section 5.2.6, Hazards and Hazardous Materials).

Cumulative Impacts. As identified in Section 4.12, Noise, of the Draft EIR, Project construction-related noise impacts would be less than significant with implementation of PVCCSP EIR mitigation measures MM Noise 1 through MM Noise 4. As it is unlikely that any other cumulative developments would be under construction in proximity to the Project concurrent with Project construction, cumulatively-considerable construction-related noise impacts would be **less than**

significant. Additionally, the analysis of operational-related noise level contributions demonstrates that Project-related operational noise would not result in a cumulative increase in noise levels that exceeds the City's thresholds of significance.

With respect to traffic-related noise impacts, the cumulative off-site traffic noise impacts would range from 0.0 dBA CNEL to 3.7 dBA CNEL in 2023, and 0.0 dBA CNEL to 3.4 dBA CNEL in 2025. Based on the 5 dBA CNEL increase significance criteria when noise levels at noise-sensitive land uses are below 60 dBA CNEL or the 3 dBA CNEL increase criteria when the noise levels already exceed 60 dBA CNEL, the Project's off-site traffic-related noise impacts would **not result in a cumulative increase in noise levels that exceeds the City's thresholds of significance**.

Project-related vibration impacts would be less than significant during Project construction. As it is unlikely that other sources of vibration would occur concurrent with Project construction activities, impacts would be **less-than-cumulatively considerable**.

The Project would not be exposed to airport-related noise levels in excess of 70 dBA. Additionally, there are no components of the Project that would cause or contribute to increased aircraft activity in the local area. Thus, Project impacts due to airport-related noise would be **less than cumulatively considerable.**

5.1.13 PUBLIC SERVICES

As identified in Section 4.13, Public Services, of the Draft EIR, the City of Perris has concluded that the Project would not result in potentially significant impacts to public services as discussed below.

Fire Protection. The Project would be designed in compliance with all applicable ordinances and standard conditions established by the Riverside County Fire Department (RCFD) and/or the City or State. Implementation of the Project would not involve new residential uses or increase the City's population; however, the operation of the proposed warehouse buildings would increase the demand for fire protection, prevention, and emergency medical services at the currently undeveloped site. The development of the Project would not cause fire staffing, facilities, or equipment to operate at a deficient level of service. The Project would be required to pay North Perris Road and Bridge Benefit District (NPRBBD) fees, inclusive of the City's Development Impact Fee (DIF), which provides a funding source for construction of fire facilities as a result of impacts related to future growth in the City. The Project would not require the construction of new or expanded fire protection facilities. Therefore, **no significant impacts related to fire protection facilities would result with implementation of the Project**.

Police Protection. The Project would be designed and operated in compliance with the standards provided within the City's Municipal Code, Riverside County Sheriff's Department (RCSD), and PVCCSP for new development in regard to public safety. In addition, the Project would be required to contribute DIF fees which would ensure the Project provides fair share funds for the provision of additional police protection services, which may be applied to sheriff facilities and/or equipment, to offset the incremental increase in the demand that would be created by the Project. The Project would not require the construction of new or expanded police protection facilities. Therefore, impacts related to police protection facilities would be **less than significant**.

Cumulative Impacts. New development within the service areas of the RCSD and RCFD would be required to adhere to conditions established by fire and police service providers and pay the

applicable fees to ensure adequate staffing and equipment levels. There is no reasonable potential that new police or fire protection stations would be needed or that existing stations would need to be physically altered to accommodate necessary personnel and equipment. Accordingly, the Project would have a **less-than-cumulatively considerable impact** with respect to resulting in adverse physical impacts related to police and fire protection services**.**

5.1.14 TRANSPORTATION

Inadequate Emergency Access. As discussed in Section 4.14, Transportation, of the Draft EIR, construction activities that may temporarily restrict vehicular traffic flow would be required to implement adequate measures to facilitate the passage of vehicles through/around any required lane or road closures. Site-specific activities such as temporary construction activities are finalized on a project-by-project basis by the City and are required to ensure adequate emergency access.

The roadway improvements that would occur as a part of the Project would improve traffic circulation in the area, in accordance with the PVCCSP. These would also improve the ability of emergency vehicles to access the Project site and surrounding properties. The Project driveways have been designed to accommodate large trucks with trailers that would be used for the distribution of goods to and from the site. Adequate turn radii and sight distance would be provided. Thus, the Project would provide ample vehicular access for emergency vehicles. The Project is required to comply with the City's development review process including review for compliance with all applicable fire code requirements for access to the site. The Project has been reviewed by the Riverside County Fire Department to determine the specific fire requirements applicable to the Project and has been designed in compliance with these requirements. This ensures that the Project would provide adequate emergency access to and from the site. Therefore, impacts are **less than significant** and no mitigation is required.

Cumulative Impacts. As with the Project, cumulative development in the vicinity of the Project would be required to construct roadways and Project access driveways in accordance with applicable PVCCSP Standards and Guidelines ensure impacts are less than significant. Further, providing sufficient emergency access during construction and operation is also a standard requirement. The Project **would not result in a cumulatively considerable contribution** to a significant cumulative impact associated with traffic-related hazards or emergency access.

5.1.15 TRIBAL CULTURAL RESOURCES

Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource Listed or Eligible for Listing in the CRHR, or in a Local Register of Historical Resources. As identified in Section 4.15, Tribal Cultural Resources, of the EIR, based on the records search and literature review of the Project site, no tribal cultural resources listed or eligible for listing in the CRHR or in a local register of historical resources were identified. Accordingly, **no impact would occur.**

Cumulative Impacts. The Project would not impact tribal cultural resources listed or eligible for listing in the CRHR or in a local register of historical resources and would not contribute to cumulative impacts to such resources. The Project would **not result in a cumulatively considerable contribution to a significant cumulative impact** to tribal cultural resources.

5.1.16 UTILITIES AND SERVICE SYSTEMS

Require or Result in the Relocation or Construction of New or Expanded Utility Facilities. As identified in Section 4.16, Utilities and Service Systems, of the Draft EIR, domestic and

recycled water infrastructure, sewer lines, storm drain infrastructure, and dry utilities would be installed as part of the Project in compliance with the requirements of the respective utility providers, and consistent with final plans approved by the utility providers. All construction activities associated with the proposed utility infrastructure would be within the Project's construction impact area. The installation of the proposed infrastructure improvements would result in physical environmental impacts; however, these impacts have been included in the analyses of construction-related effects presented throughout the Draft EIR. Any applicable PVCCSP EIR mitigation measures and additional Project-level mitigation measures for construction identified for each topical issue would address potential significant impacts associated with construction and installation of utilities. Therefore, through implementation of a variety of measures related to construction impacts, impacts related to construction and operation of utility systems would be **less than significant**.

Exceed the Wastewater Treatment Provider Capacity. As identified in Section 4.16, Utilities and Service Systems, of the Draft EIR, the approximately 0.05 mgd of wastewater generated by the Project would be treated at the Perris Valley Regional Water Reclamation Facility (PVRWRF). The PVRWRF is designed to meet the projected demands of anticipated development in the region. This includes wastewater generated anticipated with buildout of the PVCCSP, which includes the proposed development. The Project's anticipated wastewater generation represents approximately 0.9 percent of the PVRWRF's current daily capacity (24 mgd). The PVRWRF has sufficient capacity to treat wastewater generated by the Project in addition to the EMWD's existing commitments. No new or expanded wastewater treatment facilities would be required. This impact would be **less than significant**.

Sufficient Water Supplies: As identified in Section 4.16, Utilities and Service Systems, of the Draft EIR, in compliance with Sections 10910–10915 of the *California Water Code*, a Water Supply Assessment (WSA) was prepared for the PVCCSP to assess the impact of development allowed by the PVCCSP on existing and projected water supplies. The Project is anticipated to have a water demand of approximately 20.7 AFY. This represents approximately 0.8% percent of the projected water usage for the entire Specific Plan area, which is approximately 2,671.5 AFY. As discussed in the EMWD's 2020 UWMP, adequate water supplies are projected to be available to meet the EMWD's estimated water demand until at least 2045 under normal, historic single-dry and historic multiple-dry year conditions. The EMWD's future year water demand forecasts are based on SCAG's regional projections, which rely on the adopted land use designations contained within the general plans that cover the geographic areas within the EMWD's service area. Because the Project would be consistent with the PVCCSP's land use designation for the site, the water demand associated with the Project was considered in the demand anticipated by the 2020 UWMP and analyzed therein. As stated above, the EMWD expects to have adequate water supplies to meet all its demands until at least 2045; therefore, the EMWD has sufficient water supplies available to serve the Project from existing entitlements/resources and no new or expanded entitlements are needed. Accordingly, impacts would be **less than significant**.

Generated Solid Waste in Excess of the Capacity of Local Infrastructure. As identified in Section 4.16, Utilities and Service Systems, of the Draft EIR, construction of the proposed industrial warehouse /distribution uses would generate approximately 1087.3 tons of solid waste over the construction period which represents approximately 1.03 percent of the estimated construction solid waste stream for the development of allowed Light Industrial uses within the PVCCSP area, which was determined to be accommodated by the landfills serving the City. The Project's building construction is anticipated to occur over a period of approximately 28 months, which corresponds to an average of approximately 1.3 tons of construction waste generated per day from building construction activity. The Badlands Landfill is currently permitted to accept

4,800 tons per day and the El Sobrante Landfill is permitted to accept 16,054 tons per day. The Project's construction-related solid waste represents approximately 0.03 percent of the Badlands Landfill maximum daily capacity and 0.01 percent of the El Sobrante Landfill maximum daily capacity. However, based on more stringent requirements for waste reduction and diversion from landfills (65 percent per the CALGreen Code), it is anticipated the solid waste generated by the Project during construction that would be diverted to landfills would be reduced compared to the estimate in the PVCCSP EIR. Therefore, the disposal of construction-related solid waste associated with the Project would not exceed the permitted capacity of the Badlands or El Sobrante Landfills, and the impact would be less than significant. Therefore, the Project would result in a **less than significant impact r**elated to exceeding landfill capacity during construction.

Based on the operational solid waste disposal factors identified in the PVCCSP EIR, the Project would generate approximately 6,037.3tons/year of solid waste requiring landfill disposal. The Project's components represent approximately 1.5% of the estimated annual operation solid waste stream for the development of allowed uses in the PVCCSP planning area (388,743.42 tons/year), which was determined to be accommodated by the landfills serving the City. Based on this amount of annual solid waste generation the Project would generate approximately 16.5 tons of solid waste per day, which represents approximately 0.34 percent of the Badlands Landfill maximum daily capacity and 0.1 percent of the El Sobrante Landfill maximum daily capacity. However, based on more stringent requirements for waste reduction and diversion from landfills, it is anticipated the solid waste generated by the Project during operation that would be diverted to landfills would be further reduced. Therefore, the disposal of operational solid waste associated with the Project would not exceed the permitted capacity of the Badlands or El Sobrante Landfills, and the impact would be **less than significant.**

Comply with Federal, State, and Local Statutes and Regulations Related to Solid Waste. As identified in Section 4.16, Utilities and Service Systems, of the Draft EIR, the Project would be required to coordinate with CR&R Waste Services to develop a collection program for recyclables, in accordance with local and State programs. Additionally, the Project would be required to comply with applicable practices enacted by the City under the California Integrated Waste Management Act of 1989 (AB 939) and any other applicable local, State, and federal solid waste management regulations. Further, the Solid Waste Disposal Measurement Act of 2008 (SB 1016) was established to make the process of goal measurement (as established by AB 939) simpler, more timely, and more accurate. In addition, building operators would participate in the City's recycling programs and comply with hazardous waste disposal regulations. As such, the Project would not conflict with any federal, State, or local regulations related to solid waste. Therefore, **no impact** related to compliance with solid waste statutes would occur, and no mitigation is required.

Cumulative Impacts. As identified in Section 4.16, Utilities and Service Systems, of the Draft EIR, the cumulative growth from the PVCCSP, including the Project, and other development in the City has been addressed by the City in the Perris General Plan EIR and by EMWD in its UWMP process. As with the Project, individual cumulative development projects would require the construction of necessary infrastructure to serve the projects. However, the infrastructure needed for the Project would be limited to relatively small distribution and collection lines, which would occur within the Project's identified construction impact area. No new or expanded off-site infrastructure is required. The environmental impacts associated with the construction of these facilities have been addressed throughout the EIR and would be less than significant with mitigation. Therefore, the Project would **not have a cumulatively considerable contribution to a significant cumulative impact** associated with construction of utility infrastructure, consistent with the conclusions of the PVCCSP EIR.

The PVRWRF has an existing capacity of 22 million gpd, a proposed ultimate capacity of 100 million gpd, and is poised to meet current and future demands of the region. As such, there is adequate existing and proposed capacity to provide wastewater treatment for the Project and cumulative development. Therefore, the Project would **not have a cumulatively considerable contribution to a significant cumulative impact** associated with water treatment facilities, consistent with the conclusions of the PVCCSP EIR.

Cumulative development in the watershed would result in an increase in impervious surfaces in addition to changes in land use. As with the Project, cumulative development projects that would result in increased storm water runoff volumes would be required to address potential drainage system effects and to comply with existing regulations related to hydrology (as further described in Section 4.10, Hydrology and Water Quality, of the EIR) to ensure that Project-specific storm drain facility improvements are provided to avoid adverse effects on the existing and planned regional storm water drainage system. The Project would **not have a cumulatively considerable contribution to a significant cumulative impact** associated with storm drain facilities, consistent with the conclusions of the PVCCSP EIR.

The WSA analyzes the availability of EMWD water supplies to serve its customers, with the addition of water demand from the Project. The WSA indicates that the EMWD would have adequate water supplies to meet the demands of the Project, which are less than anticipated in EMWD's 2020 UWMP for the Project site. Thus, the Project would **not have a cumulatively considerable contribution to a significant cumulative impact** associated with water supply, consistent with the conclusions of the PVCCSP EIR.

Solid waste generated by the Project would represent nominal proportions of the daily disposal capacity at the Badlands and El Sobrante landfills. These solid waste facilities are currently projected to remain open and have sufficient daily capacity to handle solid waste generated by the Project and other cumulative developments both during construction and long-term operation. Further, the Project would adhere to regulations set forth in the CIWMP and other local and State regulations during both construction and long-term operations. Other cumulative development would also be required to comply with such regulations. Therefore, the Project would not have a cumulatively considerable contribution to a significant cumulative impact related to solid waste disposal and compliance with regulations addressing the reduction of solid waste generation and disposal, consistent with the conclusions of the PVCCSP EIR. Therefore, the Project would result in a **less than cumulatively considerable impact** on statutes and regulations related to solid waste.

5.2 EFFECTS DETERMINED TO BE MITIGATED TO LESS THAN SIGNIFICANT LEVELS

The First March Logistics Project EIR found that the Project would result in less than significant impacts for certain impact categories with incorporation of applicable PVCCSP EIR mitigation measures into the Project. The City of Perris previously adopted Findings for those impacts and mitigation measures as part of the certification of PVCCSP EIR and approval of PVCCSP; however, the appropriate Findings are restated in this section.

The First March Logistics Project EIR also determined that the Project would result in less than significant impacts for certain impact categories based on (1) incorporation of design features into the Project to reduce potential environmental impacts (project design features [PDF]), and/or (2) implementation of Project-level mitigation measures identified to reduce potentially significant Project impacts to a less than significant level.

PVCCSP EIR mitigation measures incorporated into the Project, project design features, and Project-level mitigation measures will be implemented pursuant to the MMRP prepared for the Project and included in Section 4.0 of the Final EIR.

The City of Perris, having reviewed and considered the information contained in the EIR, the Technical Appendices and the administrative record, finds, pursuant to Section 21081(a)(1) of the *California Public Resources Code* and Section 15091(a)(1) of the State CEQA Guidelines that "changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR" for the following categories which are further discussed below.

Findings:

The City finds that, based on substantial evidence in the record, the following impacts, to the extent they result from the Project, can be mitigated to less than significant levels.

5.2.1 AESTHETICS

Light During Construction. As identified in Section 4.1, Aesthetics of the Draft EIR, nighttime lighting would be needed at certain times during construction activities depending on the time of year and depending on the stage of construction. Additionally, nighttime lighting of construction staging areas would be needed to provide security for construction equipment and construction materials. This type of temporary lighting is often unshielded and may shine onto adjacent properties and roadways. Mitigation measure MM 1-1 requires that temporary nighttime lighting installed for security purposes be downward facing and hooded or shielded to prevent security lighting from spilling outside the staging area or from directly broadcasting security lighting into the sky or onto adjacent residential properties. With implementation of mitigation measure MM 1-1, this impact would be reduced to a **less than significant level**.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: The potential impacts from light during construction have been substantially lessened to a level of less than significant by virtue of Project-level mitigation measure MM 1-1 (Draft EIR page 4.1-19).

Applicable PVCCSP EIR Mitigation Measure

MM Haz 3 Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky or above the horizontal plane.

MM Haz 5 The following uses shall be prohibited:

(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.

(d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

(e) All retention and water quality basins shall be designed to dewater within 48 hours of a rainfall event.

Project-Level Mitigation Measure

MM 1-1 Prior to the issuance of grading permits, the Property Owner/Developer shall provide evidence to the City that the Contractor Specifications require that any temporary nighttime lighting installed during construction for security or any other purpose shall be downward facing and hooded or shielded to prevent security light from spilling outside the staging area or from directly broadcasting security light into the sky or onto adjacent residential properties. Compliance with this measure shall be verified by the City of Perris' Building Division during construction.

5.2.2 AIR QUALITY

Result in a Cumulatively Considerable Net Increase of Any Criteria Pollutant for Which the Project Region is Nonattainment During Operation. As discussed in Section 4.3, Air Quality of the Draft EIR, and shown in Table 4.3-3, Attainment Status of Criteria Pollutants in the SoCAB, the CAAQS designate the Project site as nonattainment for O_3, PM_{10}, and $PM_{2.5}$, while the NAAQS designates the Project site as nonattainment for O_3 and $PM_{2.5}$. In compliance with PVCCSP EIR mitigation measure MM Air 10, a Project-specific operational air quality analysis was conducted to determine the potential air quality impacts resulting from the Project during operation of the Project.

There are four general sources of long-term operational emissions: area sources, energy sources, mobile sources (i.e., vehicles), and on-site cargo handling equipment. The primary source of operational emissions generated by the Project would be from mobile sources, specifically, the trucks that would travel to and from the Project site and operate within the Project site. The Project is expected to generate 1,390 average daily trips (127 AM peak hour trips and 152 PM peak). The Project trip generation includes 1,146 average daily passenger car trips (114 AM peak hour trips and 135 PM peak) and 244 average daily truck trips (13 AM peak hour trips and 17 PM peak) from the proposed buildings. The Project's daily regional emissions from on-going operations will not exceed any of the thresholds of significance. Therefore, regional operational impacts would be less than significant. The Project would comply with PVCCSP EIR mitigation measure MM Air 20, which sets performance standards on energy and water usage. Project operation is also assumed to comply with the following PVCCSP EIR mitigation measures, which would aid in the reduction of criteria pollutant emissions: mitigation measure MM Air 11 (which limits idling time of trucks), mitigation measure MM Air 13 (which promotes the use of "clean" truck fleets), mitigation

measure MM Air 14 (which requires parking to accommodate ride-sharing vehicles), mitigation measure MM Air 18 (which requires coordination with RTA for transit service, and mitigation measure MM Air 19 (which requires installation of energy-efficient street lighting).

Although the Project would implement the applicable PVCCSP EIR mitigation measures, there is no way to definitively quantify the emission reductions resulting from these measures in CalEEMod. As such, as a conservative measure, no reductions are shown, leading to an overstatement of impacts.

Based on the assumed construction and buildout schedule of the proposed Project, there is potential for overlap between construction and operational activity. Combining the construction emissions with the operational emissions will present a maximum daily emission representing peak building construction activity and half of the Project site operational activity, a scenario that may not occur. As such, construction and operational emissions have been totaled to show the theoretical overlap of the construction and operational activities. It should be noted that the South Coast AQMD does not have different thresholds for overlapping activities; rather the South Coast AQMD has separate thresholds for construction activity and operational activity. However, because the Project would not be complete and construction-related activity would be occurring during this time period, the South Coast AQMD's thresholds of construction activities would apply to this scenario. The overlap construction and operational activity would not exceed any of the thresholds of significance. The impact of the project would be **less than significant**.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: With PVCCSP EIR mitigation measures MM Air 10, MM Air 11, MM Air 13, MM Air 14, MM Air 18, MM Air 19 and MM Air 20, Project impacts would be less than significant. (Draft EIR pages 4.3-25 through 4.3-26).

Applicable PVCCSP EIR Mitigation Measures

MM Air 1 To identify potential implementing development project-specific impacts resulting from construction activities, proposed development projects that are subject to CEQA shall have construction-related air quality impacts analyzed using the latest available URBEMIS model, or other analytical method determined in conjunction with the South Coast AQMD. The results of the construction-related air quality impacts analysis shall be included in the development project's CEQA documentation. To address potential localized impacts, the air quality analysis may incorporate South Coast AQMD's Localized Significance Threshold analysis or other appropriate analyses as determined in conjunction with South Coast AQMD. If such analyses identify potentially significant regional or local air quality impacts, the City shall require the incorporation of appropriate mitigation to reduce such impacts.

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

MM Air 3 To reduce fugitive dust emissions, the development of each individual implementing development project shall comply with South Coast AQMD Rule 403. The developer of each implementing project shall provide the City of Perris with the South Coast AQMD-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 South Coast AQMD Rule 1186 and 1186.1 certified street sweepers or roadway washing trucks when sweeping streets to remove visible soil materials,
- replacement of ground cover in disturbed areas as quickly as possible

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.

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 of Perris' Building Division prior to issuance of grading permits.

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 (South Coast AQMD 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.

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.

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

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 South Coast AQMD'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.

MM Air 10 To identify potential implementing development project-specific impacts resulting from operational activities, proposed development projects that are subject to CEQA shall have long-term operational-related air quality impacts analyzed using the latest available URBEMIS model, or other analytical method determined by the City of Perris as lead agency in conjunction with the SCAQMD. The results of the operational-related air quality impacts analysis shall be included in the development project's CEQA documentation. To address potential localized impacts, the air quality analysis may incorporate SCAQMD's Localized Significance Threshold analysis, CO Hot Spot analysis, or other appropriate analyses as determined by the City of Perris in conjunction with SCAQMD. If such analyses identify potentially significant regional or local air quality impacts, the City shall require the incorporation of appropriate mitigation to reduce such impacts.

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

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 1 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 Optin for NOx] funding programs, as identified on SCAQMD's website (http://www.aqmd.gov). Tenants would be required to use those funds, if awarded**.**

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 certificate of occupancy.

MM Air 15 To identify potential implementing development project-specific impacts resulting from the use of diesel trucks, proposed implementing development projects that include an excess of 10 dock doors for a single building, a minimum of 100 truck trips per day, 40 truck trips with TRUs [Transport Refrigeration Units] per day, or TRU operations exceeding 300 hours per week, and that are subject to CEQA and are located adjacent to sensitive land uses; shall have a facility-specific Health Risk Assessment performed to assess the diesel particulate matter impacts from mobile-source traffic generated by that implementing development project. The results of the Health Risk Assessment shall be included in the CEQA documentation for each implementing development project.

MM Air 18 Prior to the approval of each implementing development project, the Riverside Transit Agency (RTA) shall be contacted to determine if the RTA has plans for the future provision of bus routing within any street that is adjacent to the implementing development project that would require bus stops at the project access points. If the RTA has future plans for the establishment of a bus route that will serve the implementing development project, road improvements adjacent to the Project sites shall be designed to accommodate future bus turnouts at locations established through consultation with the RTA. RTA shall be responsible for the construction and maintenance of the bus stop facilities. The area set aside for bus turnouts shall conform to RTA design standards, including the design of the contact between sidewalks and curb and gutter at bus stops and the use of Americans with Disabilities Act (ADA)- compliant paths to the major building entrances in the project.

The RTA was contacted regarding its plans for the future provision of bus routing adjacent to the Project site that could require bus stops at the Project boundaries. The RTA indicated that a bus stop should be provided as part of the Project near the

southwest corner of Ramona Expressway and Webster Avenue, and the Project has incorporated the bus stop, as requested. Therefore, the Project Applicant has complied with this PVCCSP EIR mitigation measure.

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.

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

5.2.3 BIOLOGICAL RESOURCES

Effects on Candidate, Sensitive, or Special Status Species. As discussed in Section 4.4, Biological Resources, of the Draft EIR, one special-status plants (paniculate tarplant) was observed on the Project site during the 2019 and 2021 field surveys conducted by GLA. The paniculate tarplant is classified as a rare plant by CNPS, but it is not a federally- or State-listed species. There are no survey or preservation requirements for this species pursuant to any resource agency or HCP, including the MSHCP. Additionally, the Project site is heavily disturbed and the population of paniculate tarplant on-site is relatively small, as approximately 35 individuals were observed. Therefore, given the low sensitivity of this species (CNPS 4.2), the removal of the paniculate tarplant as required by the Project would not have a substantial adverse effect on the survivorship of the paniculate tarplant. Impacts to special-status plant species would be **less than significant** and no mitigation is required.

One special-status animal species (golden eagle) was observed flying over the Project site on November 8, 2019. The Project site also would result in the loss of habitat with varying degrees of potential to support foraging by the following special-status species: the loggerhead shrike, Swainson's hawk, white-tailed kite, and San Diego black-tailed jackrabbit. Given the relatively small size and highly disturbed nature of the Project site, any potential impacts to golden eagle, loggerhead shrike, Swainson's hawk, white-tailed kite, and San Diego black-tailed jackrabbit would be less than significant. Additionally, all of these species are Covered Species under the MSHCP; therefore, the MSHCP addresses the loss of foraging habitat for these species.

No burrowing owl individuals or signs of burrowing owl use were observed within the Project site during surveys on August 16, 26, 28, and 30, 2019 and May 3 and 17, 2021, and June 14 and 29, 2021. Notwithstanding, the burrowing owl is a nomadic species and the Project site contains habitat suitable for the species; therefore, it is possible that the species could migrate onto the property prior to Project construction. If burrowing owls are present within the Project site at the time grading activities commence, impacts to the species would be significant and mitigation would be required. The Project Applicant would be required to comply with a previously identified mitigation measure (i.e., MM Bio 2) from the PVCCSP EIR, which ensures that pre-construction surveys are conducted for the burrowing owl to determine the presence or absence of the species within the Project site. The City of Perris has replaced PVCCSP EIR mitigation measure MM Bio

2 with Project-level mitigation measure MM 4-1 based on input from the CDFW. If present, the mitigation measure provides performance criteria that requires avoidance and/or relocation of burrowing owls in accordance with CDFW protocol. With implementation of the required mitigation, potential direct impacts to the burrowing owl would be reduced to a less than significant level.

Development projects located adjacent to natural open spaces have the potential to result in indirect effects to biological resources such as water quality impacts from associated drainage into adjacent open space/downstream aquatic resources, lighting effects, noise effects, invasive plant species from landscaping, and effects from human access into adjacent open space, such as recreational activities (including off-road vehicles and hiking), pets, dumping, etc. Temporary, indirect effects could also occur as a result of construction-related activities.

The Project site does not occur in proximity to the MSHCP Conservation Area; therefore, the MSHCP Urban/Wildland Interface Guidelines do not apply to the Project. As such, the Project would result in a **less than significant** indirect impact to special-status biological resources.

Findings:

3. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

4. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: With Project-level mitigation measure MM 4-1, Project impacts would be less than significant. This is consistent with the conclusions of the PVCCSP EIR. (Draft EIR pages 4.4-22).

Applicable PVCCSP EIR Mitigation Measures

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 PVCC implementing development and infrastructure projects shall be avoided, to the greatest extent possible, during the nesting season (generally February 1 to August 31) of potentially occurring native and migratory bird species.

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 area 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.

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

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.

If burrowing owls occupy any implementing project site and cannot be avoided, active or passive relocation shall be used to exclude owls from their burrows, as agreed to by the City of Perris Planning Division and the CDFG. Relocation shall be conducted outside the breeding season or once the young are able to leave the nest and fly. Passive relocation is the exclusion of owls from their burrows (outside the breeding season or once the young are able to leave the nest and fly) by installing 1-way doors in burrow entrances. These 1- way doors allow the owl to exit the burrow, but not enter it. These doors shall be left in place 48 hours to ensure owls have left the burrow. Artificial burrows shall be provided nearby. The implementing project area shall be monitored daily for 1 week to confirm owl use of burrows before excavating burrows in the impact area. Burrows shall be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible pipe shall be inserted into the tunnels during excavation to maintain an escape route for any animals inside the burrow. The CDFG shall be consulted prior to any active relocation to determine acceptable receiving sites available where this species has a greater chance of successful long-term relocation. If avoidance is infeasible, then a DBESP will be required, including associated relocation of burrowing owls. If conservation is not required, then owl relocation will still be required following accepted protocols. Take of active nests will be avoided, so it is strongly recommended that any relocation occur outside of the nesting season.

MM Bio 4 Project-specific mapping of riparian and unvegetated riverine features will be required for implementing projects pursuant to Section 6.1.2 of the MSHCP. For areas not excluded as artificially created, the MSHCP requires 100 percent avoidance of riparian/riverine areas. If for any implementing project avoidance is not feasible, then such implementing projects will require the approval of a DBESP including appropriate mitigation to offset the loss of functions and values as they pertain to the MSHCP covered species. Riparian vegetation will also need to be evaluated for the least Bell's vireo, southwestern willow flycatcher, and western yellow-billed cuckoo.

Project-Level Mitigation Measure

MM 4-1 The Project Proponent shall retain a qualified biologist to conduct a pre-construction survey for resident burrowing owls within 30 days prior to commencement of construction activities (i.e., vegetation clearing, grubbing, tree removal, site watering) at the Project site. The pre-construction survey shall be conducted in accordance with the current Burrowing Owl Survey Instructions for the Western Riverside MSHCP. The results of the survey shall be submitted to the City and the California Department of Fish and Wildlife (CDFW) within three (3) days of survey completion and prior to obtaining a grading permit. 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.

If no burring owls are observed during the survey, site preparation and construction activities may begin with an approved grading plan.

If burrowing owl are found to be present, then avoidance or minimization measures shall be undertaken in consultation with the City, the CDFW, and the U.S. Fish and Wildlife Service (USFWS). The CDFW shall be sent written notification within 48 hours of the detection of the burrowing owls. No construction activities shall occur until no sign is present that the burrows are being used by adult or juvenile owls or following CDFW approval of a Burrowing Owl Plan as described below.

The Project biologist and Project Proponent shall coordinate with the City, the CDFW, and the USFWS to develop a Burrowing Owl Plan in accordance with the guidelines in the CDFW Staff Report on Burrowing Owl (March 2012). The Burrowing Owl Plan shall describe proposed avoidance, relocation, monitoring, minimization, and/or mitigation actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites and details on proposed buffers if avoiding the burrowing owls or information on the adjacent or nearby suitable habitat available to owls for relocation. If no suitable habitat is available nearby for relocation, details regarding the creation and funding of artificial burrows (numbers, location, and type of burrows) and management activities for relocated owls shall also be included in the Burrowing Owl Plan. The Project Proponent shall implement the Burrowing Owl Plan following CDFW and USFWS review and approval. A final report shall be prepared by the Project biologist documenting the results of the Burrowing Owl Plan and detailing avoidance, minimization, and mitigation measures. The final report shall be submitted to the City and the CDFW within 30 days of completion of the Burrowing Owl Plan requirements.

If burrowing owls occupy the Project site after Project activities have started, then construction activities shall be halted immediately. The Project Proponent shall notify the City and the City shall notify the CDFW and the USFWS within 48 hours of detection. A Burrowing Owl Plan, as detailed above, shall be implemented.

Riparian Habitat or Sensitive Natural Community. MSHCP riparian/riverine areas within the Project site are comprised entirely of Drainage A (743 linear feet of ephemeral streambed) and are identical to that of CDFW jurisdiction. Therefore, riparian areas on-site totals 0.15 acre (505 linear feet) and riverine areas on-site total 0.03 acre (238 linear feet). The entirety of MSHCP riparian/riverine areas within the Project site would be permanently impacted; no temporary or off-site impacts are currently proposed. Therefore, the proposed permanent impacts would be

significant. As identified in PVCCSP EIR mitigation measure MM Bio 4, temporary and permanent impacts to MSHCP Riparian/Riverine resources triggers the requirement under the MSHCP that a Determination of Biologically Equivalent or Superior Preservation (DBESP) be drafted and approved by the City. The DBESP may be approved after a 60-day review and response afforded to the Wildlife Agencies. The DBESP details the type of resource proposed for impact, why avoidance was not feasible, and the compensation provided to ensure biologically equivalent or superior preservation. The MSHCP requires that impacts to riparian/riverine resources be mitigated, such that the lost functions and values are replaced, in order for the Project to be "biologically equivalent or superior" to the existing site conditions prior to impact.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: With Project-level mitigation measure MM 4-2, Project impacts would be less than significant. This is consistent with the conclusions of the PVCCSP EIR. (Draft EIR pages 4.4-23).

Project-Level Mitigation Measure

MM 4-2 The Project Proponent shall compensate for 0.18 acres of permanent impacts to MSHCP riparian/riverine resources through the purchase of at least 0.18 acres of riparian establishment mitigation credits and 0.36 acre of a combination of rehabilitation, re-establishment, and/or establishment mitigation credits at an approved mitigation bank, such as the Riverpark Mitigation Bank. If enhancement or preservation credits are pursued due to the lack of availability of rehabilitation, re-establishment, and/or establishment mitigation credits, the ratio may be higher as determined on a case-by-case basis by the wildlife agencies.

The Project Proponent shall provide proof of the completed purchase of the mitigation credits to the City and the Wildlife Agencies prior to the issuance of grading permit for the Project. Proof of purchase would consist of (1) a receipt from the Riverpark Mitigation Bank for the Project Proponent's purchase of at least 0.18 acres of riparian establishment mitigation credits and 0.36 acres of establishment, re-establishment, or rehabilitation credits, plus (2) a copy of the purchase contract/purchase agreement between the Riverpark Mitigation Bank and the Applicant. The purchase agreement should name the First March Logistics Project as the development project for which the mitigation credits are being purchased.

Federally Protected Wetlands. As discussed in Section 4.4, Biological Resources of the Draft EIR, the Project site does not contain any state or federally protected wetlands; therefore, no impacts to state or federally protected wetlands would occur as a result of construction of the Project.

The Project would permanently impact Drainage A and its associated approximately 0.03-acre (722 linear feet) of Corps and RWQCB jurisdiction, none of which consists of State wetlands and

0.18 acre of CDFW jurisdiction, 0.15 acre of which is riparian. The Project site is heavily disturbed and Drainage A is considered a low quality channel. Furthermore, the Project Applicant would be required to comply with the previously identified mitigation measure (MM Bio 3) from the PVCCSP EIR, which requires the Project Applicant to obtain Corps and RWQCB permits (i.e., Section 404 and Section 401 of the Clean Water Act and Section 1600-1616 of the California Fish and Game Code) prior to grading activities on the Project site.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: The potential impacts to jurisdictional areas onsite have been eliminated or substantially **lessened to a level of less than significant by incorporation of PVCCSP EIR mitigation measure** MM Bio 3 (Draft EIR page 4.4-19) and Project-level mitigation measure MM 4-3 (Draft EIR page 4.4-24).

Applicable PVCCSP Mitigation Measures

MM Bio 3 Project-specific delineations will be required to determine the limits of ACOE, RWQCB, and CDFG jurisdiction for implementing projects that may contain jurisdictional features. Impacts to jurisdictional waters will require authorization by the corresponding regulatory agency. If impacts are indicated in an implementing project-specific delineation, prior to the issuance of a grading permit, such implementing projects will obtain the necessary authorizations from the regulatory agencies for proposed impacts to jurisdictional waters. Authorizations may include, but are not limited to, a Section 404 permit from the ACOE, a Section 401 Water Quality Certification from the RWQCB, and a Section 1602 Streambed Alteration Agreement from CDFG.

Project-Level Mitigation Measure

MM 4-3 Prior to the issuance of a grading permit for the Project and prior to the start of Project activities, the Applicant shall notify the California Department of Fish and Wildlife (CDFW) of impacts to Fish and Game Code section 1602 resources. The Applicant shall either receive a Streambed Alteration Agreement (SAA) or written documentation from CDFW that a SAA is not needed.

The notification to the CDFW should provide the following information:

- A stream delineation including the bed, bank and channel;

- Linear feet and/or acreage of streams and associated natural communities that would be permanently and/or temporarily impacted by the Project. This includes impacts as a result of routine maintenance and fuel modification. Plant community names should be provided based on vegetation association and/or alliance per the Manual of California Vegetation (Sawyer et al 2009);

- A discussion as to whether impacts on streams within the Project site would impact those streams immediately outside of the Project site where there is hydrologic connectivity. Potential impacts such as changes to drainage pattern, runoff, and sedimentation should be discussed; and

- A hydrological evaluation of the 100-year storm event to provide information on how water and sediment is conveyed through the Project site.

All mitigation measures and conditions contained within the above permits shall be implemented. At a minimum, the following shall be completed for mitigation for impacts to waters of the state and jurisdictional streambed:

The Project Proponent shall compensate for permanent impacts to 0.03 acre of Regional Board jurisdiction and 0.18 acre of CDFW jurisdiction through the purchase of 0.36 acre of establishment, re-establishment, or rehabilitation credits and 0.18 acres of riparian establishment mitigation credits (inclusive of the 0.03 acre of Regional Board jurisdiction collectively within the 0.18 acre of CDFW jurisdiction), at an approved mitigation bank, such as the Riverpark Mitigation Bank. If enhancement or preservation credits are pursued due to the lack of availability of rehabilitation, re-establishment, and/or establishment mitigation credits, the ratio may be higher as determined on a case-by-case basis by the Regional Board and/or CDFW. The mitigation receipt from this fee payment will be provided to the Lead Agency prior to initiation of jurisdictional impacts.

Wildlife Movement. As discussed in Section 4.4, Biological Resources, of the Draft EIR, the Project site does not serve as a wildlife corridor nor is it connected to an established corridor, and there are no native wildlife nurseries on or adjacent to the Project site. Therefore, there is no potential for the Project to interfere or with or impact the movement of native resident or migratory fish or wildlife species, establish native resident or migratory wildlife corridors, or impede the use of a native wildlife nursery site. Based on the foregoing information, the Project would result in no impact to any native resident or migratory fish, established wildlife corridor, or native wildlife nursery sites.

The Project would remove vegetation (i.e., immature trees, shrubs, and groundcover) that has the potential to provide roosting and nesting habitat for birds, including migratory and common raptor species. However, no active nests were observed within the Project site during field surveys. Notwithstanding, if active nests are present within the Project site during construction, the Project could result in substantial, adverse effects to biological resources (i.e., bird nests) that are protected by the MBTA and California Fish and Game Code. The Project's potential to impact nesting birds is a significant impact for which mitigation is required. The Project Applicant would be required to comply with a previously identified mitigation measure (i.e., MM Bio-1) from the PVCCSP EIR, which would ensure that pre-construction surveys are conducted for nesting birds protected by the federal MBTA during the breeding season to determine presence or absence prior to disturbance of habitat with the potential to support nesting birds. The City of Perris has replaced PVCCSP EIR mitigation measure MM Bio 1 with Project-level mitigation measure MM 4-4 based on input from the CDFW. If nesting birds are present, the mitigation requires avoidance of active bird nests in conformance with accepted protocols and regulatory requirements. With

implementation of the required mitigation, potential direct impacts to nesting birds protected by the federal MBTA would be reduced to a **less than significant** level.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: Project impacts would be **less than significant** by **incorporation of** Project-level mitigation measure MM 4-4 (Draft EIR page 4.4-25).

Project-Level Mitigation Measure

MM 4-4 Site preparation activities (such as ground disturbance, construction activities, staging equipment, and/or removal of trees and vegetation) for the Project shall be avoided, to the greatest extent possible, during the nesting season of potentially occurring native and migratory bird species.

If site-preparation activities are proposed during the nesting/breeding season, the Project proponent shall retain a qualified biologist to conduct a pre-activity field survey prior to the issuance of grading permits for the Project to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone. The Project biologist shall be experienced in: identifying local and migratory bird species of special concern; conducting bird surveys using appropriate survey methodology; nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, and identifying nesting stages and nest success; determining/establishing appropriate avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures.

The pre-activity field surveys shall include the Project site and adjacent areas where Project activities have the potential to cause nest failure. The surveys shall be conducted at the appropriate time of day/night, during appropriate weather conditions, no more than 3 days prior to the initiation of Project site-preparation activities. The surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. The survey duration shall take into consideration the size of the Project site; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate.

If no nesting birds are observed during the survey, site preparation and construction activities may be conducted during the nesting/breeding season.

If active nests or nesting birds (including nesting raptors) are located during the pre-activity field survey, the Project biologist shall establish avoidance or minimization measures in consultation with the City of Perris and the CDFW. Measures shall include the establishment of a conservative avoidance buffer surrounding the nest based on the Project biologist's best professional judgement and experience. The

Project biologist shall monitor the nest at the onset of project activities, and at the onset of any changes in such project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the Project biologist determines that such project activities may be causing an adverse reaction, the Project biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. All work within these buffers shall be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest). The Project biologist shall review and verify compliance with these nesting avoidance buffers and shall verify the nesting effort has finished. Work can resume within these avoidance areas when no other active nests are found. Upon completion of the survey and nesting bird monitoring, a report shall be prepared and submitted to City for mitigation monitoring compliance record keeping.

Cumulative Impacts. The Project site does not contain productive foraging or nesting habitat for special-status wildlife species with the potential to utilize the Project site (with the exception of the western burrowing owl). The Project site contains potentially suitable habitat for the burrowing owl. Although the burrowing owl species was not observed on the Project site during field surveys conducted in 2019 and 2021, there is the potential for this species to migrate onto the site and occupy the property prior to the initiation of grading activities. The burrowing owl is commonly found within the Project vicinity; as such, it is reasonable to conclude that impacts to the burrowing owl habitat would occur in conjunction with development of other properties throughout Riverside County. Thus, implementation of the Project has the potential to contribute to a cumulatively considerable impact to the burrowing owl. However, the Project Applicant is required to comply with previously identified mitigation measure (MM 4-1), which would ensure that pre-construction surveys are conducted for burrowing owl to determine the presence or absence of the species on the Project site. If present, the mitigation measure provides performance criteria that requires avoidance and/or relocation of burrowing owls in accordance with MSHCP protocol. With implementation of the required mitigation, potential cumulatively considerable impacts to the burrowing owl would be reduced to below a level of significance.

The Project would permanently impact approximately 0.18 acre of MSHCP riparian areas. The loss of MSHCP riparian areas would be a cumulatively considerable impact under CEQA and would trigger a DBESP under the MSHCP to identify appropriate mitigation to provide for biologically equivalent or superior habitat. With Project-level mitigation measure MM 4-2, Project impacts to the MSHCP riparian areas would be reduced to less-than-significant levels and impacts would not be cumulatively considerable.

The Project would permanently impact approximately 0.03 acre of Corps and RWQCB jurisdiction; therefore, a cumulatively considerable impact would occur. With Project-level mitigation measure MM 4-3, Project impacts to Corps and RWQCB jurisdiction would be reduced to less-than-significant levels and impacts would not be cumulatively considerable.

The Project would remove vegetation that has the potential to support nesting birds protected by federal and State regulations. A wide range of habitat and vegetation types have the potential to support nesting birds; therefore, it is likely that other development projects within the cumulative study area also may impact nesting birds. However, the Project – like all other development activities in the cumulative study area – would be required to comply with State and federal law to preclude impacts to nesting birds. The Project's potential impact to nesting birds would be cumulatively considerable absent compliance to State and federal regulations.

In summary, with mitigation, the Project **would not result in a cumulatively considerable contribution to a significant cumulative impact** related to biological resources.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: The Project's potential cumulative impacts are eliminated or substantially lessened to a level of less than significant by incorporation of Project-level mitigation measures MM 4-1, MM 4-2 and MM 4-3 (Draft EIR pages 4.4-21 through 4.4-23), identified above, and Project-level mitigation measure MM 4-5.

Project-Level Mitigation Measure

MM 4-5 Prior to the issuance of grading permits, the Project Applicant shall place a note on the grading plans to require that a qualified biologist conducts a training session for project personnel prior to any grading activities. The training shall include a description of the species of concern and its habitats, the general provisions of the Endangered Species Act (Act) and the MSHCP, the need to adhere to the provisions of the Act and the MSHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the species of concern as they relate to the project, and the access routes to and project site boundaries within which the project activities must be accomplished.

5.2.4 CULTURAL RESOURCES

Archaeological Resources. As discussed in Section 4.5, Cultural Resources, of the Draft EIR, as required by PVCCSP EIR mitigation measure MM Cultural 1, a Phase I Cultural Resources Survey Report was completed for the Project. An archaeological field survey was conducted on April 14, 2021 to determine if cultural resources exist within the Project site. The survey was completed in accordance with the City of Perris' environmental policies, including the PVCCSP, and CEQA significance evaluation criteria. According to the Phase I Cultural Resources Survey, included as Appendix D, no resources were recorded within the Project boundaries and portions of the site have been disturbed. Additionally, the Project site was historically used for agricultural purposes and never contained any structures. As such, there is little potential for archaeological resources to the present or disturbed by the proposed development.

Based on the records search and the results of the field survey, archaeological resources are not expected to occur on the Project site. However, there could be a potential for archaeological resources to be uncovered in native soils during ground disturbing activities, which could result in a significant impact. Project-level mitigation measure MM 5-1 presented below, which implements PVCCSP EIR mitigation measures MM Cultural 2 through MM Cultural 4, as subsequently revised by the City of Perris, requires that an archaeological monitor and Luiseño tribal representative be present during initial ground-disturbing activities, and identifies steps to be taken to protect any resources encountered. With implementation of Project-level mitigation measure MM 5-1, potential impacts to archaeological resources would be reduced to a **less than significant** level.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: The potential impacts to archaeological resources have been eliminated or substantially lessened to a level of less than significant by previous completion of PVCCSP EIR mitigation measure MM Cultural 1 (Draft EIR pages 4.5-9 and 4.5-10), and implementation of Project-level mitigation measure MM 5-1 (Draft EIR pages 4.5-11 through 4.5-13).

Applicable PVCCSP EIR Mitigation Measures

MM Cultural 1 Prior to the consideration by the City of Perris of implementing development or infrastructure projects for properties that are vacant, undeveloped, or considered to be sensitive for cultural resources by the City of Perris Planning Division, a Phase I Cultural Resources Study of the subject property prepared in accordance with the protocol of the City of Perris by a professional archeologist[2] shall be submitted to the City of Perris Planning Division for review and approval. The Phase I Cultural Resources Study shall determine whether the subject implementing development would potentially cause a substantial adverse change to any significant paleontological, archaeological, or historic resources. The Phase I Cultural Resources Study shall be prepared to meet the standards established by Riverside County and shall, at a minimum, include the results of the following:

1. Records searches at the Eastern Information Center (EIC), the National or State Registry of Historic Places and any appropriate public, private, and tribal archives.

2. Sacred Lands File record search with the NAHC followed by project scoping with tribes recommended by the NAHC.

3. Field survey of the implementing development or infrastructure project site.

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

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

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

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

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

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

Note: The required Project-specific cultural resources study has been prepared for the Project to comply with this PVCCSP EIR mitigation measure and is included in Appendix D of this EIR.

Project-Level Mitigation Measures

MM 5-1 Prior to the issuance of grading permits, the Project proponent/developer shall retain a professional archaeologist meeting the Secretary of the Interior's Professional Qualification 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 within the Project site or within the off-site Project 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 within the Project 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, a photographic record, and reporting all finds in a timely manner. The archaeologist shall also be equipped to record and salvage cultural resources that may be unearthed during 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.

The Project proponent/developer shall also enter into an agreement with either the Soboba Band of Luiseño Indians or the Pechanga Band of Luiseño Indians for a Luiseño tribal representative (observer/monitor) to work along with the consulting archaeologist. This tribal representative will assist in the identification of Native American resources and will act as a representative between the City, the Project proponent/developer, and Native American Tribal Cultural Resources Department. The Luiseño tribal representative(s) shall be on-site during all ground-disturbing of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, etc. The Luiseño tribal representative(s) should be on-site any time the consulting archaeologist is required to be on-site. Working with the consulting archaeologist, the Luiseño tribal representative(s) shall have the authority to halt, redirect, or divert any activities in areas where the identification, recording, or recovery of Native American resources are on-going. The agreement between the proponent/developer and the Luiseño tribe shall include, but not be limited to:

- An agreement that artifacts will be reburied on-site and in an area of permanent protection;

- Reburial shall not occur until all cataloging and basic recordation have been completed by the consulting archaeologist;

- Native American artifacts that cannot be avoided or relocated at the project site shall be prepared for curation at an accredited curation facility in Riverside County that meets federal standards (per 36 CFR Part 79) and available to archaeologists/researchers for further study; and

- The Project archaeologist shall deliver the Native American artifacts, including title, to the identified curation facility within a reasonable amount of time, along with applicable fees for permanent curation.

The Project proponent/developer shall submit a fully executed copy of the agreement to the City of Perris Planning Division to ensure compliance with this condition of approval. Upon verification, the City of Perris Planning Division shall clear this condition. This agreement shall not modify any condition of approval or mitigation measure.

In the event that archaeological resources are discovered within 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 Native American artifacts are identified when Luiseño tribal representatives are not present, all reasonable measures will be taken to protect the resource(s) in situ and the City Planning Division and Luiseño tribal representative will be notified. The designated Luiseño tribal representative will be given ample time to examine the find. If the find is determined to be of sacred or religious value, the Luiseño tribal representative will work with the City and project archaeologist to protect the resource in accordance with tribal requirements. All analysis will be undertaking in a manner that avoids destruction or other adverse impacts.

In the event that human remains are discovered at the project site or within the off-site project improvement areas, Project-level mitigation measure MM 5-2 shall immediately apply and all items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling.

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 or the archaeologist, in consultation with the designated Luiseño tribal representative, determines that monitoring is no longer necessary, monitoring activities can be discontinued following notification to the City of Perris Planning Division.

A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include 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 submitted to the Luiseño tribe(s) involved with the Project.

Human Remains. As discussed in Section 4.5, Cultural Resources, of the Draft EIR, the PVCCSP area has been historically used for agriculture use and therefore, is not expected to contain human remains, including those interred outside of formal cemeteries. In the unlikely event that suspected human remains are uncovered during construction, all activities in the vicinity of the remains shall cease and the contractor shall notify the County Coroner immediately pursuant to Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the California Public Resources Code. Therefore, impacts to disturbing human remains are less than significant. Additionally, the Project Applicant would implement Project-level mitigation measure MM 5-2, which implements PVCCSP EIR mitigation measure MM Cultural 6. The incorporation of Project-level mitigation measure MM 5-2 would further reduce potential impacts to human remains. Impacts would be **less than significant**.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: The potential impacts to human remains have been eliminated or substantially lessened to a level of less than significant by incorporation of the Project-level mitigation measure MM 5-2 (Draft EIR page 4.5-14).

Project-Level Mitigation Measures

MM 5-2 In the event that human remains (or remains that may be human) are discovered within the Project site during grading or earthmoving, 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 will notify the NAHC, which will identify the "Most Likely Descendent" (MLD). Despite the affiliation with any Native American representatives 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 the Project proponent and the MLD are in disagreement regarding the disposition of the remains, State law will apply and the mediation and decision process will occur with the NAHC (see Public Resources Code Section 5097.98[e] 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 shall be filed with the Eastern Information Center (EIC).

Cumulative Impacts – Archeological Resources and Human Remains. As discussed in Section 4.5, Cultural Resources, of the Draft EIR, direct impacts to onsite cultural resources are site-specific. If there is a potential for significant impacts on cultural resources, an investigation will be required to determine the nature and extent of the resources and to identify appropriate mitigation measures. Based on the information presented in the required site-specific cultural resource studies, construction activities associated with the Project would not impact any known prehistoric archaeological resources and the likelihood of uncovering previously unknown archaeological resources during Project construction are low due to the nature of the site and the magnitude of disturbance that has occurred on the site. Nonetheless, the potential exists for subsurface archaeological resource that meet the definition of a significant archaeological

resource to be discovered within the Project site – and other development project sites in the City – during construction activities. As such, the Project includes mitigation measures from the PVCCSP EIR, as revised, to identify, recover, and/or record any cultural resource that may occur within the Project limits resulting in a less than significant impact (refer to Project-level mitigation measure MM 5-1). The Project **would not result in a cumulatively considerable contribution to a significant cumulative impact to** archaeological resources.

Additionally, mandatory compliance with the provisions of California Health and Safety Code Section 7050.5, as well as Public Resources Code Section 5097 et seq., (implemented as Project-level mitigation measure MM 5-2), would assure that all future development projects within the region, including the currently Project, treat human remains that may be uncovered during development activities in accordance with prescribed, respectful and appropriate practices, thereby avoiding significant cumulative impacts. The Project **would not result in a cumulatively considerable contribution to a significant cumulative impact** to human remains.

Findings:

1. **Changes or alterations have been required in, or incorporated into, First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: The Project's potential cumulative impacts have been eliminated or substantially lessened to a level of less than significant by implementation of Project-level mitigation measures MM 5-1 and MM 5-2 (Draft EIR pages 4.5-11 through 4.5-13 and 4.5-14) identified above.

5.2.5 GEOLOGY AND SOILS

Strong Seismic Shaking. As identified in Section 4.7, Geology and Soils, of the Draft EIR, the Project site is in an area with high regional seismicity. The risk for seismic hazards is not substantially different than the risk to properties throughout the Southern California Area. In accordance with PVCCSP mitigation measure Geo 1, site-specific Geotechnical Investigations have been prepared for both Building 1 and 2 sites and include site-specific seismic design parameters and provide design/construction recommendations for geotechnical design, grading, construction, foundations, floor slabs, exterior flatwork, retaining walls, and pavement. The Project would be designed and constructed in accordance with all final Geotechnical Investigation recommendations, which are based on CBC requirements.

Further, the Project Applicant is required to implement seismic design considerations in accordance with the CBC. Notably, the City would apply a mandatory condition of approval on the Project that would require all buildings to be constructed in accordance with the City of Perris Building Code, which incorporates the CBC.

Consistent with General Plan measures and PVCCSP EIR mitigation measure MM Geo 1, the Project would be designed and constructed in accordance with all final Geotechnical Investigation recommendations and the Geotechnical Investigation shall be reviewed and approved by the City Engineer. With adherence to the City's General Plan policies, compliance with the CBC and City of Perris Building Code, mandatory compliance with the recommendations of the final Geotechnical Investigations related to design and construction, and incorporation of PVCCSP

EIR mitigation measure MM Geo 1, the Project would not directly or indirectly expose people or structures to substantial adverse effects, including loss, injury or death, involving seismic ground shaking impacts related to strong seismic ground shaking. **The impact is less than significant.**

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: The Project's potential impacts related to ground failure have been eliminated or substantially lessened to a level of less than significant by incorporation of PVCCSP EIR mitigation measure MM Geo 1 (Draft EIR page 4.7-8).

Applicable PVCCSP EIR Mitigation Measures

MM Geo 1 Concurrent with the City of Perris' review of implementing development projects, the Project proponent of the implementing development Project shall submit a geotechnical report prepared by a registered geotechnical engineer and a qualified engineering geologist to the City of Perris Public Works/Engineering Administration Division for its review and approval. The geotechnical report shall assess the soil stability within the implementing development project affecting individual lots and building pads, and shall describe the methodology (e.g., over-excavated, backfilled, compaction) being used to implement the project's design.

Seismic-Related Ground Failure Including Liquefaction. As discussed in Section 4.7, Geology and Soils, of the Draft EIR, the Project-specific Geotechnical Investigations indicated that the Project site is located within a zone of moderate liquefaction susceptibility. However, the Project site lacks liquefaction-susceptible materials and is not located within a State-delineated "Zones of Required Investigation" for liquefaction.

Consistent with General Plan measures and PVCCSP EIR mitigation measure MM Geo 1, the Project would be designed and constructed in accordance with all final Geotechnical Investigation recommendations and the Geotechnical Investigation shall be reviewed and approved by the City Engineer. With adherence to the City's General Plan policies, compliance with the CBC and City of Perris Building Code, mandatory compliance with the recommendations of the final Geotechnical Investigations related to design and construction, and incorporation of PVCCSP EIR mitigation measure MM Geo 1, the Project would not directly or indirectly expose people or structures to substantial adverse effects, including loss, injury or death from seismic-related ground failure, including liquefaction. **This impact would be less than significant.**

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: The Project's potential impacts related to ground failure have been eliminated or substantially lessened to a level of less than significant by incorporation of PVCCSP EIR mitigation measure MM Geo 1 (Draft EIR page 4.7-9).

Applicable PVCCSP EIR Mitigation Measures

Refer to previously referenced mitigation measure MM Geo 1.

Unstable Soil. As discussed in Section 4.7, Geology and Soils, of the Draft EIR, remedial grading, as recommended in the Geotechnical Investigations, would remove all loose, disturbed silty sand horizons near surface native alluvium, and replace these materials as compacted structural fill. The native soils that would remain in place below the recommended depth of overexcavation would not be subject to significant load increases from the foundations of the new structures. With adherence to remedial grading recommendations, the post-construction static settlements of the proposed structures would be within tolerable limits.

The Geotechnical Investigations also concluded that surface settlements from saturated and dry-sand volumetric changes would not result in unstable conditions, because the site's shrinkage/subsidence and settlement potential would be attenuated through the removal of surface and near surface soils down to competent materials and replacement with properly compacted fill. The Project Applicant will comply with the site-specific ground preparation and construction recommendations contained in the Project's geotechnical investigations. Based on the foregoing, potential impacts related to soil shrinkage/subsidence and collapse would be less than significant.

The potential for liquefaction at the Project site is considered low based on the Project site's topography and soil conditions. Accordingly, impacts associated with lateral spreading would not occur.

Consistent with General Plan measures cited above and PVCCSP EIR mitigation measure MM Geo 1, the Project would be designed and constructed in accordance with all Geotechnical Investigation recommendations; and the Geotechnical Investigations shall be reviewed and approved by the City Engineer. Furthermore, the City of Perris would conduct a thorough administrative review of future grading permits to ensure that earthwork activities do not result in any conditions that could result in unstable soils. Therefore, with compliance with City General Plan measures, the recommendations of the final Geotechnical Investigations, and PVCCSP EIR mitigation measure MM Geo 1, impacts related to location on an unstable geologic unit or soil would be **less than significant;** and no additional mitigation is required.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: The Project's impacts related to unsuitable soils have been eliminated or substantially lessened to a level of less than significant by incorporation of PVCCSP EIR mitigation measure MM Geo 1 (Draft EIR page 4.7-12).

Applicable PVCCSP EIR Mitigation Measures

Refer to previously referenced mitigation measure MM Geo 1.

Expansive Soils. As discussed in Section 4.7, Geology and Soils, of the Draft EIR, soil testing conducted as part of the Geotechnical Investigations identified the near surface soils on the Building 1 site possess a very low to low expansion potential (Expansion Index [EI] = 1 and 25), and soils on the Building 2 site possess a medium expansion potential (EI = 56). Based on the presence of expansive soils, the recommendations of the Geotechnical Investigations indicate that soil water contents at least approach optimum soil water contents determined from ASTM D1557-12 to a depth of at least 12 inches prior to vapor retarder installation or commercial slab concrete placement. Further, provisions should be made to limit the potential for surface water to penetrate the soils immediately adjacent to the structure.

Consistent with General Plan measures cited above and PVCCSP EIR mitigation measure MM Geo 1, the Project would be designed and constructed in accordance with all final Geotechnical Investigations recommendations; and the Geotechnical Investigations shall be reviewed and approved by the City Engineer. Therefore, with compliance with City General Plan measures, the recommendations of the final Geotechnical Investigations, and PVCCSP EIR mitigation measure MM Geo 1, impacts related to expansive soils would be **less than significant**.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: The Project's potential impacts related to expansive soils have been eliminated or substantially lessened to a level of less than significant by incorporation of PVCCSP EIR mitigation measure MM Geo 1 (Draft EIR page 4.7-13).

Applicable PVCCSP EIR Mitigation Measures

Refer to previously referenced mitigation measure MM Geo 1.

Directly or Indirectly Destroy a Unique Paleontological Resource or Site or Unique Geologic Feature. As discussed in Section 4.7, Geology and Soils, of the Draft EIR, no paleontological resources have been identified within the vicinity of the Project site. However, the

very old Pleistocene alluvial fan deposits that directly underlie the younger alluvial valley sediments have a high potential to contain significant nonrenewable paleontological resources and are assigned a "high paleontological resource sensitivity." As such, the Project's deeper ground-disturbing activities could result in a significant impact to paleontological resources. The Project Applicant would implement Project-level mitigation measure MM 7-1, which is an updated version of PVCCSP EIR mitigation measure MM Cultural 5. MM 7-1 requires monitoring during grading activities, identifies the role of the monitor, and identifies the salvage and resource recovery measures that must be implemented if paleontological resources are found. With implementation of MM 7-1, impacts to paleontological resources be **less than significant.**

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: The potential impacts on paleontological resources have been eliminated or substantially lessened to a level of less than significant by incorporation of Project-level mitigation measure MM 7-1 (Draft EIR pages 4.7-14 and 4.7-15).

Project-Level Mitigation Measures

MM 7-1 Prior to the issuance of grading permits, the Project Applicant shall submit to and receive approval from the City, a Paleontological Resource Impact Mitigation Monitoring Program (PRIMMP). The PRIMMP shall include the provision of a qualified professional paleontologist (or his or her trained paleontological monitor representative) during on- and off-site subsurface excavation that exceeds five (5) feet in depth below the pre-grade surface. Selection of the paleontologist shall be subject to approval of the City of Perris Planning Manager and no grading activities shall occur at the site or within 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, which might be present below the surface. The paleontologist shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays. The paleontologist shall also remove samples of sediments which are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens.

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

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

discussion of the significance of all recovered specimens. The report and inventory, when submitted to the City of Perris Planning Division, will signify completion of the program to mitigate impacts to paleontological resources.

Cumulative Impacts. As discussed in Section 4.7, Geology and Soils of the Draft EIR, as with the Project, future development would have potentially significant geology/soils impacts prior to mitigation and would also be required to have site-specific geotechnical investigations prepared to identify the geologic and seismic characteristics on a site and to provide recommendations for engineering design and construction to ensure the structural integrity of proposed development as required by the City (refer to PVCCSP EIR mitigation measures MM Geo 1). These recommendations would be incorporated into project design. Compliance of individual projects with the recommendations of the applicable geotechnical investigation, and adherence to the CBC and City of Perris Building Code would prevent hazards associated with geologic issues (e.g., liquefaction, unstable soils, expansive soils and other geologic issues). Therefore, the Project **would not result in a cumulatively considerable contribution to a significant cumulative impact** related to geology and soils.

Additionally, although development activities within the Project site would not impact any known paleontological resources, there is the potential that such resources are buried beneath the surface of the Project site and could be impacted during construction. Other projects within the region would similarly have the potential to impact unknown, subsurface paleontological resources during ground-disturbing activities. However, implementation of Project-level mitigation measure MM 7-1 for the Project, and similar mitigation requirements for development in the City, would ensure the proper identification and subsequent treatment of any paleontological resources that may be encountered during ground-disturbing activities associated. Therefore, the Project **would not result in a cumulatively considerable contribution to a significant cumulative impact** to paleontological resources.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: The Project's contribution to potential cumulative impacts to geology and soils have been eliminated or substantially lessened to a level of less than significant by incorporation of PVCCSP EIR mitigation measure MM Geo 1 (Draft EIR page 4.7-6) and Project-level mitigation measure MM 7-1 (Draft EIR page 4.7-14 and 4.7-15).

5.2.6 HAZARDS AND HAZARDOUS MATERIALS

Create a Significant Hazard to the Public or Environment Through Upset and Accident Conditions Involving the Release of Hazardous Materials. As discussed in Section 4.9, Hazards and Hazardous Materials, of the Draft EIR, the Project site contains no evidence of RECs, USTs, ASTs, PCBs, or significant chemical release/disposal on the Project site. No staining, hazardous materials, chemical/petroleum odors, pools of liquid, floor drains/sumps/wells, drums, stressed vegetation, wastewater discharges/disposal systems, or septic systems were found on the Project site or surrounding area. Additionally, AEC completed soil, sediment, and groundwater sampling at the Project site to assess potential impacts from

PFAS at the nearby WWTP. No PFAS were detected in soil, sediment or groundwater and detection limits were less than the 70 ng/L screening level. Therefore, no further assessment is recommended and the presence of PFAS at the WWTP is not considered a REC to the Project site. The Phase I ESAs conclude there are no RECs, Controlled Recognized Environmental Conditions (CRECs), or Historical Recognized Environmental Conditions (HRECs) or other significant issues of concern. This impact would be **less than significant.**

Accidents involving hazardous materials that could pose a significant hazard to the public or the environment would be highly unlikely during the construction and long-term operation of the Project and are not reasonably foreseeable. The transport, use, and handling of hazardous materials in the Project site during construction is a standard risk on all construction sites, and there would be no greater risk for upset and accidents than would occur on any other similar construction site. In the unlikely event that unknown contaminated soils are encountered during earth-moving activities, PVCCSP EIR mitigation measure MM Haz 7, would be implemented and would fully address the presence of contaminated soil through appropriate sampling and testing, disposal, and/or remediation. This impact would be **less than significant.**

Operation of the high cube warehouses would involve the use of materials common to all urban development that are labeled hazardous. In the event that hazardous materials, other than those common materials described above, are associated with future operations, the hazardous materials would only be stored and transported to and from the building sites. Manufacturing and other chemical processing would not occur within the proposed warehouse uses. Therefore, there is the potential for routine use, storage, or transport of hazardous materials; however, these activities would adhere to applicable local, State, and federal regulations. This impact would be **less than significant.**

The Project would not 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 during construction operation. This includes exposure to hazardous materials from previous and current use of the Project site and surrounding areas, and accidental release of hazardous materials during construction and operation of the Project. This impact would be **less than significant**.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: It is unlikely that contaminated soils would be encountered at the Project site. However, potential impacts have been eliminated or substantially lessened to a level of less than significant by virtue of the incorporation of PVCCSP EIR mitigation measure MM Haz 7 (Draft EIR page 4.9-15).

Applicable PVCCSP EIR Mitigation Measures

MM Haz 1 Any proposed industrial uses located within one-quarter mile of Val Verde High School (located at 972 Morgan Street, between Nevada Road and Webster Avenue, Perris, CA) or any other existing or proposed school shall perform project-

level CEQA review to determine the potential for project-specific impacts associated with hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste.

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

Safety Hazard for Those Residing or Working Within an Airport Land Use Plan or Within Two Miles of a Public or Public Use Airport. As identified in Section 4.9, Hazards and Hazardous Materials, of the Draft EIR, the PVCCSP area, including the Project site, is within the MARB/IP AIA. The Project site is also within the City's Airport Overlay Zone (AOZ), created to accommodate development within the City consistent with the land use designations of the MARB/IP ALUCP.

The Project site is completely within Compatibility Zone B2 (High Noise Zone). Compatibility Zone B2 allows a non-residential, average land use intensity of 100 people per acre, and a single-acre land use intensity of 250 people per single acre. The MARB/IPA ALUCP provides methods for determining concentrations of people using either the number of parking spaces provided or the California Building Code. Building 1 and 2 are estimated to have a total occupancy of 1,209 people, based on the CBC method for determining concentration of people, which results in an average intensity of approximately 44 people per acre (based on a net site acreage of approximately 27.56 acres). This average occupancy is substantially below the 100 people per acre average intensity. Additionally, the Project would have a 151.1 people per single-acre intensity, which is below the 250 people per single-acre intensity allowed in Compatibility Zone B2.

Compatibility Zone B1 encompasses areas of high noise and high accident potential risk within the inner portion of the runway approach and departure corridors. The majority of the Project site is mostly within or near the 60 to 70 dBA CNEL noise contour boundaries. The Governor's Office of Planning and Research (OPR) Land Use Compatibility for Community Noise Exposure indicate that industrial uses, such as the Project, are considered normally acceptable with exterior noise levels of up to 70 dBA CNEL. Therefore, the Project would not expose people working at the proposed buildings to excessive noise levels from airport operations.

The Project site also is located within the Outer Horizontal Surface and Approach/Departure Clearance Surface of the Federal Aviation Regulations (FAR), Part 77 (Imaginary Surfaces). The proposed buildings would have a maximum building height of approximately 51 feet and would be up to approximately 1,564 feet above mean sea level (msl), which is below the maximum height of 1,565 feet above msl, which is the Part 77 surface limit for military and civilian aircraft. However, certain construction equipment could extend to heights that exceed 1,565 feet above msl. PVCCSP EIR mitigation measure MM Haz 6 is incorporated into the Project, which requires that FAA Form 7460-1, Notice of Proposed Construction or Alteration, be submitted to the FAA

The FAA has determined that the proposed structure would not exceed obstruction standards and would not be a hazard to air navigation.

The proposed warehouse uses would not involve an electromagnetic radiation component and would not conflict with MARB/IPA operations or radio communications (e.g., microwave transmission in conjunction with a cellular tower, radio wave transmission in conjunction with remote equipment). Further, PVCCSP EIR mitigation measure MM Haz 2 requires the Applicant to convey an avigation easement to the MARB/IP Airport Authority, mitigation measure MM Haz 3 requires that outdoor lighting be hooded or shielded to prevent either the spillage of lumens or reflection into the sky or above the horizontal plane, and mitigation measure MM Haz 4 requires that all potential purchasers and tenants be notified that the property is located in the vicinity of an airport, within an AIA.

Based on the analysis presented above, and with incorporation of PVCCSP EIR mitigation measures MM Haz 2 through mitigation measure MM Haz 6, the Project would not result in a conflict with any of the policies or requirements outlined in the MARB/IPA ALUCP. Because the ALUCP is intended to minimize potential hazards associated with MARB/IPA, it is concluded that the Project would not result in a safety hazard for people residing or excessive noise for people working in the Project area. Accordingly, impacts would be **less than significant**.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: Potential safety hazards related to the MARB/IPA have been eliminated or substantially lessened to a level of less than significant by incorporation of PVCCSP EIR mitigation measures MM Haz 2 through MM Haz 6 (Draft EIR pages 4.9-14 and 4.9-15) into the Project.

Applicable PVCCSP EIR Mitigation Measures

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

MM Haz 3 Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky or above the horizontal plane.

MM Haz 4 The following notice shall be provided to all potential purchasers and tenants:

> "This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example, noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are

associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Profession Code 11010 13(A)"

MM Haz 5 The following uses shall be prohibited:

(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.

(d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

(e) All retention and water quality basins shall be designed to dewater within 48 hours of a rainfall event.

MM Haz 6 A minimum of 45 days prior to submittal of an application for a building permit for an implementing development project, the implementing development project applicant shall consult with the City of Perris Planning Department in order to determine whether any implementing project-related vertical structures or construction equipment will encroach into the 100-to-1 imaginary surface surrounding the MARB. If it is determined that there will be an encroachment into the 100-to-1 imaginary surface, the implementing development project applicant shall file a FAA Form 7460-1, Notice of Proposed Construction or Alteration. If FAA determines that the implementing development project would potentially be an obstruction unless reduced to a specified height, the implementing development project applicant and the Perris Planning Division will work with FAA to resolve any adverse effects on aeronautical operations.

5.2.7 NOISE

Substantial Temporary Increase in Ambient Noise Levels (Construction Sources). As identified in Section 4.12, Noise, of the Draft EIR, the PVCCSP EIR concludes that construction-generated noise resulting from implementation of the PVCCSP and its subsequent implementing development and infrastructure projects could result in potentially significant impacts, but concluded that compliance with the day and hour limits of the Municipal Code (Noise Ordinance) and incorporation of PVCCSP EIR mitigation measures MM Noise 1 through MM Noise 4 would reduce impacts to less than significant levels. The PVCCSP EIR further concludes that the transport of workers and equipment to and from the Project site would incrementally increase noise on access roads leading to the site. Although there would be relatively high intermittent noise from passing vehicles, the noise increase would be minor when averaged over longer

periods of time. In addition, truck traffic on public roads is exempt from local regulations. Therefore, short-term construction noise associated with worker commutes and equipment transport would be **less than significant**.

The construction noise levels associated with the Project are expected to range from 53.4 to 66.0 dBA Lmax, and the highest construction levels are expected to range from 60.4 to 66.0 dBA Lmax at the nearby receiver locations. The construction noise analysis shows that the highest construction noise levels would occur when equipment is operating at the closest point from the edge of the Project construction boundary to each of the nearest receiver locations. the highest unmitigated construction noise levels are expected to range from 60.4 to 66.0 dBA Lmax. The construction noise analysis shows that none of the receiver locations would exceed the City of Perris Municipal Code 80 dBA Lmax significance threshold for construction activity. Therefore, the noise impact due to Project construction activities are considered less than significant.

Cumulative Impacts. As identified above, Project construction-related noise impacts would be less than significant. As it is unlikely that any other cumulative developments would be under construction in close proximity to the Project concurrent with Project construction, **cumulatively-considerable construction-related noise impacts would be less than significant**.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: Potential impacts related to substantial temporary increases in ambient noise levels during Project construction have been eliminated or substantially lessened to a level of less than significant by incorporation of PVCCSP EIR mitigation measures MM Noise 1 through MM Noise 4 (Draft EIR page 4.12-11).

Applicable PVCCSP EIR Mitigation Measures

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

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

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.

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.

5.2.8 TRANSPORTATION

Conflict with a Program, Plan, Ordinance, or Policy Addressing the Circulation System, Including Transit, Roadway Bicycle, and Pedestrian Facilities. As presented in Table 4.11-3, SCAG Policy Consistency Analysis, in EIR Section 4.11, Land Use and Planning, implementation of the Project would be consistent with the goals and policies of SCAG's regional planning programs (SCAG's 2016 RTP/SCS and Connect SoCal), including the goals related to vehicular and non-vehicular circulation, and goods movement. Pursuant to SB 743, LOS is no longer the basis for determining whether a Project has a significant impact pursuant to CEQA. However, for informational purposes, the Project's consistency with the CMP is being discussed. The Project would contribute traffic to freeway mainline segments along I-215. As identified in the Project Traffic Analysis, the north and southbound ramps would operate at an unacceptable LOS F during the Existing Plus Ambient Growth Plus Cumulative (EAC) 2023, EAC 2025, and Existing Plus Ambient Growth Plus Project Buildout Plus Cumulative (EAPC) 2025. However, this condition occurs without and with the Project, and the Project will participate in the phased construction of off-site traffic signals through payment of the Project's fair share of traffic signal mitigation fees which include TUMF, DIF, and NPRBBD as outlined in mitigation measure PVCCSP MM Trans 3. The fees shall be collected and utilized as needed by the City to construct the improvements necessary to maintain the required Level of Service (LOS) and build or improve roads to their build-out level. The Project would not conflict with the Riverside County CMP.

The Project does not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect, including policies outlined in the City's General Plan. **No impact** would result. Additionally, the Project would be developed in accordance with the PVCCSP Standard and Guidelines.

In summary, the Project would not conflict with regional or local programs, plans, ordinances, or policies addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. This impact is **less than significant.**

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project, which avoids or substantially lessens the significant environmental effect as identified in the EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: Potential impacts related to conflict with a program, plan, ordinance, or policy addressing the circulation system have been eliminated or substantially lessened to a level of less than significant by incorporation of PVCCSP EIR mitigation measure MM Trans 3 (Draft EIR pages 4.13-14) into the Project.

Applicable PVCCSP EIR Mitigation Measures

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.

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.

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

MM Trans 4 Prior to the approval of individual implementing development projects, the Riverside Transit Agency (RTA) shall be contacted to determine if the RTA has plans for the future provision of bus routing in the project area that would require bus stops at the project access points. If the RTA has future plans for the establishment of a bus route that will serve the project area, road improvements adjacent to the project site shall be designed to accommodate future bus turnouts at locations established through consultation with the RTA. RTA shall be responsible for the construction and maintenance of the bus stop facilities. The area set aside for bus turnouts shall conform to RTA design standards, including the design of the contact between sidewalk and curb and gutter at bus stops and the use of ADA-compliant paths to the major building entrances in the project.

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

MM Trans 8 Proposed mitigation measures resulting from project-level traffic impact studies shall be coordinated with the NPRBBD to ensure that they are in conformance with the ultimate improvements planned by the NPRBBD. The applicant shall be eligible to receive proportional credits against the NPRBBD for construction of project level mitigation that is included in the NPRBBD.

Substantially Increase Hazards Due to a Geometric Design Feature. As discussed in Section 4.14, Transportation, of the Draft EIR, during the Project's construction phase, traffic to-and-from the subject property would be generated by activities such as construction employee trips the use/delivery of heavy equipment, and the overlap of construction-related activities. The Project would implement site-adjacent roadway improvements and Project driveways along Natwar Lane and Western Way (refer to project design features PDF 14-1 and PDF 14-2). Construction activities associated with the Project could result in the temporary closure of traffic lanes or roadway segments along these roadways during various construction activities including, but not limited to, accommodating the delivery of construction materials and equipment; providing adequate site access for construction vehicles and equipment; and installation of utility infrastructure. Project-specific construction plans are finalized on a project-by-project basis by the City and are required to ensure adequate traffic flow. At the time of approval of any site-specific plans required for the construction of roadway facilities or infrastructure, the Project Applicant

would be required to implement measures that would maintain traffic flow and access. Therefore, the Project would have a **less than significant** impact during construction associated with increased hazards.

Roadway and circulation improvements have been designed in compliance with Standards and Guidelines set forth in Sections 4.2 and 5.2 of the PVCCSP and in compliance with PVCCSP EIR mitigation measures MM Trans 1 and MM Trans 2. Roadway improvements in and around the Project site would be designed and constructed to satisfy all City and Caltrans requirements for street widths, corner radii, and intersection control. They would also incorporate design standards tailored specifically to Project access requirements resulting in a **less than significant impact**.

The appropriate curb radii have been determined so that trucks would have sufficient space to execute turning maneuvers. The ingress and egress of trucks at each Project driveway is consistent with the truck trip distribution assumed in the Traffic Analysis. Project design feature PDF 14-3 identifies the curb radii that would be implemented to accommodate a truck with a 67-foot wheelbase (WB-67) (53-foot trailer) for each Project driveway. The internal circulation for passenger cars and pedestrians to Buildings 1 and 2 would be separated from trucks to avoid conflicts with trucks and pedestrians within the Project site. In Building 1, parking lot for passenger cars would be separated from the truck yards. There is a dedicated path of travel in the southern portion of the Building 1 site for truck travel within the site. For Building 2, trucks would enter the gated truck yard via the driveway on Natwar Lane and exit via the driveway on Western Way.

Consistent with Caltrans requirements, the 95th percentile queuing of vehicles has been assessed at the off-ramps to determine potential queuing deficiencies at the freeway ramp intersections at the I-215 Freeway at Harley Knox Boulevard Interchange. Under existing conditions, there are no off-ramp movements that are experiencing queuing issues during the weekday AM or weekday PM peak 95th percentile traffic flows; although, field observations of the I-215 Freeway interchange at Harley Knox Boulevard indicated that there are queues during the peak hours. However, there are no additional movements that are anticipated to experience queuing issues during the weekday AM or weekday PM peak 95th percentile traffic flows under all project future traffic conditions. The interchange is included in both the TUMF and NPRBBD fee programs and the Project will participate in contributing towards the I-215/Harley Knox Boulevard interchange improvements through payment of the TUMF and NPRBBD fees. Therefore, the Project would not result in queuing deficiencies that would substantially increase hazards.

Adherence to applicable City requirements would ensure the Project would not include any sharp curves or dangerous intersections or driveways. In the absence of a roadway design hazard, no impact would occur during operation. Therefore, this impact is **less than significant** and no mitigation is required.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project, which avoids or substantially lessens the significant environmental effect as identified in the EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: Potential impacts related to traffic hazards due to a geometric design feature or incompatible uses have been eliminated or substantially lessened to a level of less than significant by incorporation of PVCCSP EIR mitigation measures MM Trans 1 and

MM Trans 2 (Draft EIR page 4.14-14), and project design features PDF 14-1 and PDF 14-2 (Draft EIR pages 4.14-15 through 4.14-16) into the Project.

Applicable PVCCSP EIR Mitigation Measures and Design Features

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.

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.

Roadway Improvements

PDF 14-1 Prior to the issuance of occupancy permits, the Project proponent shall have constructed

the roadway improvements outlined below. These roadways shall be improved consistent with the PVCCSP and the City of Perris General Plan's Circulation Element. The Project shall improve these roadways as required by the final Conditions of Approval or the proposed Project and applicable City of Perris standards.

- Construct Natwar Lane at its ultimate half-section pavement width as a Collector (64-foot right-of-way) between the Project's northern and southern boundaries.

- Construct Western Way as its ultimate full-section pavement width as a Secondary Arterial (94-foot right-of-way) between the Project's northern and southern boundaries

Site Access Improvements

PDF 14-2 Prior to the issuance of occupancy permits, the Project proponent shall have constructed the site adjacent access improvements outlined below, consistent with the PVCCSP and the City of Perris General Plan's Circulation Element. The proposed Project shall improve these roadways as required by the final Conditions of Approval for the proposed Project and applicable City of Perris standards.

- ***Natwar Lane/Driveway 3 & Driveway 1*** – Install a stop control on the eastbound and southbound approach, and construct the intersection with the following geometrics:

    - *Northbound Approach*: One shared left-through lane.

    - *Southbound Approach (Project Driveway 3)*: One shared through-right turn lane.

- *Eastbound Approach (Project Driveway 1)*: One shared left-right turn lane.
- *Westbound Approach*: N/A

- ***Natwar Lane & Driveway 2*** – Install a stop control on the eastbound approach and construct the intersection with the following geometrics:
  - *Northbound Approach*: One through lane.
  - *Southbound Approach*: One shared through-right turn lane.
  - *Eastbound Approach (Project Driveway 2)*: One right turn lane.
  - *Westbound Approach*: N/A
- ***Western Way & Driveway 4*** – Install a stop control on the eastbound approach and construct the intersection with the following geometrics:
  - *Northbound Approach*: One through lane.
  - *Southbound Approach*: One shared through-right turn lane.
  - *Eastbound Approach (Project Driveway 4)*: One right turn lane.
  - *Westbound Approach*: N/A

On-site traffic signing and striping should be implemented agreeable with the provision of the California Manual on Uniform Traffic Control Devices (CA MUTCD) in conjunction with detailed construction plans for the Project site. Sight distance at each Project access point shall be reviewed with respect to City of Perris and PVCCSP sight distance standards at the time of preparation of final grading, landscape, and street improvement plans.

PDF 14-3 Prior to the issuance of occupancy permits, the Project proponent shall construct the truck access roadway improvements to provide the necessary curb radii to accommodate a truck with a 67-foot wheelbase as provided on the approved site plan.

Cumulative Impacts. With implementation of applicable PVCCSP EIR mitigation measures, and project design features identified previously, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Cumulative development projects would be reviewed for consistency with adopted programs, plans, ordinances, or policies, including but not limited to the SCAG RTP/SCS, City of Perris General Plan, and the PVCCSP, as applicable. Even if cumulative development projects are in conflict, the Project **would not contribute to a cumulative impact** because the Project does not conflict with a program, plan, ordinance, or policy addressing the circulation system.

Cumulative development projects would contribute to construction traffic and associated temporary lane and road closures during construction. However, the potential construction-related traffic impacts resulting from the Project would be less than significant with implementation of PVCCSP EIR mitigation measure MM Air 2, which requires the preparation of a traffic control plan. The requirement for a traffic control plan during construction is a standard requirement for construction projects in the City. As with the Project, cumulative development in the vicinity of the Project would be required to construct roadways and Project access driveways in accordance with applicable PVCCSP Standards and Guidelines ensure impacts are less than significant. Further, providing sufficient emergency access during construction and operation is also a standard requirement. The Project **would not result in a cumulatively considerable contribution to a significant cumulative impact** associated with traffic-related hazards or emergency access.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project, which avoids or substantially lessens the significant environmental effect as identified in the EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: Potential impacts related to cumulative impacts have been eliminated or substantially lessened to a level of less than significant by incorporation of PVCCSP EIR mitigation measure mitigation measures MM Air 2 (Draft EIR page 4.3-23), MM Trans 1 and MM Trans 2 (Draft EIR page 4.14-14), and project design features PDF 14-1 through PDF 14-2 (Draft EIR pages 4.14-15 through 4.14-16) into the Project.

Applicable PVCCSP EIR Mitigation Measures

Refer to MM Air 2 in Section 5.3.1, Air Quality; and PVCCSP EIR mitigation measures MM Trans 1 and MM Trans 2, above.

Project Design Features

Refer to project design features PDF 14-1 and PDF 14-2, above.

5.2.9 TRIBAL CULTURAL RESOURCES

Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource. The Project would not impact any known tribal cultural resources. Although it is not likely, there is a remote possibility that tribal cultural resources may be present beneath the site's subsurface, and if present, could be impacted by deeper ground-disturbing activities associated with Project construction that extend below disturbed soils. Notably, excavation for installation of the Project's utility infrastructure (located on site and connected to existing utility lines in the adjacent roadways) would range from 10- to 15-feet below the ground surface. Remedial grading would be conducted at depths between approximately 3 to 6 feet, with the deepest removals closer to the north side of the building which may require up to 9 feet for one or more of the concealed alluvial channels. The proposed building site would be subject to excavation; the building site would be overexcavated to a depth of at least 5 feet below existing grade. Without mitigation, construction activities including excavation could encounter unknown tribal cultural resources resulting in a potentially significant impact. Project-level mitigation measure MM 5-1, which implements PVCCSP EIR mitigation measures MM Cultural 2 through MM Cultural 4 as subsequently revised

by the City, requires that an archaeological monitor and Luiseño tribal representative be present during initial ground-disturbing activities and identifies steps that would be taken to ensure potential impacts to tribal cultural resources are less than significant. It should also be noted that Project-level mitigation measure MM 5-2 implements PVCCSP EIR mitigation measure MM Cultural 6, as subsequently revised by the City, and identifies actions to be taken in the event that human remains are found. With implementation of mitigation measures MM 5-1 and MM 5-2, potential impacts to tribal cultural resources would be **less than significant.**

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: The potential impacts to tribal cultural resources have been eliminated or substantially lessened to a level of less than significant by implementation of Project-level mitigation measure MM 5-1 (Draft EIR pages 4.5-11 through 4.5-13) and MM 5-2 (Draft EIR page 4.5-14).

Applicable PVCCSP EIR Mitigation Measures

As previously discussed, PVCCSP EIR mitigation measure MM Cultural 1, which is presented in Section 4.5, Cultural Resources, of this EIR, outlines the requirements for preparation of a Phase I Cultural Resources Study, which has been prepared for the Project and is included in Appendix D of this EIR. Project-level mitigation measures MM 5-1 and MM 5-2, which are restated below under Threshold "a.ii", implement PVCCSP EIR mitigation measures MM Cultural 2 through MM Cultural 4 and MM Cult 6, respectively, as subsequently revised by the City of Perris. Project-level mitigation measure MM 5-1, as stipulated in full below, would require that the Project proponent retains a professional archaeologist to monitor the Project's ground-altering activities1 for previously unknown archaeological and/or cultural resources. Project-level mitigation measure MM 5-2, also as stipulated in full below, would implement coordination with the Riverside County Coroner and the City of Perris Planning Division in the event that human remains are discovered during grading or earthmoving.

Project-Level Mitigation Measures

Refer to Project-level mitigation measures MM 5-1 and MM 5-2 in Section 5.1.5, Cultural Resources.

Cumulative Impacts. As a result of the Native American consultation effort, no tribal cultural resources were identified onsite although tribes did indicate a concern over potential impacts to subsurface resources. Other cumulative developments within the region also would have the potential to result in impacts to subsurface tribal cultural resources. Therefore, the Project's potential impacts to subsurface tribal cultural resources represents a cumulatively considerable contribution to a significant cumulative impact, prior to mitigation. With implementation of Project-level mitigation measures MM 5-1 and MM 5-2, the Project's potential impact to tribal cultural resources would be less than significant. Each development proposal received by the City undergoes environmental review and would be subject to the same resource protection requirements as the Project. Neither the Project nor other cumulative developments are expected to result in significant impacts to tribal cultural resources provided site-specific surveys are

conducted and required measures to protect the tribal cultural resources are implemented. As such, the Project **would not result in a cumulatively considerable contribution to a significant cumulative impact t**o tribal cultural resources.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**

2. **The effects identified in the EIR have been determined not to be significant.**

Facts in Support of Findings: The potential cumulative impacts to tribal cultural resources have been eliminated or substantially lessened to a level of less than significant by implementation of Project-level mitigation measure MM 5-1 (Draft EIR pages 4.5-11 through 4.5-13), and MM 5-2 (Draft EIR page 4.5-14).

Project-Level Mitigation Measures

Refer to Project-level mitigation measures MM 5-1 and MM 5-2 in Section 5.1.5, Cultural Resources.

5.3 ENVIRONMENTAL EFFECTS WHICH REMAIN SIGNIFICANT AND UNAVOIDABLE AFTER MITIGATION AND FINDINGS

The purpose of this section is to present the Findings and Facts in the Support of Findings relative to those Project impacts that cannot be reduced to a level considered less than significant with the incorporation of PVCCSP EIR mitigation measures into the Project, and implementation of Project-specific project design features, and/or Project-level mitigation measures.

The City of Perris, having reviewed and considered the information contained in the Final EIR, Technical Appendices and the administrative record, finds, pursuant to California Public Resources Code 21081 and CEQA Guidelines 15091, that:

- Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can or should be adopted by such other agency.
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

The Project would cause significant unavoidable impacts for the following categories. The City must adopt a Statement of Overriding Consideration as a condition of Project approval and identify overriding economic, legal, social, technological, or other benefits of the Project that outweigh the significant effects of the Project (refer to Section 7.0 of this document).

- **Greenhouse Gas Emissions.** Substantial cumulative generation of greenhouse gas emissions.

- **Transportation (Vehicle Miles Traveled [VMT]).** Conflict with CEQA Guidelines Section 15064.3 subdivision b resulting in project and cumulative VMT impacts.

5.3.1 GREENHOUSE GAS EMISSIONS

Substantial Greenhouse Gas Emissions. As identified in Section 4.8, Greenhouse Gas Emissions, of the Draft EIR, construction activities would result in the temporary generation of GHGs from off-road and on-road construction equipment and worker vehicles. As shown on Table 4.8-4, Amortized Annual Construction Emissions, of the Draft EIR, construction of the Project would result in annual GHG emissions of less than 1 MTCO2e when construction of the Project during Phase 1 and 2. Because construction emissions are amortized over a 30-year project lifetime and are included in the evaluation of operational emissions, there is no independent significance finding for construction emissions.

Project GHG emissions during long-term operation would result from area source emissions (landscape maintenance equipment); energy source emissions (natural gas and electricity consumption); mobile source emissions (off-site traffic); on-site equipment emissions; water supply, treatment, and distribution; and solid waste. Project operation would be required to comply with the mitigation measures from the PVCCSP EIR identified in Section 5.1.3 and Section 5.2.2, above. Specifically, Mitigation measure MM Air 20, which sets performance standards on energy and water usage, would apply. Project operation is also assumed to comply with the following PVCCSP EIR mitigation measures to aid in the reduction of GHG emissions: MM Air 11 (which limits truck idling time), MM Air 13 (which promotes the use of “clean” truck fleets), MM Air 14 (which requires parking to accommodate ride-sharing vehicles), and MM Air 19 (which requires energy-efficient lighting). However, due to uncertainties associated with these mitigation measures and the limitations of the emissions model, these emissions reductions are not quantified. As such, the emissions calculations presented below represent a conservative estimate. The annual GHG emissions associated with the operation of the Project, inclusive of the Project’s amortized construction emissions are estimated to be less than 1 MTCO2e per year during both Phase 1 and Phase 2. The Project has the potential to generate a total of approximately 4,953.23 MTCO2e/year during Building 1 (Phase 1) and 6,183.22 MTCO2e/year during Project Buildout (Phase 2). As such, the Project would exceed the 3,000 MTCO2e/year threshold of significance used for this analysis. Thus, the Project would have the potential to result in a **cumulatively considerable impact** with respect to GHG emissions.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project that avoids or substantially lessens the significant environmental effect as identified in the EIR.**

2. **Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.**

3. **Cumulative GHG impacts from implementation of the First March Logistics Project have been reduced to the extent feasible. However, the impacts would constitute a significant and unavoidable impact.**

Facts in Support of Findings: The Project has the potential to generate a total of approximately 4,953.23 MTCO2e/year during Building 1 (Phase 1) and 6,183.22 MTCO2e/year during Project Buildout (Phase 2). As such, the Project would exceed the 3,000 MTCO2e/year threshold of significance used for this analysis. Thus, the Project would have the potential to result in a cumulatively considerable impact with respect to GHG emissions.

Applicable PVCCSP EIR Mitigation Measures

Refer to previously referenced mitigation measures MM Air 11, MM Air 13, MM 14, MM Air 19, and MM Air 20.

Project-Level Mitigation Measures

The following additional mitigation measures are required to reduce the Project's greenhouse gas emissions.

MM 8-1 Prior to the issuance of each building permit, the Project Applicant and its contractors shall provide plans and specifications to the City of Perris Building Department that demonstrate that electrical service is provided to each of the areas in the vicinity of the building that are to be landscaped in order that electrical equipment may be used for landscape maintenance.

MM 8-2 All landscaping equipment (e.g., leaf blower) used for property management shall be electric-powered only. The property manager/facility owner shall provide documentation (e.g., purchase, rental, and/or services agreement) to the City of Perris Building Department to verify, to the City's satisfaction, that all landscaping equipment utilized will be electric-powered.

MM 8-3 Once constructed, the Project Applicant shall ensure that all building tenants in the warehouse portion of the Project shall utilize only electric or natural gas service yard trucks (hostlers), pallet jacks and forklifts, and other onsite equipment, through requirements in the lease agreements. Electric-powered service yard trucks (hostlers), pallet jacks and forklifts, and other onsite equipment shall also be required instead of diesel-powered equipment, if technically feasible. Yard trucks may be diesel fueled in lieu of electrically or natural gas fueled provided such yard trucks are at least compliant with California Air Resources Board (CARB) 2010 standards for on-road vehicles or CARB Tier 4 compliant for off-road vehicles.

MM 8-4 Upon occupancy, the facility operator for the warehouse portion of the Project shall require tenants that do not already operate 2010 and newer trucks to apply in good faith for funding to replace/retrofit their trucks, such as Carl Moyer, VIP, Prop 1B, SmartWay Finance, or other similar funds. If awarded, the tenant shall be required to accept and use the funding. Tenants shall be encouraged to consider the use of alternative fueled trucks as well as new or retrofitted diesel trucks. Tenants shall also be encouraged to become SmartWay Partners, if eligible. This measure shall not apply to trucks that are not owned or operated by the facility operator or facility tenants since it would be infeasible to prohibit access to the site by any truck that is otherwise legal to operate on California roads and highways. The facility operator shall provide an annual report to the City of Perris Planning Division. The report shall: one, list each engine design; two, describe the effort made by each tenant to obtain funding to

upgrade their fleet and the results of that effort; and three, describe the change in each fleet composition from the prior year.

MM 8-5 Tenants who employ 250 or more employees on a full- or part-time basis shall comply with SCAQMD Rule 2202, On-Road Motor Vehicle Mitigation Options. The purpose of this rule is to provide employees with a menu of options to reduce employee commute vehicle emissions. Tenants with less than 250 employees or tenants with 250 or more employees who are exempt from SCAQMD Rule 2202 (as stated in the Rule) shall either (a) join with a tenant who is implementing a program in accordance with Rule 2202 or (b) implement an emission reduction program similar to Rule 2202 with annual reporting of actions and results to the City of Perris. The tenant-implemented program would include, but not be limited to the following:

- Appoint a Transportation Demand Management (TDM) coordinator who would promote the TDM program, activities and features to all employees.
- Create and maintain a "commuter club" to manage subsidies or incentives for employees who carpool, vanpool, bicycle, walk, or take transit to work.
- Inform employees of public transit and commuting services available to them (e.g., social media, signage).
- Provide on-site transit pass sales and discounted transit passes.
- Guarantee a ride home.
- Offer shuttle service to and from public transit and commercial areas/food establishments, if warranted.
- Coordinate with the Riverside Transit Agency and employers in the surrounding area to maximize the benefits of the TDM program.
- Implement a commute trip reduction (CTR) program to provide employees assistance in using alternative modes of travel and provide incentives to encourage employee usage. The CTR program would be a multi-strategy program that could include the following individual measures:
  - Carpooling encouragement
  - Ride-matching assistance
  - Preferential carpool parking
  - Flexible work schedules for carpools
  - Half-time transportation coordinator
  - New employee orientation of trip reduction and alternative travel mode options
  - Vanpool assistance
  - Bicycle end-trip facilities (parking and lockers)

MM 8-6 Prior to the issuance of a building permit, the Project Applicant shall provide evidence to the City of Perris Building Division that loading docks are designed to be compatible with SmartWay trucks.

MM 8-7 Upon occupancy and annually thereafter, the facility operator shall provide information to all tenants, with instructions that the information shall be provided to employees and truck drivers as appropriate, regarding:

- Building energy efficiency, solid waste reduction, recycling, and water conservation.
- Vehicle GHG emissions, electric vehicle charging availability, and alternate transportation opportunities for commuting.
- Participation in the Voluntary Interindustry Commerce Solutions (VICS) "Empty Miles" program to improve goods trucking efficiencies.
- Health effects of diesel particulates, State regulations limiting truck idling time, and the benefits of minimized idling.
- The importance of minimizing traffic, noise, and air pollutant impacts to any residences in the Project vicinity.

MM 8-8 Prior to issuance of a building permit, the Project Applicant shall provide the City of Perris Building Division with project specifications, drawings, and calculations that demonstrate that main electrical supply lines and panels have been sized to support heavy truck charging facilities when these trucks become available. The calculations shall be based on reasonable predictions from currently available truck manufacturer's data. Electrical system upgrades that exceed reasonable costs shall not be required.

MM 8-9 The buildings shall be constructed as certified LEED Silver Level and implement the following, voluntary provisions of the California Green Building Standards Code (CALGreen). The project applicant/developer(s) shall provide documentation (e.g., building plans) of implementation of the applicable voluntary measures to the City of Perris Building Department prior to the issuance of building permits.

- Design the proposed parking areas to provide parking for low-emitting, fuel-efficient, and carpool/van vehicles. At minimum, the number of preferential parking spaces shall equal the Tier 2 Nonresidential Voluntary Measures of the California Green Building Standards Code, Section A5.106.5.1.2.
- Include solar panels to offset the office energy use.
- Design the proposed parking areas to provide electric vehicle (EV) charging stations. At minimum, the number of EV charging stations shall equal the Tier 2 Nonresidential Voluntary Measures of the California Green Building Standards Code, Section A5.106.5.3.2.

5.3.2 TRANSPORTATION

Conflict or be Inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b). The City of Perris adopted its *Transportation Impact Analysis Guidelines for CEQA* (TIA Guidelines) in June 2020. The screening criteria adopted by the City of Perris are based on the recommendations from California Office of Planning and Research (OPR) and the Western Riverside Council of Governments (WRCOG) for setting screening thresholds for land use projects, and include: a project that provides 100 percent affordable housing, a project within one-half mile of qualifying transit, a project that is a local serving land use, a project in a low VMT area, and a project with net daily trips less than 500 ADT. The TIA Guidelines provides a list of applicable local serving retail categories below 50,000 square feet. The Project does not intend to develop any local serving land uses; therefore, this criterion is not met and further VMT analysis is required.

As noted in the City's TIA Guidelines, Projects that do not meet screening criteria and are above 2,500 daily vehicle trips are to utilize the City's scoping form to perform a VMT analysis and evaluate VMT mitigation that would be necessary to reduce the Project's VMT impact below the City's adopted thresholds. The Project site is within Traffic Analysis Zone (TAZ) 3754 and the VMT per employee is 12.19. The City of Perris citywide average is 11.62 VMT per employee. Therefore, the Project site does not reside within a low VMT generating zone, and this criterion is not met. Thus, the Project's VMT impact is potentially significant.

Trips generated by the Project's proposed land uses have been estimated based on trip generation rates collected by the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition, 2017. The Project is anticipated to generate 1,390 daily vehicle trip- ends per day. Therefore, the Project generates daily vehicle trips exceeding the 500 daily vehicle trip threshold, and this criterion is not met.

The Project will require 4.68% VMT reduction to mitigate the Project's potential impacts. When factoring in the Project's inclusion of pedestrian network improvements (SDT-1) and a voluntary CTR program (TRT-1) as mitigation, the Project generated VMT is estimated to reduce VMT by 4.8%. The effectiveness of the pedestrian network improvements and the CTR program measures in reducing the Project VMT are dependent on yet unknown building tenant(s) and their future operations; therefore, VMT reductions from various measures cannot be guaranteed. There is no means, however, to quantify any VMT reductions that could result from implementation of the mitigation measures. Therefore, Project impacts would remain **significant and unavoidable**.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project that avoids or substantially lessens the significant environmental effect as identified in the EIR.**

2. **Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.**

3. **Cumulative transportation impacts from implementation of the First March Logistics Project have been reduced to the extent feasible. However, the impacts would constitute a significant and unavoidable impact.**

Facts in Support of Findings: Project generated VMT exceeds the City's baseline VMT threshold by 4.68%. When factoring in the Project's inclusion of pedestrian network improvements (SDT-1) and a voluntary CTR program (TRT-1) as mitigation, the Project generated VMT is estimated to reduce VMT by 4.8%. However, the effectiveness of the pedestrian network improvements and CTR program measures listed above in reducing the Project VMT are dependent on as yet unknown building tenant(s) and their future operations; therefore, VMT reductions from various measures cannot be guaranteed. Other regional transportation measures that may reduce VMT include but are not limited to improving/increasing access to transit, increasing access to common goods and service, or orientating land uses towards alternative transportation. These regional transportation measures may be infeasible at the project level but will generally be implemented as the surrounding communities develop. There is no means, however, to quantify any VMT reductions that could result from implementation of the mitigation measures. Therefore, Project impacts would remain significant and unavoidable.

Project-Level Mitigation Measures

MM 14-1 Future tenants shall implement a commute trip reduction (CTR) program to provide employees assistance in using alternative modes of travel and provide incentives to encourage employee usage. The CTR program shall be included in all leasing agreements. The CTR program would be a multi-strategy program that could include the following individual measures:

- Carpooling encouragement
- Ride-matching assistance
- Preferential carpool parking
- Flexible work schedules for carpools
- Half-time transportation coordinator
- New employee orientation of trip reduction and alternative travel mode options
- Vanpool assistance
- Bicycle end-trip facilities (parking and lockers)

Cumulative Impacts. The Project's VMT impacts could be reduced to a less than significant level with the implementation of TDM strategies. However, since the effectiveness of the mitigation measures and reduction of VMT cannot be measured or guaranteed, impacts would remain significant and unavoidable. Each cumulative development would be required to follow the City's Guidelines and OPR's Technical Advisory to determine if a VMT analysis is required. If a VMT analysis is required, the project would be required to follow the City's Guidelines and OPR's Technical Advisory to analyze the project's VMT. Since Project impacts are significant and unavoidable, the Project w**ould result in a cumulatively considerable contribution to a significant cumulative VMT impact**.

Findings:

1. **Changes or alterations have been required in, or incorporated into, the First March Logistics Project that avoid or substantially lessen the significant environmental effect as identified in the EIR.**

2. **Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.**

3. **Impacts associated with VMT from implementation of the First March Logistics Project have been reduced to the extent feasible. However, after implementation of mitigation measures contained in the EIR, the impacts would constitute a significant and unavoidable impact.**

Facts in Support of Findings: As discussed above, the Project would not result in significant VMT impacts with the implementation of TDM strategies. However, since the effectiveness of the mitigation measures and reduction of VMT cannot be measured or guaranteed, impacts would remain significant and unavoidable. Each cumulative development would be required to follow the City's Guidelines and OPR's Technical Advisory to determine if a VMT analysis is required. If a VMT analysis is required, the project would be required to follow the City's Guidelines and OPR's Technical Advisory to analyze the project's VMT. Since Project impacts are significant and unavoidable, the Project would result in a cumulatively considerable contribution to a significant cumulative VMT impact.

5.4 ALTERNATIVES TO THE PROPOSED PROJECT

The Draft EIR addresses the environmental effects of alternatives to the Project. A description of these alternatives, a comparison of their environmental impacts to the Project, and the City's findings are listed below. These alternatives are compared against the Project relative to the identified Project impacts summarized in Section 5.1, Section 5.2, and Section 5.3 and to the Project objectives, as stated in Section 2.2.3 of this document.

The No Project/No Development Alternative has the least impact to the environment because it would not involve any construction activities or warehouse operations. There would be no cumulative impacts related to GHG emissions and no VMT impacts. These impacts are considered significant and unavoidable for the Project. While this alternative would avoid the significant effects of the Project, it would not be consistent with the General Plan, zoning, or PVCCSP. This alternative would not create additional jurisdictional areas, would not receive benefit from the stormwater drainage and water quality filtration features that would be constructed as part of the Project, and would have greater land use and planning impacts compared to the Project due to inconsistency with planning programs. Additionally, none of the Project objectives would be met.

With regard to the remaining development alternative, the Reduced Intensity Alternative is environmentally superior to the Project. As shown in Table 5-2, the Reduced Intensity Alternative would result in a reduced building size and trip generation, result in reduced impacts related to air quality, energy, GHG emissions, noise, and public services. The Reduced Intensity Alternative would not avoid the Project's significant and unavoidable impacts to GHG emissions and VMT. For the other impact categories, the level of impact would be similar as compared to the Project. The Reduced Intensity Alternative would attain some of the Project objectives, but not to the same extent as the Project as there would be less employment generation and less economic benefit to the City.

In making the following alternatives findings, the City of Perris certifies that it has independently reviewed and considered the information on alternatives provided in the Draft EIR, including the information provided in the comments on the Draft EIR and the responses thereto.

5.4.1 ALTERNATIVE 1: NO PROJECT/NO DEVELOPMENT ALTERNATIVE

Under the No Project/No Development Alternative, the proposed development of two warehouse buildings and associated parking, infrastructure, and landscaping would not occur. The Project site would remain in its current condition, and the Project site would remain vacant.

Findings:

1. **The findings of the Project set forth in this document and the overriding social, economic and other issues set forth in the Statement of Overriding Considerations provide support for the Project and the elimination of this alternative from further consideration.**

Facts in Support of Findings: The No Project/No Development Alternative is addressed in the Draft EIR (pages 5-8 through 5-12; and Table 5-1, Comparison of Alternatives to the Project). The No Project/No Development Alternative would avoid the significant and unavoidable GHG emissions and transportation (VMT) impacts resulting from implementation of the proposed Project. Additionally, because no development would occur under the No Project/No Development Alternative, the less than significant impacts resulting from the Project for the following environmental topics would be avoided: aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy, geology and soils, hazards and hazardous materials, public services, tribal cultural resources, and utilities and service systems. However, this alternative would not create additional jurisdictional areas, would not receive benefit from the stormwater drainage and water quality filtration features that would be constructed by the Project, and would have greater land use and planning impacts compared to the Project due to inconsistency with planning programs.

The No Project/No Development Alternative would not involve any development at the Project site. This alternative would not attain any of the Project Objectives, including implementation of the PVCCSP and the City's General Plan goals and policies relevant to the Project area and planned industrial development. (Draft EIR, page 5-12).

5.4.2 ALTERNATIVE 2: REDUCED INTENSITY ALTERNATIVE

The purpose of the Reduced Intensity Alternative is to address the significant and unavoidable impacts of the Project related to GHG emissions and VMT impacts, which are primarily associated with vehicular trips. Under this alternative, the Project site would be developed with two industrial buildings with a total square footage of 408,281 sf. This represents a reduction in development of 136,094 sf, or approximately 25 percent, compared to the Project.

The configuration of the buildings is not relevant to the analysis of potential GHG emissions and VMT impacts. This analysis is solely related to the volume of traffic, which correlates to GHG emissions from automobile and truck trips. However, for purposes of analysis, it is assumed that the buildings would have a similar configuration as the Project and other components of the Project related to access, landscaping, infrastructure, and other amenities would be the same.

Relevant to this alternatives analysis is the amount of average daily trip (ADT) generation. Applying the trip generation calculations for the Project (as presented in Table 4.14-1, Trip Generation Summary, in Section 4.14, Transportation of the Draft EIR), the Reduced Intensity Alternative would

result in a net reduction in ADT compared to the Project. This alternative would result in approximately 1,043 ADT compared to 1,390 ADT with the Project.

Findings:

1. **The findings of the Project set forth in this document and the overriding social, economic and other issues set forth in the Statement of Overriding Considerations provide support for the Project and the elimination of this alternative from further consideration.**

Facts in Support of Findings: The Reduced Intensity Alternative is addressed in the Draft EIR (pages 5-12 through 5-28; and Table 5-1, Comparison of Alternatives to the Project). Due to the 25 percent reduction in building size with the Reduced Intensity Alternative, there would be a related 25 percent reduction in average daily trip generation, including truck trips. Significant and unavoidable impacts associated with cumulatively considerable GHG emissions and VMT impacts that result from the Project would be reduced, but not eliminated with this alternative, and these decreases in significant and unavoidable impacts are not considered substantial. For all other topical areas, similar or reduced impact levels would occur with the Reduced Intensity compared to the Project. (Draft EIR page 5-18)

SECTION 6.0 CERTIFICATION OF THE FINAL EIR

The City declares that no new significant information as defined by the CEQA Guidelines, Section 15088.5, has been received by the City after circulation of the Draft EIR that would require recirculation. The City certifies the Final EIR based on the findings and conclusions discussed below.

6.1 FINDINGS

The Project would have the potential for creating significant adverse impacts. These significant adverse environmental impacts have been identified in the EIR and will require mitigation as set forth in the Findings. As described in Section 5.3 of this document, significant adverse impacts which cannot be mitigated to a level of insignificance after mitigation include: cumulative GHG emissions and transportation/VMT (Project and cumulative).

6.2 CONCLUSIONS

1. Except as to those impacts stated above relating to GHG emissions and VMT, all other significant environmental impacts from the implementation of the Project have been identified in the EIR and, with implementation of the Project design features and mitigation measures identified, will be mitigated to a level considered less than significant.

2. Alternatives to the Project, which could potentially achieve the basic objectives of the Project, have been considered and rejected in favor of the Project.

3. Environmental, economic, social, and other considerations and benefits derived from the development of the Project override and make infeasible any alternatives to the Project or further mitigation measures beyond those incorporated into the Project.

SECTION 7.0 STATEMENT OF OVERRIDING CONSIDERATIONS

7.1 INTRODUCTION

The California Environmental Quality Act (CEQA) and the State CEQA Guidelines provide in part the following:

a) CEQA requires that the decision maker balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the Project. If the benefits of the proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

b) Where the decision of the public agency allows the occurrence of significant effects that are identified in the Final EIR but are not mitigated, the agency must state in writing the reasons to support its action based on the Final EIR and/or other information in the record. This statement may be necessary if the agency also makes the finding under Section 15091(a)(2) or 15091(a)(3) of the State CEQA Guidelines.

c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the Project approval and should be mentioned in the Notice of Determination (Section 15093 of the State CEQA Guidelines).

The City, having reviewed and considered the information contained in the Final EIR for the Project, Responses to Comments and the public record, adopts the following Statement of Overriding Considerations that have been balanced against the unavoidable adverse impacts in reaching a decision on this Project.

7.2 SIGNIFICANT UNAVOIDABLE IMPACTS

Although all potential Project impacts have been substantially avoided or mitigated as described in the preceding findings, there are no additional feasible mitigation measures for the following impacts. These impacts are considered significant and unavoidable.

- **Cumulative Greenhouse Gas (GHG) Emissions.** The Project has the potential to generate a total of approximately 6,183.22 million tons of carbon dioxide equivalent per year ($MTCO_2e$/yr) at Project Buildout (Phase 2). As such, the Project would exceed the 3,000 $MTCO_2e$/yr threshold of significance used for this specific Project. Thus, the Project would have the potential to result in a cumulatively considerable impact with respect to GHG emissions. Even with incorporation of all feasible mitigation measures (MM-1 through MM-9), the Project's cumulative GHG emissions impacts would be significant and unavoidable.

- **Project and Cumulative Transportation/Vehicle Miles Traveled (VMT) (Transportation).** Project generated VMT exceeds the City's baseline VMT threshold by 4.68%. When factoring in the Project's inclusion of pedestrian network improvements (SDT-1) and a voluntary CTR program (TRT-1) as mitigation, the Project generated VMT is estimated to reduce VMT by up to 4.8%. However, the effectiveness of the pedestrian network improvements and CTR program measures in reducing the Project VMT are dependent on as yet unknown building tenant(s) and their future operations; therefore, VMT reductions from various measures cannot be guaranteed. Other regional transportation measures that may reduce VMT include but are not limited to

improving/increasing access to transit, increasing access to common goods and service, or orientating land uses towards alternative transportation. These regional transportation measures may be infeasible at the project level but will generally be implemented as the surrounding communities develop. There is no means, however, to quantify any VMT reductions that could result from implementation of the mitigation measures. Therefore, Project impacts would remain significant and unavoidable.

Details of these significant unavoidable adverse impacts were discussed in the EIR and are summarized, or were otherwise provided in Section 5.3, Environmental Effects Which Remain Significant and Unavoidable after Mitigation and Findings, in this document.

7.3 OVERRIDING CONSIDERATIONS

To the extent that the significant effects of the Project are not avoided or substantially lessened to below a level of significance, the City of Perris, having reviewed and considered the information contained in the First March Logistics Project EIR and the public record, and having balanced the benefits of the Project against the unavoidable effects which remain, finds that such unmitigated effects to be acceptable in view of the following overriding considerations. The City finds that any one of these Project benefits standing alone would be sufficient to sustain the Statement of Overriding Considerations.

1. **The City of Perris finds that all feasible mitigation measures have been imposed to lessen Project impacts to less than significant levels. Furthermore, the City of Perris finds that alternatives to the Project are infeasible because, while they have similar or fewer environmental impacts, they do not provide the benefits of the Project, or they are otherwise socially or economically infeasible when compared to the Project, as described in the Statement of Facts and Findings.**

   With the exception of GHG emission and VMT impacts, based on the analysis presented in the Draft EIR, potential Project impacts are adequately reduced to less than significant levels through implementation of the identified PVCCSP mitigation measures, regulatory requirements, project design features, and Project-level mitigation measures developed for the Project.

   The significant and unavoidable GHG impact is primarily from the Project's mobile sources (vehicular emissions). There is no feasible mitigation to reduce these impacts to a less than significant level. With the exception of the No Project Alternative, the Project alternatives would not avoid GHG impact (refer to the discussion provided in Section 5.4). Elimination of these significant and unavoidable impacts would require reducing the number of vehicle trips through a reduction in the size of the Project to a level that would result in a substantial underutilization of the Project site and would not meet the Project objectives. Further, any reduction in development area to reduce development and associated impacts would delay, but would not avoid the future development of the Project site.

   The Project's significant and unavoidable Project and cumulative VMT impacts for the Project are related to the VMT per employee in the TAZ, which would be the same for any development at this site. Therefore, this impact would result for any development that is not otherwise determined to be less than significant based on the City's TIA Guidelines and standardized screening methods. As discussed in Section 4.14, Transportation of the Draft EIR, the City's TIA Guidelines indicate that the following types of projects are

anticipated to result in a less than significant VMT impact thereby eliminating the need to conduct additional VMT analysis: affordable housing, High Quality Transit Areas (HQTA) screening, local-serving land use, low VMT area, and net daily trips less than 500 ADT. Due to the type and location of the Project site, there are no alternatives for development at the Project site that would meet these screening criteria and meet the Project objectives. The Project does not involve housing, and the Project site is not within a HQTA or low VMT area; there are no alternatives to the Project site that would meet these criteria. A Project that meets the local-serving land use criteria or has less than 500 ADT would result in underutilization of the Project site (e.g., would be a substantially reduced development). As identified above, any reduction in development area to reduce development and associated impacts would delay, but would not avoid the future development of the Project site.

2. **The First March Logistics Project is consistent with and will contribute to achieving the goals and objectives established by the Perris General Plan and the Perris Valley Commerce Center Specific Plan. Implementing the City's General Plan as a policy is a legal and social prerogative of the City**.

   The existing General Plan land use designation and zoning for the Project site is Specific Plan (i.e., the PVCCSP). The Project does not require a General Plan Amendment or Zone Change. The Project site is designated for Light Industrial and General Industrial uses. The Project involves the development of industrial uses consistent with development anticipated by the PVCCSP. Further, the Project is consistent with the intent of the PVCCSP "to provide high quality industrial, commercial, and office land uses to serve the existing and future residents and businesses of the City of Perris." Table 4.11-2, City of Perris General Plan Consistency Analysis, of the Draft EIR, addresses the Project's consistency with the City's General Plan goals and policies. As identified through this consistency analysis, the Project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

3. **The First March Logistics Project will contribute towards implementing employment opportunities in the City to improve the jobs-housing balance and to reduce unemployment within the City. Jobs for residents at a variety of income levels will be provided.**

   There are numerous methodologies for estimating employment generation from individual projects. The Project consists of the construction and operation of two industrial buildings totaling 544,375 sf. The Draft EIR estimates the Project would generate approximately 542 new employment opportunities. This employment estimate is based on the employee generation rates used in the PVCCSP EIR which identifies an average employment generation factor of 1 employee per 1,030 square feet for Light Industrial floor space. Thus, development of the Project would result in the creation of new jobs, which would be an increase over existing conditions where no employment opportunities currently exist. This increase in jobs would be an overall benefit to the local and regional economy, as discussed below.

   Based on the most recent adopted housing and employment growth forecast data available from the Southern California Association of Governments (SCAG)[3], the

[3] Southern California Association of Governments (SCAG). September (2020). Adopted Connect SoCal Demographics Growth Forecast Appendix. Available at https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_demographics-and-growth-forecast.pdf?1606001579

estimated 2016 jobs-to-housing ratio for the City of Perris was 0.94 (16,100 jobs/17,200 households). In 2045, the estimated future jobs-to-housing ratios for the City is 0.78 (26,400 jobs / 33,800 households = 0.78). The jobs-to-housing ratio refers to the ratio of residents and jobs in an area. Because these ratios are below 1.0, they indicate that the City of Perris is "jobs poor." Therefore, the provision of additional jobs by maximizing employment in the Project area would support a better jobs-to-housing ratio and would reduce unemployment in the City.

New jobs associated with the Project are expected to include manual occupations (e.g., trucking, dock work, and freight handling), and office-based occupations (e.g., logistics, sales, management, and freight forwarding). Both manual and office-based occupations have the potential to pay relatively high wages, thereby contributing to the provision of jobs for a variety of income levels. Additionally, as discussed below, the Project would generate short-term construction-related opportunities.

4. **Development and construction of the First March Logistics Project will create both temporary and permanent onsite jobs and will indirectly support local and regional jobs. Additionally, construction spending will create a one-time stimulus to the local and regional economies. Once the Project is completed, the First March Logistics Project will ultimately spur the creation of both local and regional jobs, and there would be additional output and earnings to the local and regional economies.**

   Temporary construction and long-term operational jobs created by the Project would result in increased spending throughout the region, including in the City of Perris. It is anticipated that annual personal earnings would increase through the generation of new jobs, and these earnings would ripple through the local and regional economy, creating a one-time increase in output and earnings associated with construction jobs and an on-going increase in output and earnings associated with permanent jobs. Employment generation associated with operation of the proposed buildings is discussed under Item 3, above.

5. **The First March Logistics Project will help meet the existing demand for high-quality, large-scale, high cube warehouse/distribution centers within a geographic area that allows for access to a multi-modal transportation system**.

   The Project site is located immediately east of I-215, 1.74 miles north of Ramona Expressway, and approximately 5.0 miles south of State Route (SR)-60. Regional access to the Project site would be provided from I-215 east of the Project site. Local access to the Project site is currently provided from Natwar Lane and Western Way. The Project will help to fill southern California's unconstrained demand for warehousing space (demand without accounting for the amount of suitably zoned land for future development), which is estimated to be approximately 1.81 billion square feet by the year 2040, as projected by SCAG[4]. In doing so, the Project will further diversify the City's economy and secure the City's position in the regional, State, and international marketplace.

[4] SCAG. (April 2018). *Southern California Association of Governments Industrial Warehousing Supply*. Available at: https://scag.ca.gov/sites/main/files/file-attachments/industrial_warehousing_report_-_revised_2018.pdf?1605989650

6. **The First March Logistics Project will provide infrastructure and circulation improvements required to meet Project and local needs in an efficient and cost-effective manner**.

   The PVCCSP includes an Infrastructure Plan, which identifies the utility infrastructure necessary to serve the allowed development within the PVCCSP area. Each individual development in the PVCCSP, including the Project, is required to implement the infrastructure needed to serve its proposed uses. Water, wastewater, drainage, and dry utility lines that would be installed as part of the Project are described in Section 3.0, Project Description, of the Draft EIR, and the regional storm drain facilities to be implemented as part of the Project are described further below.

   Additionally, as described in Section 3.0, Project Description, truck and automobile access to the Project would be provided from Natwar Lane via three Project driveways. Access would also be provided from one driveway off Western Way. Natwar Lane and Western Way would be improved as part of the Project. Project improvements along Natwar Lane would include being constructed to its ultimate half section pavement width as a Collector (64-foot right-of-way) between the Project site's northern and southern boundaries. This includes installing a 34-foot-wide asphalt paving, 6-inch curb and gutter 22 feet west of the centerline, sidewalk and streetlights. Street improvements for Western Way are being constructed to its ultimate full-section pavement width as a Secondary Arterial (94-foot right-of-way) between the Project site's northern and southern boundaries. Additionally, traffic signals would be installed at the Natwar Lane intersection and proposed Driveway 1, Driveway 2 and Driveway 3; and at Western Way and proposed Driveway 4.

Although significant impacts will remain, the City of Perris will mitigate any significant adverse impacts related to GHG emissions and VMT impacts to the maximum extent practicable. In its decision to approve the Project, the City of Perris has considered the Project benefits to outweigh the environmental impacts.