

**STATEMENT OF FACTS AND FINDINGS  
AND  
STATEMENT OF OVERRIDING CONSIDERATIONS  
REGARDING THE ENVIRONMENTAL EFFECTS FOR THE  
RAMONA GATEWAY PROJECT**

**February 2023**

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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 Ramona Gateway Project (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 *Ramona Gateway Project Environmental Impact Report* (EIR, State Clearinghouse [SCH] No. 2022040023) 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 Ramona Gateway Project (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. 2022040023);
- 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 Ramona Gateway Project 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 planning area. The southern portion of the Project site is designated for Business Professional Office uses and the northern portion of the Project site is designated for Commercial uses in the PVCCSP. The Project involves an amendment to the PVCCSP to change the PVCCSP land use designation for 19.23 acres and 23.19 acres from Business Professional Office (BPO) and Commercial (C) to Light Industrial (LI).

The environmental impacts resulting from implementation of 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, and includes development of the Project site. 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 2.5 of this document).

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 approximately 50-gross-acre (49.2-net-acre)<sup>1</sup> Project site is located in the western portion of the PVCCSP planning area, in the City of Perris, in Riverside County. The Project site is located south of Ramona Expressway; west of Webster Avenue; east of Nevada Avenue; and north of Val Verde Academy, Val Verde High School, and the Val Verde Regional Learning Center. The Project also includes off-site improvements along the site-adjacent roadways; the off-site improvement area encompasses approximately 11 acres. The Project site is located approximately 600 feet east of Interstate (I)-215 and approximately 6.7 miles south of State Route (SR)-60.

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<sup>1</sup> Assessor Parcel Numbers (APNs) 317-120-021; 317-130-048, -025, -021, and -017.

Under existing conditions, the Project site consists of undeveloped land that has been subject to a variety of anthropogenic disturbances associated with historic agricultural activities and a previous residential use, surrounding development, and routine weed abatement/disking activities. The Project site is relatively flat with elevations ranging from approximately 1,479 to 1,495 feet above mean sea level (amsl). Based on the California Department of Conservation's (DOC's) 2018 Farmland Mapping and Monitoring Program (FMMP), the Project site includes Farmland of Local Importance.

The natural drainage pattern for the Project site flows generally from west to east as surface flows. One ephemeral water feature occurs onsite and originates at Nevada Avenue in the middle of the western boundary of the Project site. The Project site also receives un-detained bulk sheet flows from the property west of the Project site, on the opposite side of Nevada Avenue. The Project site is not within a 100-year flood zone. It is also not within the Dam Inundation Zone for Perris Dam. The Project site is within the Mead Valley Area Plan of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The Project site is not within any MSHCP Criteria Cell or designated conservation area, Core or Linkage area, Mammal Survey Area, Amphibian Survey Area, Criteria Area Species Survey Area, Narrow Endemic Plant Species Survey Area, or Burrowing Owl Survey Area. No native plant communities occur within the Project site or off-site improvement areas. The Project site supports one plant community (non-native grassland), and one land cover type that would be classified as disturbed. No sensitive plant or animal species are expected to occur within the Project site due to the lack of suitable habitat; however, the Project site and off-site improvement areas have a moderate potential to support foraging habitat for certain species. Additionally, suitable resources (i.e., low growing vegetation that provides line of site opportunities) for burrowing owl are present throughout the Project site. The onsite ephemeral feature does not present a surface hydrologic connection to any downstream waters, and does not support any riparian vegetation. Therefore, this feature does not qualify as jurisdictional by the U.S. Army Corps of Engineers (Corps), Regional Water Quality Control Board (Regional Board), or California Department of Fish and Wildlife (CDFW), and does not qualify as riparian/riverine habitat under the MSHCP. Notwithstanding, based on input from the Regional Board received during the EIR scoping process, the analysis in the Draft EIR conservatively evaluated the drainage feature as being under the jurisdiction of the Regional Board, the CDFW and Regional Conservation Authority (RCA).

The Project site is located approximately 1.2 miles south of March Air Reserve Base/Inland Port Airport (MARB/IPA), is within the Airport Influence Area, and is within the City's Airport Overlay Zone. Specifically, the Project within the Outer Horizontal Surface and Approach/Departure Clearance Surface of the Federal Aviation Regulations (FAR), Part 77 (Imaginary Surfaces), and Compatibility Zone C1 (Primary Approach/Departure 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 southern portion of the Project site is within the PVCCSP Business Professional Office (BPO) land use designation and the northern portion of the Project site is within the PVCCSP Commercial (C) land use designation. The PVCCSP Business Professional Office (BPO) land use designation provides for uses associated with business, professional, or administrative services in areas of high visibility from major roadways with convenient access for automobiles and public transit service. Small-scale warehousing and light manufacturing are permitted within this zone. This land use designation combines the General Plan land use designations of Business Park and Professional Office. The PVCCSP Commercial (C) land use designation provides for retail, professional office, and service-oriented business activities that serve the entire City as well as the surrounding neighborhoods. This land use

designation combines the General Plan land use designation of Community Commercial and Commercial Neighborhood.

The area adjacent to and south of the Project has a Public/Semi-Public land use designation in the PVCCSP and is developed with school uses, as identified previously. The area to the north of the Project site (north of Ramona Expressway) has Commercial and Light Industrial PVCCSP land use designations. The site immediately north of Ramona Expressway is undeveloped, but is planned for future commercial development. The area west of the Project site (west of Nevada Avenue) has Commercial and Potential Basin Area land use designations and is currently undeveloped. The Interstate 215 (I-215) is located approximately 600 feet to the west of the Project site and is located along the western limits of the City of Perris and the PVCCSP planning area. The area east of the Project site (east of Webster Avenue) is currently undeveloped and has a Light Industrial land use designation.

## 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 eight retail buildings (totaling 37,215 square feet [sf]) on 6.95 net acres within the northern portion of the Project site, and a 950,224-sf (850,224-sf footprint and 100,000 sf mezzanine) industrial warehouse building on 42.22 net acres within the southern portion of the Project site. Figure 3-3 in Section 3.0 of the EIR depicts the project site plan consisting of the proposed retail and industrial land uses. The Project has been designed to comply with the standards and guidelines set forth in the PVCCSP including, but not limited to, the following: onsite design standards and guidelines (including site layout, architecture, lighting, and others), off-site design standards and guidelines (including circulation and infrastructure), landscape standards and guidelines, commercial and industrial design standards and guidelines, and infrastructure.

At the time this EIR was prepared, the specific occupants of the proposed retail buildings and industrial warehouse building were unknown. Table 2-1, *Retail Building Area Summary*, provides a breakdown of the proposed retail uses assumed for purposes of analysis in the EIR. The EIR analysis also assumed that the proposed industrial building would be operated as a high-cube non-sort fulfillment center (95% of the building space) and high cube cold storage warehouse use (5% of the building space).

**Table 2-1 Retail Building Area Summary**

Building No.	Proposed Use	Building Area (square feet)	Site Area (square feet)	Floor Area Ratio (FAR-%)	Lot Coverage (%)
Building 1	Drive-thru Restaurant	4,500	329,012	11.28	11.28
Building 2	Multi-Tenant	7,200			
Building 3	Drive-thru Restaurant	4,500			
Building 4	Drive-thru Restaurant	4,500			
Building 5	Multi-Tenant with drive-thru	6,000			
Building 6	Drive-thru Coffee	2,400			
Building 7	Convenience Store and Gas Station	4,600			
Building 8	Car Wash	3,515			
<b>Total Building Area</b>		<b>37,215</b>			

As shown in Table 2-2, *Industrial Warehouse Building Area Summary*, the Project would include a 950,224-sf warehouse building, including 20,000 sf of ancillary office space. The warehouse building would include 850,224 sf of ground floor building area and up to 100,000 sf of mezzanine area. It would be a cross-dock building (loading docks are located on opposite sides of the building) with 124 loading dock positions (62 on both the east and west sides of the building) and four (4) at-grade doors (for truck access or service access into the building) within enclosed/screened truck courts designed to provide 312 truck trailer parking spaces. Guard shacks would be provided at the northern end of the truck yards.

**Table 2-2 Industrial Warehouse Building Area Summary**

Space Type	Building Area (square feet)	Site Area (square feet)	FAR (%)	Lot Coverage (%)
Building Footprint (ground level)	850,224	1,838,978	51.67	46.23
Mezzanine	100,000			
<b>Total Building Area</b>	<b>950,224</b>			

In general, and as shown on the conceptual retail building elevations presented on Figure 3-5 of the EIR, the architectural style of the retail component of the Project will be contemporary with decorative elements. The final architectural design of the proposed retail buildings would be determined based on tenant and brand-specific needs and would be generally consistent with the representative architectural concepts. It is anticipated the proposed retail buildings would be up to 26 feet in height above the exterior finish grade level at the top of the parapet, although the roof height would vary based on the building's architectural features. The buildings and architectural projections may exceed 26-feet in height but would not exceed the maximum height allowed by the PVCCSP (45-feet). Visual relief from the building form would be achieved through variations in height and rooflines, protruding trellis features, canopies, and the use of parapets.

The architectural style of the industrial component of the Project consists of modern industrial design. The building would be constructed of painted concrete tilt-up panels and low-reflective materials, including low-reflective glass. The proposed building would be constructed up to the maximum allowed 50 feet in height above the exterior finish grade level at the top of the tallest parapet, although the roof height would vary based on the building's architectural features (e.g., the base parapet height would be 44-feet high and office entry corners would be 48-feet high). Visual relief from building form would be achieved through fenestration, mullions, cornices, and through variations in height and rooflines, and the use of parapets. The various architectural elements would provide articulation and visual interest within the building elevations and minimize glare.

Based on the employment generation rates identified in the PVCCSP EIR Table 4.8-E, Development Intensity and Employment Projections, the proposed retail uses are estimated to generate approximately 74 employees and the proposed industrial building is estimated to generate approximately 923 employees, resulting in approximately 997 new jobs in the City.

Access to the Project would be provided from driveways along the site-adjacent roadways (Ramona Expressway, Webster Avenue and Nevada Avenue) which would be improved as part of the Project. Project improvements along Ramona Expressway would include the construction of a raised median and an expansion of right of way width to accommodate a total of three travel lanes in the eastbound direction with auxiliary acceleration and deceleration lanes along the Project's frontage. A third westbound travel lane along most of the north side of Ramona Expressway between Webster Avenue and Nevada Avenue would also be constructed. In addition to the roadway improvements along Ramona Expressway, traffic signals would be

installed at the Ramona Expressway intersections with Nevada Avenue and proposed Driveway 5; the signals would be synchronized with the existing signals at Webster Avenue and at the I-215 ramps to optimize traffic flow along Ramona Expressway. Truck access to the industrial uses would be restricted to two driveways along Nevada Avenue; there would be no truck access from Webster Avenue or Ramona Expressway. To access the nearest PVCCSP designated truck route when traveling to and from I-215, trucks would use Nevada Avenue, the Frontage Road, and Placentia Avenue, based on input from the City and Val Verde Unified School District, . Improvements to be implemented as part of the Project to encourage use of alternative to modes of transportation include, but are not limited to, Class I multipurpose trails along Ramona Expressway, Webster Avenue and Nevada Avenue, and a bus turnout along Ramona Expressway, west of Webster Avenue. Additionally, advance warning signs displaying the posted speed limit equipped with flashing beacons, and speed feedback signs would be installed in the northbound and southbound directions on Nevada Avenue prior to the school zone. Flashing beacons would also be added to the existing north and southbound school speed limit signs.

Surface parking (automobile and truck trailer spaces) lots would be provided for the retail and industrial uses. The total number of parking spaces complies with the parking requirements outlined in PVCCSP Section 4.2.2.4, City of Perris Zoning Ordinance Chapter 19.69, and the California Green Building Standards Code (CALGreen Code), including required parking for clean air vehicles and electric vehicles (EV).

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 southern portion of the Project site (south of the industrial building), which is adjacent to the existing school uses, would be limited to a heavily landscaped parking area. A solid wall would be installed to provide a physical barrier between the Project site and school uses.

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. To address the un-detained bulk sheet flows from the property located west of the Project site, a 60-inch reinforced concrete pipe (RCP) storm drain would be installed and connected to the existing 60-inch RCP storm drain stub out, located at the southeast corner of Ramona Expressway and Webster Avenue to serve as the ultimate outlet storm drain line from the planned detention basin west of Nevada Avenue, . In addition, an emergency bypass channel would be installed onsite along Nevada Avenue and the northern boundary of the industrial site to pick-up any remaining sheet-flow runoff that flows over Nevada toward the industrial site and that does not enter the proposed public 60-inch RCP storm drain (on the retail site).

Construction of the Project's proposed retail and industrial warehouse components are anticipated to generally occur concurrently, and for purposes of analysis purposes it is estimated that construction would occur over an approximate 12-month period. The Project site would be cleared and over-excavated per the recommendations of the Project-specific geotechnical investigations. The maximum anticipated depth of excavation for the Project is approximately 25 feet (associated with installation of the 60-inch public storm drain). Additionally, the Project's earthwork quantities are anticipated to balance; no import or export of soil is anticipated.

The Project involves a Conditional Use Permit (CUP) (PLN21-05216), Development Plan Review (DPR) (DPR21-00013), Specific Plan amendment (SPA) (PLN21-05218), Tentative Parcel Map (TPM) No. 38292 (PLN21-05219), and Development Agreement (PLN22-05297), 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. Ensure that development of the Project site is accomplished consistent with applicable goals and policies of the City of Perris as set forth in the City's General Plan.
2. Implement the PVCCSP through development of land uses allowed in the PVCCSP planning area and consistent with the PVCCSP Standards and Guidelines relevant to the proposed retail and industrial development, and associated infrastructure.
3. Expand economic development and facilitate job creation in the City of Perris by establishing new retail and industrial uses on vacant land in a developing area.
4. To assist the SCAG region in achieving jobs/housing balance region-wide by attracting new businesses to the City of Perris, providing additional job opportunities in a housing rich area, and thereby provide a more equal jobs-housing balance in the Riverside County/Inland Empire area, which will reduce the need for members of the local workforce to commute outside the area for employment.
5. Activate the PVCCSP-designated gateway entry at Ramona Expressway and Nevada Avenue with an attractive mixed-use retail and industrial development, which meets the local demand for neighborhood serving retail uses along Ramona Expressway, and regional demand for warehouse uses that are part of the Southern California supply chain and good movement network.
6. Implement the type and amount of retail uses at the Project site that are viable based on market demand.
7. Maximize development of a Class A speculative high cube warehouse industrial building on the Project site that meets contemporary industry standards for operational design criteria, can accommodate a wide variety of users, and is 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.
8. Maximize industrial warehouse development in close proximity to designated truck routes, and the State highway system in order to avoid or shorten truck-trip lengths on other roadways and avoid locating industrial warehouse buildings in proximity to residential uses.
9. Accommodate new development in a phased, orderly manner that is coordinated with the provision of necessary infrastructure and public improvements.
10. Implement drainage improvements in conjunction with the Project to accommodate the 100-year storm flows in the area, including a public storm drain that would ultimately capture stormwater runoff from the planned regional detention basin west of the Project site.
11. Provide for uses that will generate tax revenue for the City of Perris including, but not limited to, increased property and sales tax, in order to support the City's ongoing municipal operations.

## 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 (PLN21-05217).
- **Conditional Use Permit (CUP) (PLN21-05216)** for drive thru uses within the Commercial area.
- **Development Plan Review (DPR) (DPR21-00013)** for the proposed industrial warehouse site plan and building elevations.
- **Specific Plan Amendment (SPA) (PLN21-05218)** to change the existing PVCCSP land use designation of 19.23 acres from Business Professional Office (BPO) to Light Industrial (LI) land use designation, and 23.19 acres from Commercial (C) to Light Industrial (LI) land use designation to facilitate the proposed industrial warehouse component of the Project.
- **Tentative Parcel Map (TPM) No. 38292 (PLN21-05219)** to re-subdivide the existing 5-parcel Project site into eight parcels, where seven parcels are proposed to be developed with retail uses and one parcel with the proposed industrial use.
- **Street Vacation (PLN21-05220)** to vacate Dawes Street within the Project site.
- **Development Agreement (PLN22-05297)** a contract negotiated between the Project Applicant and the City.

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

- Approval of 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:

- **California Department of Fish and Wildlife (CDFW).** Streambed Alteration Agreement pursuant to Section 1602 of the California Fish and Game Code for impacts to the 0.18-acre area determined to be under the jurisdiction of the CDFW.
- **Regional Water Quality Control Board (RWQCB).** Issuance of a Construction Activity General Construction Permit; National Pollutant Discharge Elimination System (NPDES) permit; and a Section 401 Water Quality Certification for impacts to the 0.18-acre area determined to be under the jurisdiction of the RWQCB.
- **Riverside County Airport Land Use Commission.** Project Review and Determination of consistency with the 2014 MARB/IPA ALUCP.
- **Riverside County Flood Control & Water Conservation District (RCFC&WCD).** Approval of storm drain plans for public storm drains.

- **Eastern Municipal Water District (EMWD).** Approval of water and sewer improvement plans.
- **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; boilers; and the fuel storage and dispensing equipment at the proposed gas station.
- **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, 2005a)
- *Perris General Plan 2030 Environmental Impact Report*, SCH No. 2004031135, certified April 26, 2005 (Perris, 2005b)
- Municipal Code for the City of Perris, adopted 1972 and amended through January 11, 2022 (Perris, 2022a)
- Perris Valley Commerce Center Amendment No. 12 Specific Plan, adopted January 10, 2012 and amended through January 2022 (Perris, 2022b)
- *Perris Valley Commerce Center Specific Plan Final Environmental Impact Report*, SCH No. 2009081086, dated November 2011, and certified January 10, 2012 (Perris, 2011)

### **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 March 30, 2022, 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 35 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 April 20, 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 Ramona Gateway Project from October 28, 2022 to December 12, 2022. A notice advising of the availability of the Draft EIR was posted by the Riverside County Clerk on October 28, 2022. 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 or about October 28, 2022.
- The NOA was also sent to adjacent property owners within 300-feet of the Project site, and was posted in the Perris Progress (the newspaper of general circulation in the area affected by the Project) on October 28, 2022.
- The NOA, Draft EIR, and associated technical studies were made available to the public on the City's website.
- The City received only one comment letter (from the South Coast Air Quality Management District). The comment letter 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 February 3, 2023, in the Perris Progress that the Planning Commission would hold a public hearing on February 15, 2023 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 on February 3, 2023.
- 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 February 3, 2023.
- The City held a public hearing of the Planning Commission on February 15, 2023, and, after full consideration of all comments, written and oral, recommended certification of the Final EIR, prepared in compliance with CEQA, and recommended approval of the Project.

- The City published a notice on March 17, 2023, in the Perris Progress that the City Council would hold a public hearing on March 28, 2023 to consider recommending approval of the Project and certification of the Final EIR.
- The City mailed notice of the City Council hearing to all property owners within a 300-foot radius of the Project site on March 17, 2023.
- The City sent notice of the City Council hearing to all organizations and individuals who had previously requested notification of anything having to do with the Project on March 17, 2023.
- The City held a public hearing of the City Council on March 28, 2023, 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 Ramona Gateway Project. 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 Ramona Gateway Project. 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

**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 March Air Reserve Base 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 and orientation of the proposed buildings. Additionally, the Project would be developed in compliance with the Standards and Guidelines identified in the PVCCSP to address visual character. Specifically, landscape setbacks are provided along Webster Avenue, Ramona Expressway, and Nevada Street; Ramona Expressway and Webster Avenue are designated Major Roadway Visual Corridors in the PVCCSP. These landscape features are oriented in north-south and east-west directions and would preserve views of distant scenic vistas from public vantage points along the site-adjacent roadways. Additionally, the proposed retail buildings are physically separated from the industrial building by retail and industrial and internal drive aisles, and the emergency bypass for storm water flows along the northern boundary of the industrial site. This area would provide access to distant views east and west of the Project site. Similarly, the proposed passenger vehicle parking area south of the industrial building along with the drainage feature in the northern portion of the VVUSD property would provide access to distant views east and west of the Project site. 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 along a state scenic highway. The nearest "Officially Designated" State Scenic highway is a 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 3.9 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., undeveloped land) to an urban setting with industrial warehouse and retail uses. The site would be developed in compliance with the Standards and Guidelines outlined in the PVCCSP and the

proposed retail and industrial structures would have contemporary and complimentary designs. 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 Webster Avenue, Nevada Road, and Ramona Expressway. Landscaping and screening would also be the primary focal points for individuals traveling along the site-adjacent trails.

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 and retail 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. New sources of light associated with the Project would primarily include street lights along Ramona Expressway, Webster Avenue and Nevada Avenue, parking lot lighting, and outdoor security lighting for the proposed buildings. Lighting in loading areas for the industrial use 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 and would not include reflective surfaces that result in substantial glare. Proposed retail uses would be constructed primarily of plaster/stucco, and the industrial warehouse building would be constructed of painted concrete tilt-up panels. 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. The potential impact **would be less than significant**.

Although solar photovoltaic (PV) panels are not currently proposed, the roof structure for the industrial use would be designed to accommodate solar panels. Therefore, a Solar Glare Analysis was performed for the Project. The findings of the Solar Glare Analysis demonstrate that a solar PV installation of up to 550,000 sf along the southern portion of the industrial building (the industrial building has an 850,224-sf footprint), could be installed with causing a significant glare impact. This size solar PV array passes the Federal Aviation Administration (FAA)'s recommended solar glare tests and passes these same tests for four critical flight paths required by the MARB. The City would condition the Project such that any future solar PV installation is located on the southern portion of the building and does not exceed 550,000 sf. Therefore, the Project would not impact aircraft traveling to or from MARB/IPA due to glare from solar PV panels, should they be installed in the future. **This 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 the PVCCSP. 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. The Project site consist of the Class IIIe and IVs soils, which have limitations relative to agricultural production. 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, the City’s General Plan does not identify agricultural zones on the Project site or any of the surrounding properties. The Project site is within the PVCCSP and consists of Commercial and Business Professional Office land use designations. Land use designations envisioned under the PVCCSP do not include any agricultural land uses. 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. The Project would not conflict with existing forest zoning for or cause rezoning of forest land or timberland to other uses. Further, the Project site does not contain forest land or any vegetation communities associated with forest land. 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 or 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; however, it is not in agricultural production. The areas adjacent to the Project impact area are classified Farmland of Local Importance, and Urban and Built-Up Land, and also are not in agricultural production. As part of the LESA prepared for the Project, a Zone of Influence for the Project, impact area totaling 686.5 acres was examined and none of these areas are currently producing agricultural crops. The Project impact area received a Land Evaluation (LE) subscore of 35.1 and a Site Assessment (SA) subscore of 3.0, which sums to a final LESA score of 38.1. Pursuant to the LESA Model scoring system, a final LESA score between 0 to 39 points corresponds to an impact that is not considered 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, build out 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. That area now has a Business Park land use designation but continues to retain an A-1 zoning (Light Agriculture). 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 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." The PVCCSP land use designation for the Project site is Business Professional Office (BPO) and Commercial (C). The BPO land use designation allows for uses associated with business, professional, or administrative services in areas of high visibility from major roadways with convenient access for automobiles and public transit service. Small-scale warehousing and light manufacturing are permitted within the Business Professional Office (BPO) PVCCSP land use designation. The Commercial (C) land use designation allows for retail, professional office, and service-oriented business activities that serve the entire City as well as the surrounding neighborhoods.

Based on the PVCCSP development standards and review of allowed uses for the PVCCSP Business Professional Office (BPO) and Commercial (C) land use designations, it is estimated that the existing PVCCSP land use designations would allow for the development of up to 256,115 sf of commercial land uses and up to 605,804 sf of light industrial, business park, office, and medical care clinic land uses at the Project site. The Project would exceed the applicable regional thresholds for operational activity; however, the estimated operational emissions resulting from development of the Project site pursuant to the existing PVCCSP land use designations would be higher than the operational emissions generated by the Project, primarily due to mobile source emissions associated with the additional vehicle trips. In summary, implementation of the Project would result in a net decrease in long-term operational emissions, as compared to development under the existing PVCCSP land use designations, which is the basis for the current 2016 AQMP. Additionally, the Project would not exceed the applicable regional significance thresholds during construction activity and would not exceed localized significance thresholds during construction or operation of the Project. Therefore, the Project would not conflict with the AQMP with 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 City of Perris General Plan is considered to be consistent with the AQMP. The Project is proposed to consist of a single industrial warehouse and eight commercial retail buildings. Although the Project involves an amendment to the PVCCSP to change the land use designation for the industrial use (southern portion of the Project site) from Business Professional Office (BPO) and Commercial (C) to LI, the proposed change in land use would result in an overall reduction in projected employment. The Project (with the proposed retail and industrial uses) is estimated to generate approximately 997 jobs based on the employment generation factors of the PVCCSP EIR; however, development pursuant to the existing PVCCSP land use designations (estimated to be 246,115 sf of Commercial (C) uses and 605,804 sf of Business Professional Office (BPO) uses) would generate approximately 1,521 jobs. Therefore, the Project would not conflict with Consistency Criterion No. 2.

The Project would not conflict with or obstruct implementation of the AQMP. As such, because the Project would not result in a conflict with the SCAQMD 2016 AQMP, **no impact would occur.**

**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 C2 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 (including from transport refrigeration units [TRUs]) (as required by PVCCSP EIR mitigation measure MM Air 15), emissions from operational off-road equipment, and emissions

from the proposed gasoline dispensing facility. The HRA concluded that maximum incremental cancer risks at the maximally exposed residential and worker receptors would be 1.70 and 0.41 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 schools are Val Verde Academy, Val Verde High School, and Val Verde Regional Learning Center, which are located adjacent to the Project site to the south. At the maximally exposed individual school receptor (MEIS), the maximum incremental cancer risk impact attributable to the Project is calculated to be 3.58 in one million, which is less than the significance threshold of 10 in one million. At this same location, non-cancer risks attributable to the Project were calculated 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 nearby schools. 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. While restaurants may result in some odors from the cooking process, these odors are not typically considered objectionable. With respect to operation of the gas station, gas pumping activities are also expected to generate odors associated with gasoline fumes. The gas pumps and underground storage tanks would include California Air Resources Board (CARB)-required vapor recovery systems that would control VOC vapor releases during refueling and would minimize driver and employee exposure to gasoline odors and fumes. Thus, gasoline odors are not expected to adversely affect adjacent land uses. 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

**Riparian Habitat or Sensitive Natural Community.** As discussed in Section 4.4, Biological Resources, of the Draft EIR, the Project site and off-site improvement areas do not support special status habitats, CDFW special-status plant communities, or riparian habitat. The only vegetation community identified is non-native grassland. **No impacts would result.**

**Wildlife Movement.** As discussed in Section 4.4, Biological Resources, of the Draft EIR, the Project site does not contain natural, surface drainage or ponding features, and there are no water bodies on or adjacent to the Project impact area that could support fish. Therefore, there is no potential for the Project to interfere with the movement of native resident migratory fish. Further, there is no potential for wildlife nurseries to be present within the Project site. In addition, the Project site and off-site improvement areas have not been identified as occurring in a wildlife corridor or linkage. There are also no MSHCP Cores or Linkages adjacent to or within the Project site. The Project would be confined to existing areas that have been heavily disturbed and are isolated from regional wildlife corridors and linkages as there are no riparian corridors, creeks, or useful patches of steppingstone habitat (natural areas) within or connecting the area to a recognized wildlife corridor or linkage. As such, implementation of the Project is not expected to impact wildlife movement opportunities and no impacts to wildlife corridors or linkages are expected occur. This impact would be **less than significant.**

**Local Policies and Ordinances Protecting Biological Resources.** As discussed in Section 4.4, Biological Resources, of the Draft EIR, the Project site is located within the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP); however, no SKR was observed within the Project impact area and due to lack of suitable habitat, no SKR is expected to occur within the Project impact area. Further, the Project Applicant is required to contribute a local development impact and mitigation fee, which requires a fee payment to assist the City in implementing the SKR HCP. With mandatory compliance with standard regulatory requirements (i.e., development impact and mitigation fee payment), the Project would not conflict with any City policies or ordinances related to the protection of the SKR and impacts would be less than significant. The City of Perris Municipal Code also contains provisions for the collection of mitigation fees to further the implementation of the Western Riverside County MSHCP (refer to Title 3, Chapter 3.48 of the Municipal Code). 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. 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.**

The onsite Peruvian pepper trees are not protected by the City's Urban Forestry Ordinance since they do not meet the criteria for protected privately owned trees as presented in Section 19.71.050, Tree Protection, of the City's Municipal Code. Notably, the existing onsite private trees were not required as a project condition of approval, and they are not located on environmentally sensitive land. Further, new trees would be planted on site, including along Ramona Expressway, Webster Avenue and Nevada Avenue. The number of trees to be planted would far exceed the number of trees to be removed, and the new trees would be protected by the City's Urban Forestry Ordinance. The removal of existing trees on site, which are not protected, and the planting and maintenance of trees as part of the Project would comply with the City's Urban Forestry Ordinance, and **no impacts** would result.

**Cumulative Impacts.** As discussed in Section 4.4, Biological Resources, of the Draft EIR, the PVCCSP area, including the Project site, is within the Western Riverside MSHCP and the City of

Perris requires that all projects in the City comply with requirements of the Western Riverside County MSHCP. The MSHCP has identified approximately 500,000 acres for conservation. By providing the mechanism to preserve large habitat blocks and maintaining connectivity, the MSHCP has minimized the cumulative impacts of proposed projects within the MSHCP study area. Cumulative impacts to biological resources are considered fully assessed and mitigated on a regional scale by the MSHCP. The Project site does not occur within or adjacent to any MSHCP Cell Criteria, proposed MSHCP Conservation Areas, Cores, or Linkages. The Project **would not result in a significant contribution** to cumulative impacts related to wildlife movement.

SKR is listed as Endangered/Threatened; the Project site is within the Mitigation Fee Area of the SKR, but not within or adjacent to any Core Reserve Area. The Project would not temporarily or permanently impact potential habitat. The species is fully covered under the SKR HCP with both potential project-specific and cumulative effects mitigated to a level of **less than significant** under CEQA through fee payment to the RCHCA.

### 5.1.5 CULTURAL RESOURCES

**Historic Resources.** As identified in Section 4.5, Cultural Resources, of the Draft EIR, there are no existing buildings on the Project site. One recorded cultural resource site, Site P-33-008703, is located on site within the southeast corner. Site P-33-008703 is recorded as the foundation remains of a residence. Site P-33-008703 and the associated capped well are not eligible for listing on the California Register of Historic Resources (CRHR) and do not qualify as significant historical resources under CEQA. The records search also identified 21 historic resources within one-mile of the Project site; however, none of these resources would be impacted by the Project. Therefore, implementation of the Project would not cause a substantial adverse change in the significance of a historical resource and no impact would occur. **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 and aims to achieve energy conservation goals within the State of California. 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 Integrative Energy Policy Report (IEPR), State of California Energy Plan, Title 24 Energy Efficiency Standards and CALGreen Code, Assembly Bill (AB) 1493 Pavley Regulations and Fuel Efficiency Standards, California's Renewable Portfolio Standards (RPS), and Senate Bills (SB) 350 and 100 (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 there are no known active or potentially active faults traversing the Project site and the site is not within an Alquist-Priolo Earthquake Fault Zone. Also, the City of Perris General Plan does not indicate the presence of any active faults. 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 condition of the Project site. The proposed storm drain systems would be used to convey flows into an underground detention system before being pumped into Modular Wetland Units. Self-treating landscaped areas would also provide water quality treatment. 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 proposed retail and industrial buildings would be connected to existing sewer lines in Ramona Expressway and Webster Avenue for conveyance of wastewater to treatment facilities, and there would be no impact related to onsite 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. The Project does not include 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. The proposed gas station would involve the transport and use of hazardous materials (i.e., gasoline, diesel, diesel exhaust fluids, biodiesel fuels, and oil) during the course of daily operations. There is a potential for potential for routine use, storage, or transport of other hazardous materials; however, the precise materials are not known. The Project's future tenants would be required to comply with the requirements of the Hazardous Materials Transportation Act. 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.

**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 includes roadway improvements along Ramona Expressway, Webster Avenue, and Nevada Avenue. Emergency access to the Project would be provided via driveways to these roadways. Implementation of the circulation system pursuant to the PVCCSP would improve emergency access to the site and the area. Operation of the Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan, and **no impact** would occur.

**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 within a "Very High Fire Hazard Severity Zone (VHFHSZ)." Also, according to the California Department of Forestry and Fire Protection (Cal Fire) the Project site is not located in a VHFHSZ. No wildlands are located on the Project site and the Project site is surrounded by developed properties, paved roads, and maintained vacant sites. The Project site would not be susceptible to wildfires and there would be **no impact.**

**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 for the protection of water quality during construction (refer to regulatory requirements (RR 10-1 through RR 10-3, below), including implementation of a Storm Water Pollution Prevention Plan (SWPPP), would ensure that the Project does not 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 industrial and retail buildings and associated improvements 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. The proposed onsite storm drain system would convey runoff to the proposed water quality treatment facilities, 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 Preliminary Master Project-specific WQMP, the detention system would capture the required water quality volume as well as attenuate peak storm flows to ensure that they developed condition does not exceed the existing peak runoff rate. 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 permits, 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 issuance of grading permits 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 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 Regional Board standards to eliminate any discharge from the site. Stockpiles will be surrounding 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 Regional Board 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 permits by the City, the Project proponent shall receive approval from the City of Perris for Final Water Quality Management Plans (Final WQMPs) for each site plan. 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. In the event that it is not feasible to implement the BMPs identified in the Preliminary Master 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 that it would be able to provide adequate water supplies to meet the potable water demand for the Project as part of its existing and future demands and the Project would not have the potential to substantially decrease groundwater supplies. 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 proposed storm drain improvements and the detention systems, which are properly sized to attenuate the difference between pre-development runoff and runoff from the completed development, would provide adequate capacity to handle the storm water runoff from the Project site, and would not exceed the capacity of existing or planned storm water drainage systems. The proposed development design flows can be conveyed to the proposed detention systems without danger of site flooding. Additionally, because the Project would implement short- and long-term water quality controls (i.e., BMPs) consistent with applicable regulatory requirements, the Project would not result in substantial erosion or siltation on or off site during both construction and operation or provide substantial additional sources of polluted runoff. The Project would not impede or redirect flood flows. Implementation of the Project would result in **less than significant impacts**.

**Risk Release of Pollutants Due to Project Inundation.** As discussed in Section 4.10, Hydrology and Water Quality of this Draft EIR, the PVCCSP EIR concludes that projects within the PVCCSP planning area that occur within the floodplain would be in compliance with Title 15 "Floodplain Regulations," of the City's Municipal Code, which regulates, restricts, or prohibits development in flood hazard areas. With adherence to applicable requirements, development proposed by the PVCC would not be exposed to significant risk from flooding.

The nearest large body of surface water is approximately 3.0 miles east of the Project site (Lake Perris). The Project site is not located in the identified dam inundation area for Lake Perris. 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 Santa Ana River Basin and Project-related construction and operational activities would be required to comply with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Plan by preparing and adhering to a SWPPP and WQMP and by installing and maintaining BMPs. Implementation of the Project would not conflict with or obstruct the Santa Ana River Basin Water Quality Control Plan and **no impact would occur**.

The San Jacinto Groundwater Basin is a high priority basin. The EMWD, as the GSA, initiated the development of the San Jacinto Groundwater Basin GSP in February 2019 and adopted the GSP in September 2021. The Project would not deplete groundwater supplies or interfere with groundwater recharge. Further, the EMWD anticipates that it will have enough supplies to meet

demands under all water year conditions through 2045. Therefore, the Project would not conflict with or obstruct implementation of a sustainable groundwater management plan and **no impact 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 cumulative 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 retail uses in the northern portion of the Project site, consistent with the current PVCCSP land use designation, and a Class A industrial warehouse building in the southern portion of the Project site, which would require an amendment to the PVCCSP to change the land use designations from Commercial (C) and Business Professional Office (BPO), to Light Industrial (LI). 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, consistent with the intent of the PVCCSP, the Project would bring the area together as a unified neighborhood for higher quality business development including industrial and retail uses. The Project would not physically divide an established community and **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 4.11-2 of the Draft EIR) and the City of Perris General Plan 2030 (refer to Table 4.11-3 of the Draft EIR). The Project proposed amendments to the land use designation of the Project site in the Perris Valley Commerce Center Specific Plan (PVCCSP). Should the proposed amendment to the PVCCSP be approved, the Project would not conflict with the PVCCSP requirements. 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 the Project does not conflict with adopted goals and policies.

#### 5.1.12 MINERAL RESOURCES

**Loss of Availability of a Known, Valuable Mineral Resource, or a Locally Important Mineral Resource Recovery Site.** As identified in Section 6.1.1, Mineral Resources, of the Draft EIR, no sites within the City of Perris city limits have been designated as locally important mineral resource recovery sites in the Perris General Plan or Riverside County General Plan. Accordingly, **no impact** to the availability of a known, valuable mineral resource recovery site would occur.

**Cumulative Impacts.** Because the Project site is not identified as a significant source of sand/gravel deposits and future development within the City would not decrease the local or regional availability of mineral resources, **no significant cumulative impacts would result.**

#### 5.1.13 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 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 ranging from 0.1 to 2.1 dBA Leq and a nighttime operation noise level increase ranging from 0.1 to 0.9 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 the 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 4.12-15, Existing Conditions with Project Traffic Noise Impacts, of the EIR, the Project off-site traffic noise level impacts would range from 0.0 to 2.6 dBA CNEL. Based on the significance criteria for off-site traffic noise, land uses adjacent to the study area roadway segments would experience **less than**

**significant noise level impacts** due to unmitigated Project-related traffic noise levels under Existing Plus Project conditions. As such, the Project's off-site traffic noise 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 to be between 0.000 and 0.352 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 satisfy the building damage thresholds at all receiver building locations. Therefore, the 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.

Under long-term conditions, the operational activities of the Project would not include or require equipment or facilities that would result in perceptible ground-borne vibration. Trucks would travel to and from the Project site on surrounding roadways; however, vibration and groundborne noise levels for heavy trucks operating at the posted speed limits on smooth, paved, surfaces as is expected on the Project site and surrounding roadways – typically approach 0.004 in/sec PPV, which is substantially lower than the applicable significance threshold (0.5 in/sec PPV). Accordingly, Project operation would not generate excessive groundborne vibration or groundborne noise levels and impacts would be **less than significant**.

**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 approximately 1.2 miles north of the Project site. The MARB/IP ALUCP, Map MA-1, indicates that the Project site is located within Compatibility Zones C-1 and the Table MA-1 Compatibility Zone Factors indicates that this area is considered to have a moderate to high noise impact, and is mostly within the 60 dBA CNEL contour boundary. The Project site is outside the 60 dB CNEL contour<sup>2</sup>. This indicates that there are no anticipated significant noise impacts to the Project, especially since the Property would be used for retail and industrial purposes. Therefore, the Project would not expose people working in the Project site to excessive noise levels, and potential impacts related to airport noise **would be less than significant**. Further, OPR guidelines indicate that commercial uses are considered normally acceptable with exterior noise levels of up to 65 dBA CNEL and industrial uses, are considered normally acceptable with exterior noise levels of up to 70 dBA CNEL. 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 and Project-level mitigation measure MM 12-1. As it is unlikely that any other cumulative developments would be under construction in

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<sup>2</sup> The noise contours presented in the MARB/IPA ALUCP are based on total future annual aircraft operations of 75,104 as presented in the *Environmental Assessment for Proposed Military Construction and Total Force Integration at March Air Reserve Base* (2010) and the *Environmental Impact Report for March Inland Port General Aviation Facilities Development* (2012).

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, Based on the significance criteria for off-site traffic noise, land uses adjacent to the study area roadway segments would experience **less than significant noise level impacts** due to unmitigated Project-related traffic noise levels under the Existing Plus Ambient Growth Plus Cumulative Projects (2024) with Project conditions, and Horizon Year (2045) with Project conditions. Therefore, the Project **would not result in a cumulative impact related to traffic noise increases**.

Project-related vibration impacts would be less than significant during Project construction and operation. As it is unlikely that other sources of vibration would occur concurrent with Project construction activities, impacts would be less-than-cumulatively considerable. For long-term operation, vibration from truck traffic is rarely perceptible beyond the roadway right-of-way, and vibration impacts would therefore be **less than cumulatively considerable**.

The Project would not be exposed to airport-related noise levels more than 60 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**.

#### 5.1.14 POPULATION AND HOUSING

**Induce Substantial Population Growth.** As identified in Section 6.1.2, Population and Housing of the Draft EIR, the Project does not involve the development of residential uses and would not directly increase the population in the City of Perris. The Project would create short-term jobs during the construction phase, which would be filled by workers who, for the most part, would already reside in the area and would not generate a substantial temporary or permanent increase in population within the Project site. The employment generation estimated for the Project (up to approximately 997 employees) would represent approximately 1.8 percent of the total employment generation anticipated in the PVCCSP area. It is also anticipated that these new retail and industrial warehouse positions would be filled by workers who would already reside in the area. The Project would involve the installation of utilities necessary to connect to existing infrastructure systems adjacent to or in the vicinity of the Project site and would involve improvements to adjacent roadways, consistent with the PVCCSP. Therefore, the Project would not directly or indirectly generate substantial unplanned population growth in the area. **No impact would occur.**

**Displace Substantial Numbers of Existing Housing or People.** As identified in Section 6.1.2, Population and Housing of the Draft EIR, the Project site is undeveloped and the Project would not result in the displacement of existing housing or people, nor necessitate the construction of replacement housing elsewhere. **No impact would occur.**

**Cumulative Impacts.** The Project is consistent with the General Plan and zoning. Upon approval of proposed land use amendment, the Project would be consistent with the PVCCSP land use and growth assumptions for the Project site. The Project would not contribute to direct population growth and therefore would not result in an increased demand on the current or future housing in the region. The Project would not require an influx of new workers who would need to locate temporarily or permanently in the area. Implementation of the Project **would not result in a**

**cumulatively significant population or housing impact**, nor would the proposed uses significantly induce growth in areas where growth was not previously anticipated.

#### 5.1.15 PUBLIC SERVICES

As identified in Section 6.13, 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 an increase in the City's population; however, the operation of the proposed industrial and retail buildings would increase the demand for fire protection, prevention, and emergency medical services at the currently undeveloped Project 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 regards 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, **no significant impacts** related to police protection facilities would result with implementation of the Project.

**Schools.** The Project site is located within the boundaries of the Val Verde Unified School District (VVUSD). The Project would not directly create a source of students, as the Project does not involve the development of residential land uses. Therefore, no direct impact on school services or facilities would occur. Appropriate developer impact fees, as required by State law, shall be assessed, and paid to the school district. With the payment of these required fees and with no additional students generated from the Project, **no significant Project impacts to school services would result.**

**Parks.** The Project site does not contain any parkland or recreational facilities. The nearest park to the Project site is Paragon Park, located approximately 1.8 miles southeast. The Project does not propose the development of any type of residential land use or other use that would result in a direct increase in the City's population or demand for park services. As required by the City of Perris, the Project Applicant would be required to pay applicable DIF fees, including fees for community amenities. The Project would not require the construction of new or expanded park facilities; therefore, no physical impacts would result and the impact would be less than significant. **No significant Project impacts to parks would result.**

**Other Public Facilities.** Development of non-residential uses under the PVCCSP, including the industrial and retail uses proposed as part of the Project, would not directly increase the demand for library or other public services as no new residential uses would be developed and there would

be no direct increase in population. However, as required by the City of Perris, the Project Applicant would be required to pay applicable Development Impact Fees, including fees for community amenities and government facilities. The Project would not require the construction of new or expanded library facilities or other public facilities; therefore, no physical impacts would result and **the impact 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. Therefore, there would be no cumulative impact on police and fire services in the City. The Project would not generate new population in the City and would result in **less than significant cumulative impacts to school, park, and other public facilities.**

#### 5.1.16 RECREATION

**Increased Use of Existing Neighborhood and Regional Parks or Other Recreational Facilities.** As identified in Section 6.1.4, Recreation, of the Draft EIR, the Project would not include a residential use or other use that would directly increase the City's population and the demand for recreational facilities. The City requires that large projects provide an onsite recreational amenity. The Project would provide employee amenities and would not result in or accelerate the physical deterioration of existing neighborhood and regional parks or recreational facilities. The Project would not increase the use of existing neighborhood and regional parks or other recreational facilities, and **no environmental impacts would result.**

**Construction or Expansion of Recreational Facilities.** The Project does not involve the development of residential uses, and the proposed industrial and retail uses would not create an increase in the use of such facilities. The Project would provide onsite employee amenities. The physical impacts associated with construction and operation of the onsite amenities are addressed throughout the analysis presented in the EIR. Additionally, as required by the City of Perris, the Project Applicant would be required to pay applicable DIF fees, including fees for parks. **No impact would occur.**

**Cumulative Impacts.** Implementation of the Project would not increase the use of existing parks and recreation facilities; therefore, the Project would not contribute to cumulative impacts. Additionally, as future residential development is proposed, the City will require developers to provide the appropriate amount of parkland or payment of in-lieu fees, which will contribute to future recreational facilities. Payment of these fees and/or implementation of facilities on a project-by-project basis would offset cumulative parkland impacts by providing funding for new and/or renovated parks equipment and facilities. The Project would result in **less than significant cumulative impacts.**

#### 5.1.17 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 4.14, 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.

#### 5.1.18 UTILITIES AND SERVICE SYSTEMS

##### **Require or Result in the Relocation or Construction of New or Expanded Utility Facilities.**

As identified in Section 4.15, 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, no additional impacts related to construction and operation of utility systems would occur. This impact would be **less than significant**.

**Exceed the Wastewater Treatment Provider Capacity.** As identified in Section 4.15, Utilities and Service Systems, of the Draft EIR, the approximately 0.04 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 0.6 percent of the PVRWRF's current excess daily capacity (6.5 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 4.15, Utilities and Service Systems, of the Draft EIR, in compliance with Sections 10910–10915 of the *California Water Code*, a Project-specific Water Supply Assessment (WSA) was prepared by the EMWD for the Project. The EMWD estimates the annual water demand for the Project to be approximately 43.16 acre feet (AF). The land use considered for the Project site in the EMWD 2020 UWMP demand projection was Business Professional Office (BPO) and Commercial (C), with a projected annual demand of approximately 125.35 AF. Accordingly, the demand for this Project is within the limits, and less than, the projected demand accounted for in the 2020 UWMP. The 2020 UWMP documents the EMWD's projected supplies and demands in five-year increments through the year 2045, certifies EMWD's compliance with water use efficiency targets defined in the Water Conservation Act of 2009, and demonstrates the EMWD's supply reliability, even under dry year hydrologic conditions lasting multiple years. Based on information presented in the WSA, and the assurance that the MWD is engaged in identifying solutions that, when combined with the rest of its supply portfolio, would ensure a reliable long-term water supply for its member agencies, the EMWD has determined that it would be able to provide adequate water supplies to meet the potable water demand for the Project as part of its existing and future demands. Therefore, this impact is **less than significant**.

**Generated Solid Waste in Excess of the Capacity of Local Infrastructure.** As identified in Section 4.15, Utilities and Service Systems, of the Draft EIR, construction of the proposed industrial warehouse building would generate approximately 1,848.2 tons of solid waste and

construction of 37,215 sf of commercial retail space would generate approximately 72.4 tons of solid waste over the construction period (total of 1,920.6 tons). The Project's building construction is anticipated to occur over a period of approximately 12 months, which corresponds to an average of approximately 6.7 tons of construction waste generated per day from building construction activity. The Badlands Landfill, as of March 2022, has an excess capacity of 2,276 tons per day and the El Sobrante Landfill, as of May 2022, has an excess capacity of 5,089 tons per day. The Project's construction-related solid waste represents approximately 0.3 percent of the Badlands Landfill maximum excess daily capacity and 0.1 percent of the El Sobrante Landfill excess 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 (923.2 tons overall and an average of approximately 3.2 tons per day). 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** related to exceeding landfill capacity during construction.

Based on the operational solid waste disposal factors identified in the PVCCSP EIR, the Project's industrial component would generate approximately 10,262.4 tons/year of solid waste and the Project's commercial component would generate approximately 89.3 tons/year of solid waste requiring landfill disposal (total of 10,351.7 tons/year). The Project's components represent approximately 1.9% of the estimated annual operation solid waste stream for the development of allowed uses in the PVCCSP planning area (544,048.96 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 28.4 tons of solid waste per day, which represents less than 1% of the excess daily capacity for both the Badlands Landfill and El Sobrante Landfill. 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 4.15, 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. The CALGreen Code requires all new developments to divert 65 percent of non-hazardous construction and demolition (C&D) debris for all Projects. In compliance with these regulations, the Project contractor would submit a waste management plan to the City as part of the building or grading permit. The plan would include the estimated volumes or weights of C&D materials that would be generated, diverted, reused, given away or sold, or landfilled, including vendors and facilities that would receive the C&D materials. The Project would comply with the CALGreen Code requirements for C&D diversion. 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 4.15, 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. With the exception of a natural gas line, which would extend a short distance along Ramona Expressway to the nearest natural gas line for service to the proposed uses, no new or expanded off-site infrastructure is required. The environmental impacts associated with the construction of on- and off-site utility infrastructure 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 on average treats 15.5 million gpd, 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.

### 5.1.19 WILDFIRE

**Location in a State Responsibility Area or Very High Fire Hazard Severity Zone.** As discussed in Section 6.1.5, Wildfire, of the Draft EIR, the Project site is not located in or near an area identified as being within a VHFHSZ in the General Plan, and is not located in a VHFHSZ of the City. The Project site is located within the limits of the City of Perris, and is therefore not within a State Responsibility Area (SRA). **No impact would occur.**

**Cumulative Impacts.** The Project would have no Project impacts related to wildfires and would not contribute to cumulative wildfire impacts. **No impact would occur.**

## 5.2 EFFECTS DETERMINED TO BE MITIGATED TO LESS THAN SIGNIFICANT LEVELS

The Ramona Gateway 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 Ramona Gateway 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 as 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, night time 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 causing a potentially significant impact, particularly to motorists. The site-adjacent properties are vacant or occupied by school uses, which do not typically occur during the nighttime hours. As identified in Project-specific mitigation measure MM 1-1, construction

staging areas would be located as far as possible from the school uses to the south to minimize light intrusion. Mitigation measure MM 1-1 also 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 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 Ramona Gateway 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 eliminated or substantially lessened to a level of less than significant by virtue of Project-level mitigation measure MM 1-1 (Draft EIR page 4.1-23).

**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: (1) construction staging areas shall be located as far as possible from school uses south of the Project site; and, (2) 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, onto adjacent 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 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<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>, while the NAAQS designates the Project site as nonattainment for O<sub>3</sub> and PM<sub>2.5</sub>. 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. Nonetheless, all development implementing the PVCCSP, including the Project, would be required to implement the applicable construction-related mitigation measures from the PVCCSP EIR (refer to mitigation measures MM Air 2 through MM Air 9), which would reduce the estimated construction emissions.

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.

**Findings:**

- 1. Changes or alterations have been required in, or incorporated into, the Ramona Gateway Project that avoid or substantially lessen 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:** The potential cumulatively considerable impacts from any criteria pollutant for which the project region is nonattainment during construction have been eliminated or substantially lessened to a level of **less than significant** by virtue of PVCCSP EIR mitigation measures MM Air 1 through MM Air 9 (Draft EIR pages 4.3-24 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 SCAQMD. The results of the construction-related air quality impacts analysis shall be included in the development project's CEQA documentation. To address potential localized impacts, the air quality analysis may incorporate SCAQMD's Localized Significance Threshold analysis or other appropriate analyses as determined in conjunction with SCAQMD. If such analyses identify potentially significant regional or local air quality impacts, the City shall require the incorporation of appropriate mitigation to reduce such impacts.

*The Project-specific construction-related air quality and LST analyses required by this PVCCSP EIR mitigation measure have been provided in the Air Quality Impact Analysis included in Appendix C1 of the EIR to comply with this mitigation measure. The URBEMIS model has been replaced by CalEEMod.*

**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 SCAQMD Rule 403. The developer of each implementing project shall provide the City of Perris with the SCAQMD-approved dust control plan, or other sufficient proof of compliance with Rule 403, prior to grading permit issuance. Dust control measures shall include, but are not limited to:

- requiring the application of non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 20 days or more, assuming no rain),
- keeping disturbed/loose soil moist at all times,
- requiring trucks entering or leaving the site hauling dirt, sand, or soil, or other loose materials on public roads to be covered,
- installation of wheel washers or gravel construction entrances where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip,
- posting and enforcement of traffic speed limits of 15 miles per hour or less on all unpaved portions of the project site,
- suspending all excavating and grading operations when wind gusts (as instantaneous gust) exceed 25 miles per hour,
- appointment of a construction relations officer to act as a community liaison concerning onsite construction activity including resolution of issues related to PM10 generation,
- sweeping streets at the end of the day if visible soil material is carried onto adjacent paved public roads and use of SCAQMD Rule 1186 and 1186.1 certified street sweepers or roadway washing trucks when sweeping streets to remove visible soil materials, replacement of ground cover in disturbed areas as quickly as possible.

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

**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 (HVLPP) 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 SCAQMD's Rule 1113. Construction specifications shall be included in building specifications that assure these requirements are implemented. The specifications for each implementing development project shall be reviewed by the City of Perris' Building Division for compliance with this mitigation measure prior to issuance of a building permit for that project.

### 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, implementation of proposed development at the Project site and off-site improvement areas would result in direct impacts to the entire Project site, site-adjacent roadway improvement areas, and along Ramona Expressway where a new natural gas line would be installed between Webster Avenue and Brennan Avenue). The Project site and off-site improvement areas do not support native or natural vegetation communities; therefore, **no direct impacts** to native or natural vegetation communities, including special-status vegetation communities, would result from the Project.

Impacts to non-native grassland and disturbed land would be a less than significant impact under CEQA as the impact area is heavily disturbed and routinely maintained, and the non-native grassland and disturbed land are composed of non-native plant species. The Project **would not impact lands designated as critical habitat by USFWS**, as none are present within the Project site or off-site improvement areas.

The Project site and off-site improvement areas are not within a Narrow Endemic Plant Species Survey Areas (NEPSSA) or Criteria Area Plant Species Survey Area (CAPSSA), and no special status plant species were observed within the Project site or off-site improvements areas during the field survey. Further, previous disturbances have resulted in a majority of the Project site and off-site improvement areas being dominated by early successional and non-native vegetation, which has reduced, if not eliminated, the ability to provide suitable habitat for special-status plant species. Based on habitat requirements for specific species and the availability and quality of habitat, it was determined that the Project site and off-site improvement areas do not provide suitable habitat for NEPSSA or CAPSSA plant species, or other special status plant species. Therefore, the **Project would not result in any impacts** to special status plants and no impacts would result.

The Project site and off-site improvement areas are located within the Mitigation Fee Area of the Stephen's Kangaroo Rat (SKR) HCP; however, are not within or adjacent to any of the Core Reserve Areas. Additionally, no suitable habitat for the SKR is present within or adjacent the Project site or off-site improvement areas. Therefore, no focused SKR surveys or onsite mitigation would be required. Onsite mitigation is only recommended in Ordinance 663.10 when a site is

located within or adjacent to a Core Reserve Area. As a result, the Project Applicant would only be required to pay the SKR HCP Mitigation Fee prior to development. **Impacts would be less than significant.**

No special-status species were detected within the Project site or off-site improvement areas. However, as previously discussed there is a moderate potential to support foraging habitat for Cooper's hawk, sharp-shinned hawk, California horned lark, great egret, great blue heron, and low potential to support foraging habitat for the great egret, great blue heron, burrowing owl, and northern harrier. All remaining special-status wildlife species were presumed to be absent from the Project site and off-site improvement areas due to the lack of native habitat, routine onsite disturbances, and isolation of the site from suitable habitats. To ensure impacts to the aforementioned species do not occur from implementation of the Project, and in accordance with PVCCSP EIR mitigation measure MM Bio 1, a pre-construction nesting bird clearance survey would be conducted prior to ground disturbance. Additionally, although burrowing owls or signs of burrowing owls are not present within the Project site or off-site improvement areas, the Project would incorporate PVCCSP EIR mitigation measure MM Bio 2 to ensure that required pre-construction surveys are conducted for the burrowing owl to determine the presence or absence of the species within the Project impact area. 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 PVVSCP EIR mitigation measures MM Bio 1 and MM Bio 2, impacts would be **less than significant**, and no additional mitigation would be required.

The Project also has the potential to impact active bird nests if vegetation is removed during the nesting season (February 1 to August 31). Impacts to nesting birds are prohibited by the California Fish and Game Code. PVCCSP EIR mitigation measure MM Bio 1 is incorporated into the Project and would ensure that pre-construction nesting bird surveys are conducted; this measure also identifies actions to be taken if nesting birds are present. The native birds with potential to nest within or near the Project site would be those that are extremely common to the region and highly adapted to human landscapes. The number of individuals potentially affected by the Project would not significantly affect regional, let alone local populations of such species. This impact would be **less than significant**.

The Project site and off-site improvement areas are not within a federally designated Critical Habitat. Therefore, the loss or adverse modification of Critical Habitat will not occur as a result of the Project and consultation with the USFWS will not be required for impacts to Critical Habitat. **No impacts would occur.**

#### **Findings:**

- 1. Changes or alterations have been required in, or incorporated into, the Ramona Gateway 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 species identified as a candidate, sensitive, or special status species have been eliminated or substantially lessened to a **level of less than significant** by incorporation of PVCCSP EIR mitigation measures MM Bio 1 and MM Bio 2 (Draft EIR pages 4.4-18 and 4.4-19).

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

If active nests are identified on an implementing Project area 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 area 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<sup>3</sup>. 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 can leave the nest and fly) by installing

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<sup>3</sup> As of January 1, 2013, the California Department of Fish Game (CDFG) is referred to as the California Department of Fish and Wildlife (CDFW).

one-way doors in burrow entrances. These one-way doors allow the owl to exit the burrow, but not enter it. These doors shall be left in place 48 hours to ensure owls have left the burrow. Artificial burrows shall be provided nearby. The implementing project area shall be monitored daily for one week to confirm owl use of burrows before excavating burrows in the impact area. Burrows shall be excavated using hand tools and refilled to prevent 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 would be required, including associated relocation of burrowing owls. If conservation is not required, then owl relocation would still be required following accepted protocols. Take of active nests would be avoided, so it is strongly recommended that any relocation occur outside of the nesting season.

*Note: The required Habitat Assessment was completed during preparation of the Draft EIR (refer to Appendix D1 of the Draft EIR). The Project site is not within a burrowing owl survey; therefore, no focused burrowing owl surveys were required.*

**Federally Protected Wetlands.** As discussed in Section 4.4, Biological Resources of the Draft EIR, one unnamed ephemeral water feature was observed on the Project site during the April 20, 2021, and November 23, 2021 field investigations. The onsite feature dissipates/infiltrates on site and does not present a surface hydrologic connection to any downstream waters. Therefore, the onsite feature would not qualify as jurisdictional by the Corps. There are no federally protected wetlands on site.

Even though the onsite feature dissipates/infiltrates on site, does not present a surface hydrologic connection to any downstream waters, does not provide fish and wildlife resources, or beneficial uses, after initial discussions with the Regional Board, the Regional Board is likely to assert jurisdiction over the onsite feature. Therefore, for purposes of this analysis, it is determined that approximately 0.18 acre (3,150 linear feet) of non-wetland waters of the State, and CDFW jurisdictional waters occur onsite, and would be impacted from site development. The off-site roadway improvements would not result in impacts to jurisdiction areas since the improvements would occur within existing road right-of-way, which is developed/disturbed.

Mitigation for the loss of 0.18 acre (1,350 linear feet) determined to be jurisdictional within the onsite water feature would be mitigated off site through the purchase of mitigation credits through the Riverpark Mitigation Bank at a ratio of 1:1 (refer to Project-level mitigation measure MM 4-1). The Riverpark Mitigation Bank has 613 acres of rehabilitation and re-establishment credits. The Project Applicant would be responsible for the purchase of 0.18 acre of mitigation credits. With implementation of Project-level mitigation measure MM 4-1 this impact would be reduce to a **less than significant level**.

**Findings:**

- 1. Changes or alterations have been required in, or incorporated into, the Ramona Gateway 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 4-1 (Draft EIR pages 4.4-23 and 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.

*Note: The required Project-specific jurisdictional delineation has been prepared for the Project to comply with this PVCCSP EIR mitigation measure and is included in Appendix D2 of the Draft EIR.*

### Project-Level Mitigation Measures

**MM 4-1** Prior to issuance of grading permits, the Project Applicant shall obtain the appropriate permits/approvals from the regulatory agencies, including a RWQCB Section 401 Water Quality Certification and CDFW Section 1602 Streambed Alteration Agreement for impacts to jurisdictional areas, and RCA review/approval of impacts to MSHCP riverine resources. As part of the permitting process, it is expected that the regulatory agencies shall require compensatory mitigation for permanent impacts to 0.18-acre of jurisdiction and MSHCP riverine resources, none of which consist of jurisdictional wetlands through the purchase of mitigation credits (0.18 acre) at the Riverpark Mitigation Bank. In the event that compensatory mitigation credits are not available from the Riverpark Mitigation Bank at the time of proposed work commencement, the Project Applicant shall coordinate with the regulatory agencies, the City and RCA to secure alternate mitigation totaling a minimum of 0.18 acre at another approved mitigation bank or in-lieu fee program.

### **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 does not occur within a 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).

Based on the Jurisdictional Delineation, one unnamed ephemeral water feature was observed on the Project site during the field delineation. Since the onsite water feature was artificially created/manmade, did not replace an existing blueline stream or other water feature, and is not dominated by trees, shrubs, persistent emergent plants, or emergent mosses and lichens, it does not meet the definition of riparian/riverine habitat under Section 6.1.2 of the MSHCP. However,

based on input from the Regional Board during the Draft EIR scoping process, the onsite water feature has been conservatively evaluated in the Draft EIR as a Riparian/Riverine resource (per Section 6.1.2 of the MSHCP). Therefore, for purposes of analysis, it was determined that the Project would result in permanent impacts to approximately 0.18 acre (3,150 linear feet) of Riparian/Riverine habitat, which would be considered a potentially significant impact.

As required by the MSHCP, a Determination of Biologically Equivalent or Superior Preservation (DBESP) was prepared for the Project. The CDFW and USFWS have reviewed the DBESP included in Appendix D3 of the Draft EIR and concurred with the conclusions and identified mitigation. As identified in the DBESP, offsite mitigation for the loss of Riparian/Riverine habitat within the onsite water feature would consist of the purchase of mitigation credits through the Riverpark Mitigation Bank at a ratio of 1:1 (refer to Project-level mitigation measure MM 4-1). With approval of the DBESP, the Project would be consistent with Section 6.1.2 of the MSHCP. Therefore, this impact would be mitigated to a level considered **less than significant**.

In addition to the direct impacts to onsite Riparian/Riverine resources; offsite Riparian/Riverine resources on the property west of Nevada Avenue would potentially be subject to indirect effects from the Project (e.g., fugitive dust, runoff -toxics, accidental encroachments during construction, and post-construction human disturbances), resulting in a potentially significant impact if preventative measures are not implemented. Project-level mitigation measure MM 4-2 outlines specific requirements related to the SWPPP to address potential water quality impacts to Riparian/Riverine resources west of Nevada Avenue. To address any encroachments into the Riparian/Riverine resource west of Nevada Avenue during construction, Project-level mitigation measure MM 4-3 requires the construction worker training be completed by a qualified biologist prior to construction, and that equipment not be operated in areas of flowing water. Additionally, potential post-construction human disturbance would be addressed through the incorporation of edge treatments designed to minimize edge effects by providing a safe transition between developed areas and the adjacent riparian/riverine habitat, which would be compatible with Project operation. The edge treatments include required landscaping on the boundary of the Project site, as addressed in Section 3.0, Project Description of the Draft EIR. Additionally, Nevada Avenue provides a physical buffer between the Project site and the Riparian/Riverine resources east of the Project site. With implementation of PVCCSP EIR mitigation measure MM Air 3 (to address fugitive dust); implementation of a SWPPP (refer to RR 10-2 in Section 4.10, and specific BMP requirements outlined in Project-level mitigation measure MM 4-2; implementation of Project-level mitigation measure MM 4-3 (to address accidental encroachments), and installation of required landscaping along the perimeter of the Project, potentially indirect effects to Riparian Riverine resources west of Nevada Avenue would be **less than significant**.

The Project is not within the designated survey area Narrow Endemic Plant Species of the MSHCP. Further, based on the results of the field investigation, the Project site and off-site improvement areas do not provide suitable habitat for MSHCP listed Narrow Endemic Plant Species. The Project would not conflict with Section 6.1.3 of the MSHCP. **No impacts would occur.**

The Project site and off-site improvement areas are not located within or in proximity of any Criteria Cells or designated conservation areas. Therefore, the Project would not need to comply with the Urban/Wildlands Interface Guidelines. The Project would not conflict with Section 6.1.4 of the MSHCP. **No impacts would occur.**

As previously discussed, the Project site and off-site improvement areas are not within any designated survey areas. Notwithstanding, a survey was conducted for burrowing owls and it was

determined that no burrowing owls were identified during the field survey and no appropriate burrows or burrowing owl habitat was found. Thus, focused burrowing owl surveys were not required. Further, as identified in PVCCSP EIR mitigation measure MM Bio 2, pre-construction surveys would be conducted to ensure that Project construction activities would not result in the direct harm of burrowing owls should they occur on site in the future. The Project would not conflict with Section 6.3.2 of the MSHCP. **No impacts would occur.**

### **Findings:**

- 1. Changes or alterations have been required in, or incorporated into, the Ramona Gateway 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 for impacts due to a conflict with an adopted habitat conservation plan or natural community conservation plan, and specifically the Western Riverside County MSHCP, have been eliminated or substantially lessened to a level of less than significant by incorporation of PVCCSP EIR mitigation measure MM Bio 2 and MM Bio 4 (Draft EIR pages 4.4-18 through 4.4-20) and Project-level mitigation measures MM 4-1 (Draft EIR pages 4.4-23 and 4.4-24), MM 4-2 (Draft EIR pages 4.4-28 and 4.4-29), and MM 4-3 (Draft EIR page 4.4-29).

### **Applicable PVCCSP Mitigation Measures**

Refer to previously referenced PVCCSP EIR mitigation measure MM Bio 2.

**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.

*Note: the required Project-specific jurisdictional delineation and DBESP have been prepared for the Project to comply with this PVCCSP EIR mitigation measure and are included in Appendix D2 and Appendix D3 of this EIR.*

### **Project-Level Mitigation Measures**

Refer to previously referenced mitigation measure MM 4-1.

**MM 4-2** As identified in RR 10-2, prior to grading plan approval and the issuance of grading permits 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 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. In addition to the BMPs to be

implemented in the SWPPP identified RR 10-2, the following additional BMPS shall be implemented to protect Riparian/Riverine resources:

- Permittee shall prohibit the use of erosion control materials potentially harmful to fish and wildlife species, such as mono-filament netting (erosion control matting) or similar material, within and adjacent to jurisdictional areas.
- All fiber rolls<sup>4</sup>, straw waddles, and/or hay bales utilized within and adjacent to the project site shall be free of non-native plant materials.
- Permittee shall comply with all litter and pollution laws. All contractors, subcontractors, and employees shall also obey these laws and it shall be the responsibility of Permittee to ensure compliance.
- Permittee shall not allow water containing mud, silt, or other pollutants from grading, aggregate washing, or other activities to enter a lake, streambed, or flowing stream or be placed in locations that may be subjected to high storm flows.
- Spoil sites shall not be located within a lake, streambed, or flowing stream or locations that may be subjected to high storm flows, where spoil shall be washed back into a lake, streambed, or flowing stream where it will impact streambed habitat and aquatic or riparian vegetation.
- Raw cement/concrete or washings thereof, asphalt, paint, or other coating material, oil or other petroleum products, or any other substances which could be hazardous to fish and wildlife resources resulting from Project-related activities shall be prevented from contaminating the soil and/or entering the waters of the State. These materials, placed within or where they may enter a lake, streambed, or flowing stream by Permittee or any party working under contract or with the permission of Permittee, shall be removed immediately.
- No equipment maintenance shall be done within or near any lake, streambed, or flowing stream where petroleum products or other pollutants from the equipment may enter these areas under any flow.
- No broken concrete, cement, debris, soil, silt, sand, bark, slash, sawdust, rubbish, or washings thereof, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the State. When operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the edge of any lake, streambed, or flowing stream.

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<sup>4</sup> Fiber rolls or erosion control mesh shall be made of loose-weave mesh that is not fused at the intersections of the weave, such as jute, or coconut (coir) fiber, or other products without welded weaves. Non-welded weaves reduce entanglement risks to wildlife by allowing animals to push through the weave, which expands when spread.

**MM 4-3** Prior to grading plan approval and the issuance of grading permits by the City, the Project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the Project:

- Construction worker training shall be provided by a qualified biologist at the first pre-construction meeting, and
- No equipment shall be operated in areas of flowing water.

**Cumulative Impacts.** Anticipated cumulative impacts to biological resources are addressed by the MSHCP, which, as currently adopted, addresses 146 “Covered Species” that represent a broad range of habitats and geographical areas within western Riverside County. The MSHCP addresses biological impacts for take of Covered Species within the MSHCP area. Impacts to Covered Species and establishment and implementation of a regional conservation strategy and other measures included in the MSHCP are intended to address the federal, state, and local mitigation requirements for these species and their habitats.

the construction of buildings, infrastructure, and all alterations of the land within areas that are outside of the Criteria Area are permitted under the Western Riverside County MSHCP (see MSHCP Section 2.3.7.1). Therefore, cumulative impacts to biological resources resulting from development in the MSHCP area (with the exception of MSHCP non-covered species) would be less than significant on a cumulative basis provided that the terms of the MSHCP are fully implemented. Because the Project is required to comply with the Western Riverside County MSHCP and pay the required MSHCP mitigation fee, the Project would have less than significant cumulatively considerable impacts to MSHCP covered species. Project impacts to species not covered by the MSHCP, such as nesting birds (discussed below), would be less than significant with implementation of PVCCSP EIR mitigation measures, which require pre-construction nesting bird surveys. Regarding impacts to Riparian/Riverine areas, the Project would result in permanent impacts to 0.18 acre of MSHCP Section 6.1.2 Riparian/Riverine resources, which would be mitigated at a 1:1 ratio through the purchase of credits from the Riverpark Mitigation Bank, in accordance with the Project’s DBESP, thereby ensuring Project consistency with MSHCP Section 6.1.2. Cumulative development projects that impact MSHCP Riparian/Riverian areas would also be required to prepare a DBESP to ensure consistency with the MSCHP Section 6.1.2.

The Project would impact 0.18 acre (1,350 linear feet) of area under the jurisdiction of the Regional Board and CDFW; however, with implementation of Project-level mitigation measure MM 4-1, which ensures that the Project Applicant obtains required permits, and purchase of credits from the Riverpark Mitigation Bank. With implementation of the required mitigation, the Project impact would be less than significant. Cumulative development projects that impact jurisdictional areas would also be required to obtain required permits and ensure that impacts are mitigated to a less than significant level.

The Project has the potential to impact native bird nests if vegetation is removed during the nesting season (February 1 to August 31). Impacts to nesting native birds are prohibited by the MBTA and California Fish and Game Code. Although impacts to native birds are prohibited by MBTA and similar provisions of California Fish and Game Code, impacts to native birds by the Project would not make a cumulatively considerable contribution to the regional decline of native nesting birds. The native birds with potential to nest in the Project footprint would be those that are common to the region. The number of individuals potentially affected by the Project would not significantly affect regional populations of such species. Further PVCCSP EIR mitigation measure MM Bio 1 requires compliance with the MBTA and California Fish and Game Code, and pre-construction nesting bird surveys if construction occurs during the nesting season and would also

be required for cumulative development projects. Additionally, because the Project site was determined to have a low potential to support burrowing owls, the Project would incorporate PVCCSP EIR mitigation measure MM Bio 2, which requires a 30-day burrowing owl pre-construction clearance survey to ensure burrowing owls remain absent from the Project site.

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 Ramona Gateway 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 PVCCSP EIR mitigation measures MM Bio 1 and MM Bio 2 (Draft EIR pages 4.4-18 and 4.4-19) and Project-level mitigation measure MM 4-1 (Draft EIR pages 4.4-23 and 4.4-24), identified above.

#### **5.2.4 CULTURAL RESOURCES**

**Archaeological Resources.** As discussed in Section 5.5, 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. According to the records searches conducted by BFGSA, no prehistoric resources were found in the Project site or off-site improvement areas. Of the 24 resources identified within one mile of the Project site, two are prehistoric and consist of one bedrock milling site and one prehistoric isolate. The Project site and off-site improvement areas do not contain any natural permanent water sources or features that would have been advantageous to the prehistoric occupation in the region. Further, the records search and literature review suggest that there is a low potential for prehistoric cultural resources to be located within the Project site or off-site improvement areas.

Although there is a low potential for prehistoric cultural resources to be located within the Project site or off-site improvement areas, due to the unknown presence of structures being located historically within the Project site, the presence of remnants of a residence and well, and previous disturbances, there is a potential for resources to be discovered during Project construction activities, which would involve excavation to depths of up to approximately 25 feet (associated with installation of the 60-inch public storm drain). If any buried historic or prehistoric resources are unearthed during construction that meet the definition of an archaeological resource cited in State CEQA Guidelines Section 15064.5 and are disturbed/damaged by Project construction activities, impacts to archaeological resources would be potentially significant. 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 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 Ramona Gateway 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 4.5-11 and 4.5-12), and implementation of Project-level mitigation measure MM 5-1 (Draft EIR pages 4.5-14 and 4.5-15).

## **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<sup>5</sup> shall be submitted to the City of Perris Planning Division for review and approval. The Phase I Cultural Resources Study shall determine whether the subject implementing development would potentially cause a substantial adverse change to any significant paleontological, archaeological, or historic resources. The Phase I Cultural Resources Study shall be prepared to meet the standards established by Riverside County and shall, at a minimum, include the results of the following:

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

Measures shall be identified to mitigate the known and potential significant effects of the implementing development or infrastructure project, if any.

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<sup>5</sup> For the purpose of this measure, the City of Perris considers professional archaeologists to be those who meet the United States Secretary of the Interior's standards for recognition as a professional, including an advanced degree in anthropology, archaeology, or a related field, and the local experience necessary to evaluate the specific project. The professional archaeologist must also meet the minimum criteria for recognition by the Register for Professional Archaeologists (RPA), although membership is not required.

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 E 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 Standards for Archaeology (U.S. Department of Interior 2012; Registered Professional Archaeologist preferred). The primary task of the consulting archaeologist shall be to monitor the initial ground-disturbing activities at both the subject property and any off-site project-related improvement areas for the identification of any previously unknown archaeological and/or cultural resources. Selection of the archaeologist shall be subject to the approval of the City of Perris Director of Development Services and no ground-disturbing activities shall occur at the site or within the off-site improvement areas until the archaeologist has been approved by the City.

The archaeologist shall be responsible for monitoring ground-disturbing activities, maintaining daily field notes and a photographic record, and for reporting all finds

to the developer and the City of Perris in a timely manner. The archaeologist shall be prepared and equipped to record and salvage cultural resources that may be unearthed during ground-disturbing activities and shall be empowered to temporarily halt or divert ground-disturbing equipment to allow time for the recording and removal of the resources. The archaeological monitor will continually assess the potential for resources throughout the course of ground disturbing activities and shall have the power to modify or reduce the level of monitoring should the potential to encounter resources be significantly reduced.

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

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

In the event that human remains are discovered at the project 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.

Native American artifacts that are relocated/reburied at the project site would be subject to a fully executed relocation/reburial agreement with the assisting Luiseño tribe. This shall include, but not be limited to, an agreement that artifacts will be reburied onsite and in an area of permanent protection to be agreed upon between sponsor and the designated Native American representative, if requested, and that 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. 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.

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

**Human Remains.** As discussed in Section 5.5, 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 (within 100 feet) 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 Ramona Gateway 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 4.5-16).

**Project-Level Mitigation Measures**

**MM 5-2** In the event that human remains (or remains that may be human) are discovered at the Project site of within the off-site Project improvement areas during ground-

disturbing activities, the construction contractors, Project archaeologist, and/or designated Luiseño tribal representative shall immediately stop all activities within 100 feet of the find. The project proponent shall then inform the Riverside County Coroner and the City of Perris Planning Division immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b).

If the coroner determines that the remains are of Native American origin, the coroner will notify the Native American Heritage Commission (NAHC), which will identify the "Most Likely Descendent" (MLD). Despite the affiliation with any Luiseño tribal representative(s) at the site, the NAHC's identification of the MLD will stand. The MLD shall be granted access to inspect the site of the discovery of Native American human remains and may recommend to the project proponent means for treatment or disposition, with appropriate dignity of the human remains and any associated grave goods. The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The disposition of the remains will be determined in consultation between the project proponent and the MLD. In the event that there is disagreement regarding the disposition of the remains, State law will apply and median with the NAHC will make the applicable determination (see Public Resources Code Section 5097.98I and 5097.94(k)).

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

**Cumulative Impacts – Archeological Resources and Human Remains.** As discussed in Section 5.5, 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, Ramona Gateway 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 4.5-14, 4.5-15, and 4.5-16) 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, a site-specific Geotechnical Investigation has been prepared and include site-specific seismic design parameters and provides design/construction recommendations for geotechnical design, grading, construction, foundations, floor slabs, exterior flatwork, trash enclosures, 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 Ramona Gateway 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 4.7-6).

### **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 Investigation indicated that the Project site is located within a zone of low liquefaction susceptibility. In addition, the subsurface conditions encountered at the boring locations are not considered to be conducive to liquefaction. These conditions consist of moderate to high strength native alluvial soils and no evidence of long-term groundwater table within the depths explored by the borings. Based on these considerations, liquefaction is not considered to be a design concern for the Project.

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 Ramona Gateway 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 4.7-6).

### **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 the compressible/collapsible 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 structure. 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 removal and recompaction of the near-surface native fill soils would result in an average shrinkage of 4 to 12 percent at the Project site. However, the estimated shrinkage of the individual soil layers at the site is highly variable, locally ranging from a minimum shrinkage value of 0 percent to a maximum shrinkage of 16 percent at varying sample depths and locations. Minor ground subsidence is expected to occur in the soils below the zone of removal, due to settlement and machinery working. Subsidence is estimated to be 0.10 feet.

The results of the near-surface soils testing indicated the sulfate classification as Not Applicable. Therefore, specialized concrete mix designs are not considered to be necessary, with regard to sulfate protection purposes. However, the Geotechnical Investigation recommends that additional soluble sulfate testing be conducted at the completion of rough grading to verify the soluble sulfate concentrations of the soils which are present at pad grade within the building areas.

Based on laboratory testing and utilizing the ductile iron pipe research association (DIPRA) procedure, the onsite soils are considered to be corrosive to ductile iron pipe. Therefore, polyethylene encasement or some other appropriate method of protection is expected to be required for iron pipes. However, the results of the soils testing indicate that a specialized concrete mix design for reinforced concrete for protection against chloride exposure is not considered warranted, and the onsite soils are not considered to be corrosive to copper pipe.

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 Ramona Gateway 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 4.7-6).

### **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 Project site possess a low expansion potential. Based on the presence of potentially expansive soils, the recommendations of the Geotechnical Investigations indicate that proper moisture conditioning of the building pad subgrade soils should be conducted. Additionally, it is

recommended that expansion index testing be conducted at the completion of rough grading to verify the expansion potential of the as-graded building pads.

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 Ramona Gateway 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 4.7-6).

**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 Ramona Gateway 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, a **less than significant cumulative impact** related to paleontological resources would occur with implementation of the Project.

### **Findings:**

- 1. Changes or alterations have been required in, or incorporated into, the Ramona Gateway 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-specific Phase I Environmental Site Assessment (ESA) identified that the Project site was historically used for agricultural purposes; past development was limited to rural residential/farm-related uses located in the southeast portion of the Project site. The Phase I ESA concluded there are no Recognized Environmental Conditions (RECs), Controlled Recognized Environmental Conditions (CRECs), or Historical Recognized Environmental Conditions (HRECs) on the Project site. There were no indications of a septic system or cesspool observed at the Project site; however, because the southeastern portion of the Project site was previously developed with rural residential and farm-related uses, there is the possibility that an inactive septic system exists in the vicinity of the former structures. Although not considered a REC, should a septic system or cesspool be encountered during development activities, it would be properly abandoned prior to Project grading and construction, in compliance with CCR Title 24, Part 5, Section 1101.0 (California Plumbing Code), which establishes the standards for the capping, removal, fill, and disposal of cesspools, septic tanks, and seepage pits; and other applicable regulations, including but not limited to the Regional Board and the Riverside County Department of Environmental Health (RCDEH). Therefore, potential impacts related to encountering unidentified septic systems are considered **less than significant**.

Further, given that the Project site historically has been utilized for agricultural purposes, there is a potential that agricultural-related chemicals, such as pesticides, herbicides, and fertilizers may have been used and/or stored on site. Although not identified as a REC, a Limited Soils Investigation was conducted to assess whether a release of hazardous substances has occurred at the Project site. Based on the results of the Limited Soils Investigation, there does not appear to be evidence of gross subsurface soil impacts due to the historical agricultural usage of the Project site. With the exception of arsenic and vanadium, the investigation did not identify any contaminants at concentrations that exceeded regulatory screening levels for commercial or industrial uses, and at the concentrations detected there is no threat to human health or the environment.

The analytical results of the Limited Soils Investigation indicate that the naturally occurring metals, arsenic, were detected in soil samples at concentrations that exceed their respective Soil Environmental Screening Levels (ESLs) but are within the range of USGS Background Concentrations for Riverside County and CA DTSC Soil Background Levels. The detection of naturally occurring metals in soil samples at concentrations that are within the range of published background concentrations is not considered evidence of impacts from the historical agricultural usage of the site. No further investigation of the onsite soils is required. 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**.

Upon buildout, retail and warehouse uses would be operated on site and it is possible that hazardous materials could be used during the course of a future occupant's routine, daily operations. With the exception of the proposed gas station, which would involve the transport and use of hazardous materials (i.e., gasoline, diesel, diesel exhaust fluids, biodiesel fuels, and oil) during the course of daily operations, it is anticipated that the Project 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 buildings, including the proposed industrial use. 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 Ramona Gateway 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 4.9-17).

## **Applicable PVCCSP EIR Mitigation Measures**

**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.

**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, the following Val Verde Unified School District (VVUSD) and Riverside County Office of Education (RCOE) school uses in the City of Perris are located adjacent to and south of the Project site, and the VVUSD offices are located further to the south, south of Morgan Street: Val Verde High School (VVUSD), Val Verde Academy (VVUSD), VVUSD Offices, and Val Verde Regional Learning Center. Additionally, Nevada Avenue, which is the designated truck route for the Project, is located along the western boundary of the VVUSD property; therefore, trucks traveling to/from the Project site would pass by or near these uses. Therefore, the proposed industrial use is within one-quarter mile of existing school uses, and accordingly has the potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, and/or wastes within one-quarter mile of an existing or proposed school. As required by PVCCSP EIR mitigation measure MM Haz 1, this EIR provides the required analysis related to the potential for the proposed industrial use to resulting in Project-specific impacts associated with hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste.

The handling and transport of hazardous substances or materials to-and-from the Project site during construction and long-term operational activities, and onsite use and storage of hazardous substance or materials during operations, would be required to comply with applicable federal, State, and local regulations to preclude substantial public safety hazards. Therefore, the potential for existing or proposed schools to be exposed to substantial safety hazards associated with emission, handling of, or the routine transport of hazardous substances or materials to-and-from the Project site would be **less than significant**.

The retail component of the Project includes a proposed gas station that would emit fuel vapors; however, the gas station is approximately 1,560 feet (approximately 0.3-mile) north of the school property and no impact would occur under this threshold. Notwithstanding, emissions from the gas station would not affect students at the school, as the gasoline odors and vapors during filling and fueling activities would dissipate rapidly from the source (i.e., gas pumps and underground storage tank) with an increase in distance. As the Project would feature fueling stations, various standard conditions to minimize hazardous materials impacts related to fueling stations would be applicable to the Project. These standard conditions are monitored by the RCDEH, the State-designated local Certified Unified Program Agency (CUPA) managing hazardous materials programs within the City of Perris and throughout Riverside County. In addition to other programs and requirements that may be applicable, as determined by the RCDEH, the following programs may also apply to the fueling stations: Certificate of Disclosure of Hazardous Substances (Business Emergency Plan) which requires businesses to file a chemical inventory in order to prevent or minimize damage to public health from a release into the environment; Hazardous

Waste Generator Permit which provides for a safe management system for hazardous wastes; and Underground Storage Tank Permit which requires annual inspections of fuel facilities and ensures all underground storage tanks are compliant with applicable laws and regulations. The operation of the fueling station in compliance with all applicable federal, State, and local regulations would ensure the proper transport, use, and disposal of hazardous substances, and a **less than significant impact** with respect to this issue.

**Findings:**

- 1. Changes or alterations have been required in, or incorporated into, the Ramona Gateway 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 schools have been eliminated or substantially lessened to a level of less than significant by incorporation of PVCCSP EIR mitigation measures MM Haz 1 (Draft EIR page 4.9-15) into the Project.

**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.

*The required Project-specific analysis has been completed through the analysis presented in Section 4.7, Hazardous and Hazardous Materials, and Section 4.3, Air Quality, of the Draft EIR.*

**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 C1 (Primary Approach/Departure Zone). The Project does not involve any prohibited uses within Zone C1. Additionally, Compatibility Zone C1 allows a non-residential, average land use intensity of 100 people per acre, and a single-acre land use intensity of 250 people per any 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. For both the industrial portion of the Project and retail portion of the Project, the total site intensity falls within the allowable parameters. Buildings 3 and 4 each have the most people on site (125 each) and the area of these two buildings is approximately one acre. This means that this is the most intense acre within the Project site, with 250 people maximum on site. The maximum single-acre intensity and average people per acre are also within the allowable parameters of the ALUCP.

The Project site is located within the closed-circuit traffic pattern envelope, which means large aircraft overflights can be expected. The Project site is outside the 60 dB community noise equivalent level (CNEL) contour. There are no anticipated significant noise impacts to the Project site, especially since the Property would be used for retail and industrial purposes. The Project would not result in excessive noise from aircraft operations for people working at the Project site, resulting in a less than significant impact.

An Aeronautical Study by the Federal Aviation Administration (FAA) has been completed for the buildings associated with the Project. The study assessed the building locations, planned heights and whether there is a need for any associated lighting or markings to ensure that the buildings are conspicuous at night and during low visibility weather conditions. The FAA has made a "Determination of No Hazard to Air Navigation" for the proposed buildings.

The Project was reviewed by the Riverside County Airport Land Use Commission (ALUC) on December 15, 2022, and the ALUC concluded that the Project is consistent with the MARB/IPA ALUCP, subject to the identified conditions related to lighting, prohibited uses, noticing of prospective purchasers and occupants of the airport in the vicinity, 48-hour limit for water detention, notification to MARB of any use with an electromagnetic field, noise attenuation for office and retail uses, increases in building area beyond that evaluated, size of solar array, any uses or activities affect the safety of air navigation or that causes electric interference. These conditions include those identified in the PVCCSP EIR mitigation measures MM Haz 2 through MM Haz 6, as discussed below.

Hazards to flight are prohibited in Compatibility Zone C1. Relevant to the Project, this includes physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. Additionally, land use development that may cause the attraction of birds to increase is also prohibited. The Project incorporates PVCCSP EIR mitigation measures MM Haz 2 through MM Haz 6, which reflect the PVCCSP Standards and Guidelines addressing MARB/IPA requirements outlined in the ALUCP, including these hazards to flight. Therefore, the Project would not cause in a safety hazard related to aircraft operations resulting in a **less than significant impact**.

#### **Findings:**

- 1. Changes or alterations have been required in, or incorporated into, the Ramona Gateway 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 4.9-16 and 4.9-17) 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 aviation 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. 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 62.2 to 84.3 dBA  $L_{max}$  at the nearby receiver locations. To demonstrate compliance with local noise regulations, the Project-only construction noise levels are evaluated against exterior noise level thresholds established by Section 7.34.060 of City of Perris Municipal Code at the adjacent school property line. Noise levels generated by heavy construction equipment are expected to range from approximately 69.2 dBA to in excess of 80 dBA  $L_{max}$  when measured at 50 feet. The highest unmitigated construction noise levels are expected to occur at receiver locations R3 and R4, which represent the school uses south of the Project site, and would exceed 80 dBA  $L_{max}$ , which is the noise standard being applied to these sensitive uses for construction activity. Therefore, the unmitigated noise impact due to Project construction activities is considered potentially significant and mitigation is required. The estimated construction noise levels at other sensitive receiver locations would satisfy the 80 dBA  $L_{max}$  construction noise level standard. The Project would incorporate Project-level mitigation measure MM 12-1, which requires a minimum 8-foot-high noise barrier at the southern Project site boundary to be installed during the course of construction. A permanent 8-foot-high solid screenwall on the southern Project site boundary would also satisfy this requirement provided the noise barrier is installed prior to use of any heavy construction equipment or grading activities. However, if the planned 8-foot-high screenwall is not installed prior to grading permit approval, an 8-foot-high temporary construction noise barrier shall be provided. With the implementation of Project-level mitigation measure MM 12-1, the highest construction-related noise levels at the receiver locations would range from 68.4 to 78.1 dBA  $L_{eq}$ , which would satisfy the City's construction noise level standard (80 dBA  $L_{max}$ ). Thus, construction-related noise impacts would be mitigated to **less than significant** levels at Receivers R3 and R4 (school uses south of the Project site).

Additionally, PVCCSP EIR mitigation measures MM Noise 1 (properly operating and maintained mufflers and placement of equipment away from sensitive receptors), MM Noise 2 (placement of stationary construction equipment, stockpiling and vehicle staging areas a minimum of 446 feet away from the closest sensitive receptor), MM Noise 3 (no combustion-powered equipment operating within 446 feet of any occupied residence unless the equipment is surrounded by a noise protection barrier), and MM Noise 4 (limitations for haul trucks), would be incorporated into the Project and would further reduce construction-related noise levels.

The Project's construction activities would include nighttime concrete pouring activities. With the implementation of the 8-foot high solid noise barrier along the southern Project site boundary, as required by Project-level mitigation measure MM 12-1, the Project's concrete pouring activity noise levels would range between 58.0 and 64.8 dBA  $L_{eq}$  at the parcel boundary of adjacent uses.

Therefore, the Project's nighttime concrete pouring activity noise impacts would be **less than significant** with mitigation.

**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 Ramona Gateway 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 pages 4.12-10 and 4.12-11) and Project-level mitigation measure MM 12-1 (Draft EIR page 4.12-26) into the Project.

#### **Applicable PVCCSP EIR Mitigation Measures**

- MM Noise 1** During all project site excavation and grading onsite, 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 closest 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.

#### **Project-Level Mitigation Measures**

- MM 12-1** Prior to the start of grading activities the Project contractor shall install an 8-foot-high noise barrier (temporary or permanent) at the southern Project site boundary for the duration of construction activities. The limits of the noise barrier are shown on Figure 4.12-4, Construction Noise Mitigation Measures, of the Draft EIR. The noise control barrier shall include the following:

- The noise control barriers must present a solid face from top to bottom.
- The noise barriers shall be maintained, and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired.
- The temporary noise barrier shall be constructed using one of the following materials with no decorative cutouts or line-of-sight openings between shielded areas and the noise source:
  - An acoustical blanket (e.g., vinyl acoustic curtains, quilted blankets, or equivalent) attached to the construction site perimeter fence or equivalent temporary fence posts.
- The permanent noise barrier shall be constructed using one of the following materials with no decorative cutouts or line-of-sight openings between shielded areas and the noise source:
  - Masonry block;
  - Glass (1/4-inch-thick), or other transparent material with sufficient weight per square foot;
  - Earthen berm;
  - Any combination of these construction materials.

## 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 4.11-1, 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. Further, as identified in Section 4.13, Transportation of the Draft EIR, the Project, which incorporates applicable PVCCSP EIR mitigation measures addressing transportation (MM Trans 1 through MM Trans 5, and MM Trans 8), and project design features identifying roadway, site access, transit, and truck access and circulation improvement that would be implemented as part of the Project (PDF 13-1 through PDF 13-4, would not result in any conflicts with any City General Plan policies that address the circulation system, including transit, roadway, bicycle, and pedestrian facilities. **No impact** would result.

Further, in compliance with the PVCCSP and Perris Active Transportation Plan, the Project would include the construction of 8-foot Class I multipurpose trails along Ramona Expressway, Nevada Avenue, and Webster Avenue. These trails would allow direct pedestrian access and movement from the Project site to other areas within the PVCCSP area. Additionally, consistent with PVCCSP Standard and Guideline 4.2.2.3, the pedestrian pathways would extend onto the Project site, providing access to the proposed buildings and parking areas. The Project would provide bicycle parking on site to accommodate those workers choosing to ride bicycles to and from work. Additionally, based on coordination with the RTA, a bus turnout would be provided adjacent to the Project site on the south side of Ramona Expressway west of Webster Avenue to encourage use of transit by employees and visitors to the Project site.

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. **No impact** would occur.

**Findings:**

- 1. Changes or alterations have been required in, or incorporated into, the Ramona Gateway 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 measures MM Trans 1 through MM Trans 5 and MM Trans 8 (Draft EIR pages 4.13-15 and 4.13-16), and project design features PDF 13-1 through PDF 13-4 (Draft EIR page 4.13-17 through 4.13-20) 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 site 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 site, 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.

*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 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.

### **Project Design Features**

**PDF 13-1** Prior to the issuance of certificate of occupancy, 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 for the Project and applicable City of Perris standards.

- Construct Ramona Expressway at its ultimate half-section width (92-foot right-of-way) as an Expressway (184-foot right-of-way) between Nevada Avenue and Webster Avenue. Project improvements along Ramona Expressway shall include landscaping and an 8-foot Class I multipurpose trail in conjunction with a 12-foot acceleration/deceleration lane plus 10-foot shoulder. Improvements along Ramona Expressway shall also include the construction of raised median and would ultimately accommodate three travel lanes in the eastbound direction with auxiliary acceleration and deceleration lanes along the Project's frontage. Frontage improvements shall also include an approximately 6- to 7-foot landscaped areas on either side of an 8-foot meandering Class I multipurpose trail along with 2-feet on either side of decomposed granite as a buffer between the landscaping and trail. The improvements along Ramona Expressway shall include a third westbound through lane between Nevada Avenue and Webster Avenue; the lane configuration shall transition back to two lanes before reaching Nevada Avenue.
- Construct Nevada Avenue at its ultimate half-section width (33-foot right-of-way) as a Collector (66-foot right-of-way) between Ramona Expressway and the southern Project boundary. Project improvements along Nevada Avenue shall include accommodating a two-way left turn lane, landscaping, and an 8-foot Class I multipurpose trail adjacent to the Project. The half-section improvement along the Project's frontage includes an additional 5-foot easement to accommodate 3-feet of the proposed Class I multipurpose trail and 2-feet of decomposed granite. Lastly, frontage improvements along Nevada Avenue shall include 4-feet of landscaping between the traveled way and the Class I multipurpose trail in conjunction with 2-feet of decomposed granite on either side of the Class I multipurpose trail.
- Webster Avenue is currently constructed to its ultimate half-section width as a Secondary Arterial (94-foot right-of-way) between Ramona Expressway and

the southern Project boundary. The Project shall install landscaping and an 8-foot Class I multipurpose trail adjacent to the Project. Frontage improvements along Webster Avenue shall include 4-feet of landscaping between the travel way and the Class I multipurpose trail in conjunction with 2-feet of decomposed granite on either side of the Class I multipurpose trail.

**PDF 13-2** Prior to the issuance of certificate of occupancy, the Project proponent shall have constructed the site adjacent access improvements outlined below and depicted on Figure 3-6, Site Access Improvements, 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 for the Project and applicable City of Perris standards

- **Nevada Avenue & Ramona Expressway** – Install a traffic signal and accommodate crosswalks on all applicable approaches in conjunction with Americans with Disabilities Act (ADA) compliant ramps to connect the surrounding pedestrian facilities with those to be implemented by the Project (Class I multipurpose trail). Project to construct the intersection with the following geometrics:
  - Northbound Approach: Construct a left turn lane with a minimum of 100-feet of storage.
- **Nevada Avenue & Driveway 1** – Install a stop control (stop sign), painted stop bar, and signage identifying potential pedestrian/bicycle crossing on the westbound approach, and construct the intersection with the following geometrics:
  - Northbound Approach: One shared through-right turn lane.
  - Southbound Approach: One left turn lane with a minimum of 50-feet of storage and one through lane.
  - Westbound Approach (Project Driveway 1): One shared right-left turn lane.
- **Nevada Avenue & Driveway 2** – Install a stop control (stop sign), painted stop bar, and signage identifying potential pedestrian/bicycle crossing on the westbound approach, and construct the intersection with the following geometrics:
  - Northbound Approach: One shared through-right turn lane.
  - Southbound Approach: One left turn lane with a minimum of 50-feet of storage and one through lane.
  - Westbound Approach (Project Driveway 2): One shared right-left turn lane.
- **Nevada Avenue & Driveway 3** – Install a stop control (stop sign), painted stop bar, and signage identifying potential pedestrian/bicycle crossing on the westbound approach, and construct the intersection with the following geometrics:
  - Northbound Approach: One shared through-right turn lane.

- Southbound Approach: One left turn lane (storage to be accommodated within the painted median) and one through lane.
- Westbound Approach (Project Driveway 3): One shared right-left turn lane.
- **Nevada Avenue & Driveway 4** – Install a stop control (stop sign), painted stop bar, and signage identifying potential pedestrian/bicycle crossing on the westbound approach, and construct the intersection with the following geometrics:
  - Northbound Approach: One shared through-right turn lane.
  - Southbound Approach: One left turn lane (storage to be accommodated within the painted median) and one through lane.
  - Westbound Approach (Project Driveway 4): One shared right-left turn lane.
- **Driveway 5 & Ramona Expressway** – Install a traffic signal and construct the intersection with the following geometrics:
  - Northbound Approach (Driveway 5): One left turn lane and one right turn lane.
  - Eastbound Approach: Three through lanes and a right turn deceleration lane with a minimum of 250-feet of storage.
  - Westbound Approach: One left turn lane with a minimum of 300-feet of storage and three through lanes.

Project to also accommodate crosswalks on all applicable approaches in conjunction with Americans with Disabilities Act (ADA) compliant ramps to connect the surrounding pedestrian facilities with those to be implemented by the Project (Class I multipurpose trail).
- **Driveway 6 & Ramona Expressway** – Install a stop control (stop sign), painted stop bar, and signage identifying potential pedestrian/bicycle crossing on the northbound approach, and construct the intersection with the following geometrics:
  - Eastbound Approach: Three through lanes and a shared through-right turn lane.
  - Westbound Approach: Three through lanes.
- **Webster Avenue & Ramona Expressway** – Maintain the existing traffic control and modify the intersection with the following geometrics:
  - Northbound Approach: Increase the storage to accommodate 250-feet for the northbound left turn lane.
  - Eastbound Approach: Construct a 2<sup>nd</sup> left turn lane and accommodate a minimum of 215-feet of storage and a trap right turn lane.
  - Westbound Approach: Modify the left turn storage to accommodate 400-feet.
  - Maintain the existing crosswalks (no crosswalk across the west leg).

- **Webster Avenue & Driveway 7** – Install a stop control (stop sign), painted stop bar, and signage identifying potential pedestrian/bicycle crossing on the eastbound approach, and construct the intersection with the following geometrics:
  - Northbound Approach: One left turn lane (storage to be accommodated within the painted median) and two through lanes.
  - Southbound Approach: One through lane and a shared through-right turn lane.
  - Eastbound Approach (Driveway 7): One shared left-right turn lane.
- **Webster Avenue & Driveway 8** – Install a stop control (stop sign), painted stop bar, and signage identifying potential pedestrian/bicycle crossing on the eastbound approach, and construct the intersection with the following geometrics:
  - Northbound Approach: One left turn lane (storage to be accommodated within the painted median) and two through lanes.
  - Southbound Approach: One through lane and a shared through-right turn lane.
  - Eastbound Approach (Driveway 8): One shared left-right turn lane.

On-site traffic signing and striping should be implemented 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 13-3** The Project Applicant shall provide an ADA compliant bus turnout on the south side of Ramona Expressway just west of the intersection Webster Avenue. The bus turnout shall adhere to the Riverside Transit Agency Bus Stop Design Guidelines.

**PDF 13-4** Prior to the issuance of certificate of occupancy for the industrial use, the Project Applicant shall construct the truck access roadway improvements at the following driveways to provide the necessary curb radii to accommodate a truck with a 67-foot wheelbase (WB-67).

- Nevada Avenue and Driveway 2 shall be 50-feet wide and shall have a 35-foot curb radius on the northeast and southeast corners.
- Nevada Avenue and Driveway 3 shall be 50-feet wide and shall have a 35-foot curb radius.

**Substantially Increase Hazards Due to a Geometric Design Feature.** As discussed in Section 4.13, 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 and the use/delivery of heavy equipment. The Project would implement site-adjacent roadway improvements and Project driveways along Ramona Expressway, Webster Avenue, and Nevada Avenue (refer to project design features PDF 13-1 and PDF 13-2). 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. The Project Applicant would implement PVCCSP EIR mitigation measure MM Air-2, which requires that a traffic control plan be provided to the City. With the implementation of PVCCSP EIR mitigation measure MM Air-2, 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**.

As required by PVCCSP EIR mitigation measure MM Trans 2, sight distance would 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. Adequate visibility for vehicular, pedestrian, and bicycle traffic can be provided at each Project driveway by limiting sight obstructions within the limited use area. To further reduce potential hazards to pedestrian and bicyclists, the Project limits truck access to only two driveways along Nevada Avenue, and on-site truck activity areas are separated from the passenger vehicle areas to ensure that there would be no conflict between trucks and pedestrians within the site. Further, as identified in project design features PDF 13-1 and PDF 13-2, the Project includes the construction of 8-foot Class I multipurpose trails along Nevada Avenue, Ramona Expressway and Webster Avenue adjacent to the Project site, which would be separated from the roadway travel lanes by a landscaped parkway. Each Project driveway (retail and industrial uses) would include a stop sign, painted stop bar, and signage to alert driveways of potential pedestrian and vehicle crossings. This impact would be **less than significant**.

Consistent with Caltrans requirements, the 95<sup>th</sup> 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/Ramona Expressway interchange. Under existing conditions, there are no off-ramp movements that are experiencing queuing issues during the weekday AM or weekday PM peak 95<sup>th</sup> percentile traffic flows. Additionally, there are no movements that are anticipated to experience queuing issues during the weekday AM or weekday PM peak 95<sup>th</sup> percentile traffic flows under the traffic analysis scenarios evaluated in the TIA. Therefore, the Project would not result in queuing deficiencies that would substantially increase hazards and this impact would be **less than significant**.

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 Ramona Gateway 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 Air 2 (Draft EIR page 4.3-25), MM Trans 1 and MM Trans 2 (Draft EIR page 4.13-15), and project design features PDF 13-1, PDF 13-2, and PDF 13-4 (Draft EIR pages 4.13-17 through 4.13-20) into the Project.

**Applicable PVCCSP EIR Mitigation Measures**

Refer to PVCCSP EIR mitigation measures MM Air 2 in Section 5.2.2, Air Quality. Also, refer to MM Trans 1 and MM Trans 2, and project design features PDF 13-1, PDF 13-2, and PDF 13-4 identified above.

**Inadequate Emergency Access.** As discussed in Section 4.13, 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 (refer to PVCCSP EIR mitigation measure MM Air 2 in Section 5.2.2, Air Quality, which requires that a traffic control plan be provided to the City). 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.

**Findings:**

- 1. Changes or alterations have been required in, or incorporated into, the Ramona Gateway 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 inadequate emergency access have been eliminated or substantially lessened to a level of less than significant by incorporation of PVCCSP EIR mitigation measures MM Air 2 (Draft EIR page 4.3-25) into the Project.

**Applicable PVCCSP EIR Mitigation Measures**

Refer to MM Air 2 in Section 5.2.2, Air Quality, above.

**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 Ramona Gateway 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 4.3-25), MM Trans 1 through MM Trans 5, and MM Trans 8 (Draft EIR pages 4.13-15 and 4.13-16), and project design features PDF 13-1 through PDF 13-4 (Draft EIR pages 4.13-17 through 4.13-20) into the Project.

**Applicable PVCCSP EIR Mitigation Measures**

Refer to MM Air 2 in Section 5.2.2, Air Quality; and PVCCSP EIR mitigation measures MM Trans 1 through MM Trans 5 and MM Trans 8, above.

**Project Design Features**

Refer to project design features PDF 13-1 through PDF 13-4, 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 is anticipated to be 25 feet below the ground surface. 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 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 Ramona Gateway 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 4.5-14 and 4.5-15), and MM 5-2 (Draft EIR page 4.5-16).

**Project-Level Mitigation Measures**

Refer to Project-level mitigation measures MM 5-1 and MM 5-2 in Section 5.2.4, Cultural Resources.

**Cumulative Impacts.** As a result of the Native American consultation effort, no tribal cultural resources were identified onsite. 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** to tribal cultural resources.

**Findings:**

- 1. Changes or alterations have been required in, or incorporated into, the Ramona Gateway 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 4.5-14 and 4.5-15), and MM 5-2 (Draft EIR page 4.5-16).

**Project-Level Mitigation Measures**

Refer to Project-level mitigation measures MM 5-1 and MM 5-2 in Section 5.2.4, 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).

- **Air Quality.** Cumulatively considerable net increase of a criteria pollutant for which the Project region is non-attainment during operation (VOC and NO<sub>x</sub>, which are ozone [O<sub>3</sub>] precursors) and associated cumulative impacts.
- **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 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<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>, while the NAAQS designates the Project site as nonattainment for O<sub>3</sub> and PM<sub>2.5</sub>. 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 six primary sources of long-term operational emissions associated with the Project: area sources, energy sources, mobile sources (i.e., vehicles), TRU source; onsite cargo handling equipment, and gasoline dispensing. The primary source of operational emissions generated by the Project would be from mobile sources, including employee trips to and from the site, trucks trips associated with the proposed uses, and retail customers. The Project is expected to generate 8,372 total trips per day, which includes 7,994 passenger car trips per day and 378 truck trips per day. The Project would exceed regional thresholds of significance established by the SCAQMD for VOCs and NO<sub>x</sub>. Over 85% of operational-source VOC emissions would be generated from the use of consumer products and mobile activities, and mobile source emissions alone would exceed the regional significance threshold for VOCs. Similarly, over 90% of operational-source NO<sub>x</sub> emissions would be generated from the mobile activities. Project operation would be required to comply with previously identified mitigation measures from the PVCCSP EIR, which are intended to reduce criteria pollutant emissions during operation. Specifically, the Project would comply with PVCCSP EIR mitigation measure MM Air 11 (which limits idling time of trucks), mitigation measure MM Air 12 (which requires electrical hookups for TRUs), mitigation measure MM Air 13 (which promotes the use of “clean” truck fleets), and mitigation measure MM Air 14 (which requires parking to accommodate ride-sharing vehicles), MM Air 19 (installation of energy efficient lighting), and MM Air 20, which sets performance standards on energy and water usage. Based on coordination with RTA (required by mitigation measure MM Air 18), the Project would also include the provision of bus stop along Ramona Expressway.

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 air pollutant emissions and associated impacts. To further reduce VOC and NO<sub>x</sub> emissions in exceedance of the SCAQMD thresholds, Project-level mitigation measures have been identified and are included below (refer to mitigation measures MM 3-1 through MM 3-13). As with the PVCCSP EIR mitigation measures, even though the Project-level mitigation measures would serve to reduce operational emissions, there is no way to definitively quantify these reductions in CalEEMod. As such, as a conservative measure, no reductions are shown, leading

to an overstatement of air pollutant emissions and associated impacts. No additional feasible mitigation measures, beyond the measures identified herein, exist that would further reduce these emissions to levels that are less than significant. Neither the Project Applicant nor the Lead Agency (City of Perris) can substantively or materially affect reductions in Project mobile-source emissions beyond the regulatory requirements and mitigation measures identified herein. Thus, these emissions are considered **significant and unavoidable**, consistent with the conclusions of the PVCCSP EIR.

VOC and NO<sub>x</sub> are O<sub>3</sub> precursors, and as discussed previously, the SoCAB is designated nonattainment for O<sub>3</sub>. Therefore, the Project would result in a **significant and unavoidable cumulatively considerable net increase of a criteria pollutant for which the project region is nonattainment** under an applicable federal or State ambient air quality standard.

### **Findings:**

- 1. Changes or alterations have been required in, or incorporated into, the Ramona Gateway 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 operational air quality emissions from implementation of the Ramona Gateway 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:** Maximum daily emissions from Project operations would exceed the SCAQMD CEQA mass daily significance thresholds for VOC and NO<sub>x</sub>. This exceedance is primarily due to operational emissions generated by the Project from mobile sources, including employee trips to and from the site, trucks trips associated with the proposed uses, and retail customers. Because VOC and NO<sub>x</sub> are O<sub>3</sub> precursors, this could result in increased violations to the State and federal O<sub>3</sub> standards. Even with incorporation of PVCCSP EIR mitigation measures MM Air 11 through MM Air 14, and MM Air 18 through MM Air 20 (Draft EIR pages 4.3-27 through 4.3-29), and Project-level mitigation measures MM 3-1 through MM 3-13 (Draft EIR pages 4.3-37 through 4.3-40), VOC and NO<sub>x</sub> emissions cannot be effectively reduced to a level below SCAQMD thresholds. The operational emissions are primarily associated with vehicle emissions. The City of Perris and the Project Applicant do not have regulatory authority to control tailpipe emissions and no additional feasible mitigation measures beyond the measures identified herein exist that would reduce VOC and NO<sub>x</sub> emissions to levels below the regional thresholds established by the SCAQMD. Therefore, even with implementation of the identified mitigation measures, this impact would be **significant and unavoidable**, consistent with the conclusions of the PVCCSP EIR.

The City of Perris understands that the SCAQMD CEQA mass daily thresholds of significance are specific values that apply to all general development projects regardless of size. For example, these thresholds are used for projects as small as a single-family home all the way to the overall development allowed under a specific plan such as the PVCCSP. This can give the impression that large projects are “bad” because they generate emissions that exceed one or more mass daily thresholds while smaller projects are “good” because their emissions do not exceed any of the mass daily thresholds. The Project would comply with the development standards for

commercial and light industrial uses established in the PVCCSP, and would not generate greater emissions on a square-foot basis than other projects in Perris that are smaller in overall size. Additionally, as discussed in Section 5.0, Alternatives, of the Draft EIR, development of the Project site pursuant to the existing PVCCSP land use designations (Business Professional Office [BPO] and Commercial [C]) could allow for the development of up to 256,115 sf of commercial land uses and up to 605,804 sf of light industrial, business park, office, and medical care clinic land uses at the Project site. These uses would generate 22,257 daily trips compared to the 8,372 daily trips estimated to be generated by the Project. Under the existing PVCCSP land use designations, the estimated mobile source emissions would be substantially higher than the emissions resulting from the Project. Notably, VOC emissions would be up to 268 percent less with the Project and NO<sub>x</sub> emissions would be approximately 150 percent less.

### **Applicable PVCCSP EIR Mitigation Measures**

**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 12** Where transport refrigeration units (TRUs) are in use, electrical hookups will be installed at all loading and unloading stalls in order to allow TRUs with electric standby capabilities to use them.

**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 NO<sub>x</sub>] 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 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.

### **Project-Level Mitigation Measures**

**MM 3-1** Prior to issuance of certificate of occupancy for the proposed buildings, the Project Applicant shall provide evidence to the City of Perris Building & Safety Division that legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas of the warehouse portion of the Project that identify applicable California Air Resources Board (CARB) anti-idling regulations. At a minimum, each sign shall include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for drivers of diesel trucks to restrict idling to no more than five (5) minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged; and 3) telephone numbers of the building facilities manager and the CARB to report violations. Prior to the issuance of certificate

of occupancy, the City shall conduct a site inspection to ensure that the signs are in place.

- MM 3-2** Prior to issuance of certificate of occupancy, the Project Applicant and its contractors shall provide plans and specifications to the City of Perris Building & Safety Division that demonstrate that each project building is designed for passive heating and cooling and is designed to include natural light. Features designed to achieve this shall include the proper placement of windows, overhangs, and skylights.
- MM 3-3** Prior to the issuance of each building permit, the Project Applicant proponent and its contractors shall provide plans and specifications to the City of Perris Building & Safety Division 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 3-4** Once constructed, the Project Applicant shall ensure that all building tenants shall utilize electric equipment for landscape maintenance to the extent feasible, through requirements in the lease agreements.
- MM 3-5** 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 3-6** 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 3-7** 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 onsite 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 3-8** Prior to the issuance of a building permit, the Project Applicant shall provide evidence to the City of Perris Building & Safety Division that loading docks are designed to be compatible with SmartWay trucks.

**MM 3-9** 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 3-10** Prior to issuance of a building permit, the Project Applicant shall provide the City of Perris Building & Safety Division with an onsite signage program that clearly identifies the required onsite circulation system. This shall be accomplished through posted signs and painting on driveways and internal roadways.

**MM 3-11** Prior to issuance of certificate of occupancy, the City of Perris Building & Safety Division shall confirm that signs clearly identifying approved truck routes have been installed along the truck routes to and from the Project area.

**MM 3-12** Prior to issuance of certificate of occupancy, the Project Applicant shall install a sign on the property with telephone, email, and regular mail contact information for a designated representative of the tenant who would receive complaints about excessive noise, dust, fumes, or odors. The sign shall also identify contact data for the City for perceived Municipal Code violations. The tenant’s representative shall keep records of any complaints received and actions taken to communicate with the complainant and resolve the complaint. The tenant’s representative shall endeavor to resolve complaints within 24 hours.

**MM 3-13** Prior to issuance of a building permit, the Project Applicant shall provide the City of Perris Building & Safety 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.

**Cumulative Impacts.** Even with implementation of the PVCCSP EIR operational mitigation measures and Project-level mitigation measures MM 3-1 through MM 3-13, operational VOC and NO<sub>x</sub> emissions would exceed the regional significance thresholds. The operational emissions are primarily associated with vehicle emissions. The City of Perris and the Project Applicant do not have regulatory authority to control tailpipe emissions and no additional feasible mitigation measures beyond the measures identified herein exist that would reduce VOC and NO<sub>x</sub> emissions to levels below the regional thresholds established by the SCAQMD. Therefore, operation of the Project would result in a **significant and unavoidable cumulatively considerable net increase of a criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard.**

## **Findings:**

- 1. Changes or alterations have been required in, or incorporated into, the Ramona Gateway 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 operational air quality emissions from implementation of the Ramona Gateway 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, there are no additional feasible mitigation measures that would reduce the Project's cumulative impacts related to VOC and NO<sub>x</sub> emissions to a less than significant level. Therefore, the Project would still result in significant and unavoidable cumulative impacts related to VOC and NO<sub>x</sub> emissions.

### **5.3.2 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, the total annual estimated construction GHG emissions for the Project, including amortized construction-related GHG emissions, is 77.17 MTCO<sub>2e</sub>/yr when construction of the Project is amortized over a 30-year project lifetime and are included in the evaluation of operational emissions, there is no significance finding for construction emissions.

Project GHG emissions during long-term operation would result from area source emissions (landscape maintenance equipment); energy source emissions (combustion emissions associated with natural gas and electricity); mobile source emissions (off-site traffic); transportation refrigeration units (TRUs); onsite cargo handling equipment emissions; water supply, treatment, and distribution; solid waste; and refrigerants. Project operation would be required to comply with the mitigation measures from the PVCCSP EIR identified in Section 5.1.3 and Section 5.3.1, above. In summary, the following PVCCSP EIR mitigation measures would be incorporated into the Project to aid in the reduction of GHG emissions: MM Air 4 (limits idling time for construction equipment, MM Air 5 (use of electricity from power poles during construction), MM Air 6 (use of alternative fueled off-road construction equipment), MM Air 7 (construction equipment maintenance), 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), MM Air 18 (coordination with RTA and implementation of any requested bus turnouts), MM Air 19 (which requires energy-efficient lighting), and MM Air 20 (energy and water conservation). 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, and considering GHG emissions reduction from EV charging stations, are estimated to be 20,056.37 MTCO<sub>2e</sub> per year. Therefore, Project emissions of GHGs would

exceed the 3,000 MTCO<sub>2</sub>e/year threshold of significance used for this analysis and would represent a cumulatively-considerable impact for which mitigation would be required.

In addition to the mitigation measures from the PVCCSP EIR identified above, Project-level mitigation measures identified in Section 4.3, Air Quality, of this EIR would also serve to reduce GHG emissions (refer to Project-level mitigation measures MM 3-1 through MM 3-13). However, quantifiable reductions due to implementation of these measures cannot be specified as there is no way to quantify these reductions in CalEEMod. As such, Project GHG emissions, which exceed the 3,000 MTCO<sub>2</sub>e/year threshold of significance used for this analysis, would be **cumulative considerable and significant and unavoidable**.

### **Findings:**

- 1. Changes or alterations have been required in, or incorporated into, the Ramona Gateway 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 Ramona Gateway Project have been reduced to the extent feasible. However, the impacts would constitute a significant and unavoidable impact.**

**Facts in Support of Findings:** The operational GHG emissions resulting from the Project are primarily associated with vehicle emissions; 87 percent of the emissions are from mobile sources. The City of Perris and the Project Applicant do not have regulatory authority to control vehicle emissions and no additional feasible mitigation measures beyond the measures identified herein exist that would reduce GHG emissions to levels below the SCAQMD screening threshold used for this analysis. Therefore, even with implementation of the identified mitigation measures, this impact would be significant and unavoidable. The Project would comply with the development standards for commercial and light industrial uses established in the PVCCSP, and would not generate greater emissions on a square-foot basis than other projects in Perris that are smaller in overall size. Additionally, as discussed in Section 5.0, Alternatives, of the Draft EIR, development of the Project site with uses pursuant to the existing PVCCSP land use designations (Business Professional Office [BPO] and Commercial [C]) would generate 22,257 daily trips compare to the 8,372 daily trips estimated to be generated by the Project. Under the existing PVCCSP land use designations, the estimated mobile source emissions would 36,712 MTCO<sub>2</sub>e per year, more than double the mobile source GHG emissions estimated with the Project (17,391 MTCO<sub>2</sub>e per year).

### **Applicable PVCCSP EIR Mitigation Measures**

Refer to previously referenced mitigation measures MM Air 4, MM Air 5, MM Air 6, MM Air 7, MM Air 11, MM Air 12, MM Air 13, MM Air 14, MM Air 18, MM Air 19, and MM Air 20.

### **Project-Level Mitigation Measures**

No additional mitigation measures beyond Project-level mitigation measures MM 3-1 through 3-13 in Section 5.3.1 above would further reduce the significant cumulative GHG emissions impact.

### 5.3.3 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. Included in the list are the Project's intended uses of restaurant, coffee/donut shop, and gas station with convenience store. The Project would involve the development of up to 32,715 sf of retail uses in 8 buildings with building area ranging from 2,400 sf to 7,200 sf. Therefore, the local-serving land use screening criteria is met for the Project's retail component only, and these uses would have a less than significant VMT impact. However, the industrial component is not eligible for screening 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) 3767 and the VMT per employee for TAZ 3767 is 12.02. The City of Perris citywide average is 11.62 VMT per employee. Therefore, the industrial component VMT impact is potentially significant. The scoping form results in a mitigation requirement of 3.33% reduction to adequately mitigate the VMT impacts of the Project's TAZ to below the City's impact threshold.

Mitigation may be provided in the form transportation demand management (TDM) measures or participation in a VMT fee program, which is not yet available. Therefore, VMT reduction measures focused on reducing commute VMT and the anticipated reduction in VMT associated with these measures have been estimated based on the research contained in the California Air Pollution Control Officers Association (CAPCOA) *Quantifying Greenhouse Gas Mitigation Measures* (2010), which thoroughly evaluates the effectiveness of TDM strategies available to individual land use projects. The City TIA Guidelines also provide a list of the transportation measures as identified by CAPCOA.

The Project would reduce its VMT impact through the implementation of a pedestrian network (CAPCOA Measure SDT-1), and a voluntary commute trip reduction program (CAPCOA Measure TRT-1). The Project includes the construction of connected Class I multipurpose trails along Ramona Expressway, Webster Avenue and Nevada Avenue. The Class I multipurpose trail improvements would provide a pedestrian access network to link areas of the Project site that would encourage people to walk instead of drive. This mode shift results in people driving less and thus a reduction in VMT. The retail and industrial components of the Project would also include a pedestrian access network that internally links uses and connects to existing pedestrian facilities contiguous with the Project site, including along Nevada Avenue and Webster Avenue south of the Project site. The Project would minimize barriers to pedestrian access and interconnectivity. As noted by CAPCOA, this measure could potentially provide a maximum reduction in VMT of 2%.

Project-level mitigation measure MM 3-7 in Section 5.3.1 above, requires the implementation of a voluntary commute trip reduction (CTR) program that would involve various measures to discourage single-occupancy vehicle trips and encourage alternative modes of transportation

such as carpooling, transit usage, walking and biking. The CTR program would also provide employees assistance in using alternative modes of travel and provide incentives to encourage employee usage. Additionally, Project-level mitigation measure MM 3-7, states that the Project would comply with SCAQMD Rule 2202, On-Road Vehicle Mitigation Options. Rule 2202 applies to employers with 250 or more employees, and the purpose of the Rule is to provide employees with a menu of options to reduce employee commute vehicle emissions.

The effectiveness of the CTR program measures listed above in reducing the Project VMT are dependent on yet unknown building tenant(s) and their future operations; therefore, VMT reductions from various CTR measures cannot be guaranteed. Therefore, while the identified mitigation measures would reduce VMT by more than the required 3.3%, the actual amount of VMT reduction from these measures cannot be guaranteed, and the Project would have a **significant and unavoidable** VMT impact.

### **Findings:**

- 1. Changes or alterations have been required in, or incorporated into, the Ramona Gateway 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 Ramona Gateway 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's pedestrian network and the CTR program outlined in Project-level mitigation measure MM 3-7 would reduce the Project's VMT impact to a less than significant level based on the established method for quantifying GHG emissions. However, this impact is conservatively being considered significant and unavoidable because the actual amount of VMT reduction from these measures cannot be guaranteed, primarily because the future building tenants are currently unknown. 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 would generally be implemented as the surrounding communities develop. There is no means, however, to quantify any VMT reductions that could result. There are no additional feasible Project-level mitigation measures that would reduce the Project's VMT impact to a less than significant level. Therefore, the Project would still result in a significant and unavoidable VMT impact.

### **Project-Level Mitigation Measures**

Refer to previously referenced mitigation measures MM 3-7. No additional mitigation measures beyond Project-level mitigation measure MM 3-7 Section 5.3.1 of this document are available to further reduce the significant cumulative VMT impact.

**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 would 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 Ramona Gateway 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 Ramona Gateway 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's pedestrian network and the CTR program outlined in Project-level mitigation measure MM 3-7 would reduce the Project's VMT impact to a less than significant level based on the established method for quantifying GHG emissions. However, this impact is conservatively being considered significant and unavoidable because the actual amount of VMT reduction from these measures cannot be guaranteed, primarily because the future building tenants are currently unknown. 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 would generally be implemented as the surrounding communities develop. There is no means, however, to quantify any VMT reductions that could result. There are no additional feasible Project-level mitigation measures that would reduce the Project's VMT impact to a less than significant level. Therefore, the Project would still result in a significant and unavoidable 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 2.3 of this document. The Increased School Buffer/Reduced Daily Trips Alternative is environmentally superior to the Project and the other build alternatives. The Increased School Buffer/Reduced Daily Trips Alternative would have reduced impacts for more impact categories compared to the No Project/Development Pursuant to Existing PVCCSP Land Use Designations and Reduced Retail and Industrial Intensity/No Cold Storage. The reduction in impacts for the Increased School Buffer/Reduced Daily Trips Alternative is due to that fact that this alternative would reduce the physical impact area, expand the Project's currently proposed buffer between the proposed industrial use loading docks and the school uses to the south (approximately 365 feet for the west truck court dock doors and approximately 343 feet for the east truck court dock doors), and reduce vehicular trips due to the elimination of retail

uses. Therefore, there would be a corresponding reduction in operational impacts, including criteria pollutant and GHG emissions. However, operational air quality, GHG, and VMT impacts would remain significant and unavoidable. The reduction in the size of the physical impact area building area reduces construction related impacts, including impacts to farmland and biological resources; however, the Project's impacts related to construction are less than significant with implementation of the PVCCSP EIR mitigation measures and Project-level mitigation measures. For the other impact categories, the level of impact would be similar or slightly reduced as compared to the Project. The Increased School Buffer/Reduced Daily Trips Alternative would attain most of the Project objectives, but not to the same extent as the Project as there would be no retail uses which would result in fewer amenities and services for residents, less employment generation, and less economic development/benefit.

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 retail and industrial warehouse buildings and associated parking, infrastructure, and landscaping would not occur. Additionally, the planned 60-inch RCP storm drain would not be implemented. The Project site would remain in its current condition and 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 5-10 through 5-14; and Table 5-8, Comparison of Alternatives to the Project). The No Project/No Development Alternative would avoid the significant and unavoidable cumulative air quality and GHG emissions impacts, and Project and cumulative VMT impacts resulting from implementation of the 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, biological resources, cultural resources, energy, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, tribal cultural resources, and utilities and service systems. This alternative would not address current flooding conditions and would have greater land use and planning impacts compared to the Project due to inconsistency with adopted 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 site and proposed retail and industrial development, including activating the PVCCSP-designated gateway entry at Ramona Expressway and Nevada Avenue. (Draft EIR, page 5-14).

#### 5.4.2 ALTERNATIVE 2: NO PROJECT/DEVELOPMENT PURSUANT TO EXISTING PVCCSP LAND USE DESIGNATIONS

The existing General Plan land use designation and zoning for the Project site is Specific Plan (i.e., the PVCCSP). The southern portion of the Project site is designated for Business Professional Office uses and the northern portion of the Project site is designated for Commercial uses in the PVCCSP. For purposes of this EIR alternatives analysis, a potential development scenario for the existing PVCCSP land use designations, which implements the applicable development standards is presented below. This alternative would also involve completion of site-adjacent roadway improvements and installation of required infrastructure to serve the identified uses, including the public storm drain channel and bypass channel.

- **Commercial Land Use Designation (30.9 gross acres/1,346,004 sf)** – this alternative would involve a total of 256,115 sf of commercial/retail uses identified below, with a total floor-to-area ratio (FAR) of approximately 0.2 (maximum 0.75 allowed), and lot coverage of approximately 19.6% (50% allowed).
  - Major retail buildings – 168,000 sf
  - Grocery – 40,000 sf
  - Shops – 11,700 sf
  - Gas Station/Convenience Center/Car Wash – 16 vehicle fueling positions/8,115 sf
  - Fast Food – 28,300 sf
- **Business Professional Office (19.1 acres/833,995 sf)** – this alternative would involve 605,804 sf of building area, with a total FAR of 0.72 (0.75 allowed), and lot coverage of approximately 45.2% (50% allowed).
  - Light Industrial – 74,140 sf
  - Business Park – 74,140 sf
  - Professional Office – 228,762 sf
  - Medical Care Clinic – 53,724 sf
  - Professional Services – 175,038 sf

Relevant to this alternatives analysis is the average daily trip generation. Based on the ITE Trip Generation Manual, 11th Edition (2021) trip generation rates, the trip generation for the No Project/Development Pursuant to the Existing PVCCSP Land Use Designations Alternative has been estimated. This alternative would result in an increase in trip generation compared to the proposed Project (22,258 daily trips compared to 8,372 daily trips with the Project, a net increase of 13,886 daily trips).

#### **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/Development Pursuant to Existing PVCCSP Land Use Designations Alternative is addressed in the Draft EIR (pages 5-14 through 5-27, Table 5-8,

Comparison of Alternatives to the Project). The No Project/Development Pursuant to Existing PVCCSP Land Use Designations Alternative would result in an increase in vehicular trips compared to the Project and therefore would result in greater operational air quality and GHG emissions compared to the Project. Additionally, the Commercial and Business Professional Office uses under this alternative would also result in similar significant VMT impacts as the Project. Therefore, the significant and unavoidable Project impacts associated with cumulatively considerable regional operational criteria pollutant emissions, cumulative GHG emissions, and VMT would not be avoided with the No Project/Development Pursuant to Existing PVCCSP Land Use Designations Alternative. Further, the No Project/Development Pursuant to Existing PVCCSP Land Use Designations Alternative would conflict with the MARB/IPA ALUCP related to population intensity onsite within the C1 Zone, resulting in a potentially significant impact that would not occur with the Project. For all other topical areas, similar or reduced impact levels would occur with the No Project/Development Pursuant to Existing PVCCSP Land Use Designations Alternative compared to the Project. (Draft EIR, pages 5-14 through 5-27, and Table 5-8, Comparison of Alternatives to the Project)

The No Project/Development Pursuant to the Existing PVCCSP Land Use Designations Alternative would attain the Project objectives related to consistency with the City's General Plan; implementation of the PVCCSP; expansion of economic development and facilitation of job creation; achievement of a jobs/housing balance; accommodation of new development in a phased, orderly manner; implementation of drainage improvements; and generation of tax revenue for the City. However, it would not attain to the same extent project objectives related to activation of the PVCCSP-designated gateway entry at Ramona Expressway and Nevada Avenue, and implementation of the type and amount of retail uses at the Project site that are viable based on market demand. Additionally, this Alternative, which would not include development of an industrial warehouse use, would not achieve the Project objectives to maximize of development of a Class A speculative high cube warehouse building, and to maximize industrial warehouse development in close proximity to designated truck routes. (Draft EIR pages 5-25 through 5-27)

### **5.4.3 ALTERNATIVE 3: INCREASED SCHOOL BUFFER/REDUCED DAILY TRIPS**

Notwithstanding the lack of significant environmental impacts to the school uses to the south of the Project site, the purpose of the Increased School Buffer/Reduced Daily Trips Alternative is to address comments received during the scoping process about the proximity of the proposed industrial use to the school uses, and to reduce overall trip generation. This alternative also addresses the significant and unavoidable impacts of the Project related to operational air quality and GHG emissions. Under this alternative, the proposed retail uses along Ramona Expressway would be eliminated and the proposed industrial building would shift to the north, providing a larger "buffer" area between the school property and the proposed industrial use. This alternative would expand the Project's proposed buffer between the nearest dock doors and the school's property line (approximately 365 feet for the west truck court dock doors and approximately 343 feet for the east truck court dock doors). The buffer would be approximately 250 feet (similar to the width of the current retail parcel) and would remain undeveloped and would increase the current buffer area provided by the proposed southern automobile parking lot included as part of the Project. The proposed industrial building area would be the same as the Project and truck access would be limited to Nevada Avenue, as with the Project. It is also assumed that required utility infrastructure and roadway improvements similar to that described for the Project would occur with this alternative. The public storm drain and emergency bypass channel would also occur at the northern end of the site between Ramona Expressway and the industrial use. To screen the Project and the emergency bypass channel from views along Ramona Expressway, a screenwall

and berm would likely need to be constructed along Ramona Expressway, which is a designated Major Roadway Visual Corridors in the PVCCSP.

Relevant to this alternatives analysis is the trip generation. Based on the trip generation for the proposed industrial use presented in Table 4.13-1, Trip Generation Summary, in Section 4.13, Transportation of the Draft EIR), the Increased School Buffer/Reduced Daily Trips Alternative, which eliminates the proposed retail use, would result in approximately 2,024 ADT compared to 8,372 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:** Due to the elimination of the retail buildings under the Increased School Buffer/Reduced Daily Trips Alternative, there would be an overall reduction in development area and construction activities, and reduction in trip generation. While the Project's significant and unavoidable air quality and GHG emissions impacts would be reduced under the Increased School Buffer/Reduced Daily Trips Alternative, these impacts would not be avoided. This alternative and the Project would also have similar significant and unavoidable VMT impacts. For all other topical areas, similar or reduced impact levels would occur with the Increased School Buffer/Reduced Daily Trips Alternative compared to the Project. (Draft EIR, pages 5-27 through 5-36, and Table 5-8, Comparison of Alternatives to the Project)

The Increased School Buffer/Reduced Daily Trips Alternative would attain the Project objectives related to consistency with the City's General Plan; accommodation of new development in a phased, orderly manner; and, implementation of drainage improvements. However, it would not attain to the same extent project objectives related to implementation of the PVCCSP, expansion of economic development and facilitation of job creation, achievement of a jobs/housing balance, maximization of development of a Class A speculative high cube warehouse building, maximization of industrial warehouse development in close proximity to designated truck routes, and generation of tax revenue for the City. Additionally, this Alternative would not achieve the Project objectives relate to activating the PVCCSP-designated gateway entry at Ramona Expressway and Nevada Avenue, and implementing the type and amount of retail uses at the Project site that are viable based on market demand. (Draft EIR pages 5-35 and 5-36)

#### **5.4.4 ALTERNATIVE 4: REDUCED RETAIL AND INDUSTRIAL INTENSITY/NO COLD STORAGE**

The purpose of the Reduced Retail and Industrial Intensity/No Cold Storage Alternative is to address significant and unavoidable impacts of the Project related to operational air quality and GHG emissions through a reduction in overall building area. Each of these impacts is primarily associated with vehicular trips. Under this alternative, the industrial building would be reduced from 950,224 sf to approximately 760,180 sf, a reduction of approximately 190,045 sf. The warehouse building would include 680,180 sf of ground floor building area and up to 80,000 sf of mezzanine area. The retail development would be reduced from 37,215 sf to 29,770 sf, a reduction of approximately 7,445 sf, and would include elimination of one drive-thru retail pad. This represents a total reduction in development of 197,490 sf compared to the Project (approximately 20%). This alternative would not include any building area for cold storage (eliminating 5% cold storage assumed with the Project).

Relevant to this alternatives analysis is the trip generation. Based on the ITE Trip Generation Manual, 11th Edition (2021) trip generation rates, the Reduced Retail and Industrial Intensity/No Cold Storage Alternative would result in a reduction in trip generation compared to the Project (6,276 daily trips compared to 8,372 daily trips with the Project). There would be 2,096 less daily trips (2,008 less passenger car trips and 88 less truck trips).

**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 Retail and Industrial Intensity/No Cold Storage Alternative would involve a reduction in building area, reduction in vehicular trips (including trucks), and elimination of building area for cold storage. Therefore, significant, and unavoidable impacts associated with cumulatively considerable regional operational air quality impacts and cumulative GHG emissions would be reduced, but not eliminated with this alternative. While there would be an overall reduction in VMT with this alternative compared to the Project, there would still be a significant and unavoidable VMT impact because the VMT per employee for the area exceeds the citywide average, and the effectiveness of mitigation cannot be guaranteed. For all other topical areas, similar or reduced impact levels would occur with the Reduced Retail and Industrial Intensity/No Cold Storage Alternative compared to the Project. (Draft EIR, pages 5-37 through 5-47, and Table 5-8, Comparison of Alternatives to the Project)

The Reduced Retail and Industrial Intensity/No Cold Storage Alternative would attain the Project objective related to consistency with the City's General Plan; implementation of the PVCCSP; activation of the PVCCSP-designated gateway entry at Ramona Expressway and Nevada Avenue; implementation of the type and amount of retail uses at the Project site that are viable based on market demand; accommodation of new development in a phased, orderly manner; and, implementation of drainage improvements. However, it would not attain to the same extent project objectives related to expansion of economic development and facilitation of job creation, achievement of a jobs/housing balance, maximization of development of a Class A speculative high cube warehouse building, maximization of industrial warehouse development in close proximity to designated truck routes, and generation of tax revenue for the City. (Draft EIR pages 5-45 through 5-47).

## **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: cumulatively considerable increase in criteria pollutant during operation (VOC and NOx emissions), cumulative GHG emissions, and transportation/VMT (Project and cumulative).

### **6.2 CONCLUSIONS**

1. Except as to those impacts stated above relating to air quality, 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 Considerable Increase in Criteria Pollutant During Operation.** Maximum daily emissions from Project operations would exceed the SCAQMD CEQA significance thresholds for VOC and NO<sub>x</sub> and cannot be effectively reduced to a level below the SCAQMD thresholds. With respect to operations, the magnitude of VOC and NO<sub>x</sub> reductions from identified mitigation measures would be relatively small because the majority of the operational-source VOC and NO<sub>x</sub> emissions would be generated from the mobile activities. Because VOC and NO<sub>x</sub> are ozone (O<sub>3</sub>) precursors, this could also result in additional violations of the State and federal O<sub>3</sub> standards. O<sub>3</sub> is a nonattainment pollutant. There are no additional feasible mitigation measures beyond those identified that would reduce the project’s VOC and NO<sub>x</sub> emissions to a less than significant level. Therefore, the Project’s operational air quality impacts are significant and unavoidable relative to VOC and NO<sub>x</sub> emissions, and the Project would result in a cumulatively considerable net increase in a criteria pollutant for which the Project region is in non-attainment, which is a significant and unavoidable impact.
- **Cumulative Greenhouse Gas Emissions.** The Project’s greenhouse gas (GHG) emissions would exceed the threshold of 3,000 metric tons of carbon dioxide equivalents per year (MTCO<sub>2e</sub>/yr) used for this analysis. There are no additional feasible mitigation

measures beyond those identified that would reduce the Project's GHG emissions to a less than significant level. Therefore, this impact would be cumulatively considerable and significant and unavoidable.

- **Project and Cumulative Transportation/Vehicle Miles Traveled (VMT).** The Project's retail component would have a less than significant VMT impact. However, the industrial component VMT impact is potentially significant because the average VMT per employee (12.02 VMT) in the Project's TAZ exceeds the citywide average per employee (11.62 VMT). A 3.3% reduction in VMT is required to reduce this impact to a less than significant level. The Project's VMT impact would be reduced by more than 3.3% through the implementation of a pedestrian network, and a voluntary commute trip reduction program. However, the actual amount of VMT reduction from these measures cannot be guaranteed primarily because the future building tenants are currently unknown; therefore, the Project-level and cumulative VMT impacts from the industrial component of the Project are considered 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 Ramona Gateway 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 air quality, 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 air quality impact associated with operational VOC and NO<sub>x</sub> emissions, and GHG impact are 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 this air quality and GHG impact (refer to the discussion provided in Section 5.4). Elimination of these significant and unavoidable impacts related to operations 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 industrial component of 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 4.13, 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 Ramona Gateway 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. While the Project involves an amendment to the PVCCSP to change the existing PVCCSP land use designation for the proposed industrial warehouse component of the Project from Business Professional Office (BPO) (19.23 acres) and Commercial (C) (23.19 acres) to Light Industrial (LI), the planned commercial development along Ramona Expressway would be retained, and the proposed light industrial use is an allowed use within the PVCCSP. The light industrial land use designation is also consistent with PVCCSP land use designations for surrounding areas to the north and east. 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 4.11-3, 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.

Although the PVCCSP currently designates the Project site with job creating land use designation (Commercial and Business Professional Office). To date, the Project site, and the sites to the north, west and east have remained vacant along their Ramona Expressway frontage. As outlined in the Project's proposed Development Agreement, the proposed Project is required to simultaneously build the commercial and industrial portions of the Project. This phasing connection enlivens Ramona Expressway and becomes the

new “gateway” to North Perris while conforming with the goals and objectives of the PVCCSP.

- 3. The Ramona Gateway 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 retail buildings totaling up to 37,215 sf, and one 950,224-sf high-cube warehouse building. The Draft EIR estimates the Project would generate approximately 997 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, and 1 employee per 500 sf is estimated for commercial uses.*

*The Ramona Gateway Net Fiscal Impact & Economic Benefit Analysis (Economic Analysis), prepared by Kosmont Companies (October 2022) estimates the Project would generate approximately 1,591 permanent jobs in the City of Perris (1,061 direct jobs at the proposed buildings and 530 off-site indirect/induced jobs). Despite the difference in potential employment generation based on varying methodologies, it is apparent that 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)<sup>6</sup>, the 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.*

*In addition to the jobs associated with retail uses, new jobs associated with the industrial component of the Project, which represent the majority of the jobs to be created by 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.*

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<sup>6</sup> 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/0903fconnectsocial\\_demographics-and-growth-forecast.pdf?1606001579](https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_demographics-and-growth-forecast.pdf?1606001579)

- 4. Development and construction of the Ramona Gateway 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 Ramona Gateway 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. With respect to construction jobs, the Economic Analysis prepared for the Project estimates that during construction there would be 2,100 direct, indirect and induced jobs. The estimated economic benefits associated with the creation of jobs are listed below.*

- 5. The Ramona Gateway Project will provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead. Once construction is completed, the facility will annually generate additional City revenue. This increased revenue from the development will be driven by indirect sales tax, property tax, and business license fees.**

*The Project would have a positive fiscal impact on the City of Perris through construction and development of the Project, as well as throughout the life of the Project. The construction and development of the site would produce an economic stimulus as a result of the payment of one-time fees and recurring revenues. The fiscal impacts resulting from the Project are outlined in the Economic Analysis prepared by Kosmont Companies (October 2022). The Project is estimated to generate approximately \$1.04 million in annual fiscal revenues to the City's General Fund, and drive approximately \$266,000 in annual fiscal expenses. As a result, the Project is expected to generate net revenues to the City's General Fund of approximately \$774,000 per year upon buildout and stabilization. As shown in Table 4 of the Economic Analysis, primary revenue drivers include property tax, property transfer tax, and sales tax, while primary expenses include general government, public safety (police and fire), and public works (e.g., engineering / maintenance). The Project will also fund approximately \$14.7 million in one-time permit and impact fees. To calculate the present value of net future fiscal benefits to the City, the various general fund revenues and expenses were projected for a 30-year period. Property tax (secured and unsecured), property tax in-lieu of vehicle license fee (VLF), and real property transfer tax were escalated using a 2% growth factor (statutory maximum). Sales and use tax, other revenue sources, and all expenses were escalated using a 3.0% growth factor, generally considered to be in-line with historic inflation rates. A discount rate of 5.5% was then used to estimate the present value of future fiscal revenues. Net fiscal revenues are estimated to total \$33.3 million over the next 30 years. Furthermore, the Economic Analysis projects the Total Economic Impact (including direct, indirect and induced spending on good and services) to be \$275 million during the construction phase of the project, and \$185 million annually once the project is completed.*

*In addition, the Project includes the construction of various public storm drain and roadway impacts, as discussed further below.*

**6. The Ramona Gateway Project will help meet the existing demand for high-quality, large-scale, Class A high cube warehouse/distribution centers within a geographic area that allows for access to a multi-modal transportation system.**

*The Project site is located approximately 6.7 miles south of SR-60, and 600 feet east of I-215. Regional access to the Project site would be provided from the I-215/Placentia Avenue interchange located approximately 1.2 miles south of the Project site. 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<sup>7</sup>. 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.*

**7. The Ramona Gateway 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, 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 under item 8 below.*

*Additionally, as described in Section 3.0, Project Description, access to the Project would be provided from driveways along the site-adjacent roadways (Ramona Expressway, Webster Avenue and Nevada Avenue) which would be improved as part of the Project. Project improvements along Ramona Expressway would include the construction of a raised median and would ultimately accommodate three travel lanes in the eastbound direction with auxiliary acceleration and deceleration lanes along the Project's frontage. A third westbound travel lane along most of the north side of Ramona Expressway between Webster Avenue and Nevada Avenue would also be constructed. In addition to the roadway improvements along Ramona Expressway, traffic signals would be installed at the Ramona Expressway intersections with Nevada Avenue and proposed Driveway 5; the signals would be synchronized with the existing signals at Webster Avenue and at the I-215 ramps to optimize traffic flow along Ramona Expressway.*

*Truck access to the industrial uses would be restricted to two driveways along Nevada Avenue; there would be no truck access from Webster Avenue. To access the nearest designated truck route, based on input from the City and Val Verde Unified School District, trucks would use Nevada Avenue, the Frontage Road, and Placentia Avenue, a PVCCSP-designated truck route, to travel to and from I-215. Improvements to be implemented as part of the Project to encourage use of alternative to modes of transportation include, but are not limited to, Class I multipurpose trails along the site-adjacent roadway and construction of bus turnout along Ramona Expressway, west of Webster Avenue. Additionally, advance warning signs displaying the posted speed limit and with flashing*

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<sup>7</sup> 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](https://scag.ca.gov/sites/main/files/file-attachments/industrial_warehousing_report_-_revised_2018.pdf?1605989650)

beacons, and speed feedback signs would be installed in the northbound and southbound directions on Nevada Avenue prior to the school zone. Flashing beacons would also be added to the existing north and southbound school speed limit signs.

These improvements would also provide a circulation benefit to other developments in the area. Notably, the traffic signal at the Driveway would also serve future retail development at the site north of the Project site. It should also be noted that the Project Applicant would be required to provide the City with a traffic control plan to minimize congestion and disruption to the Project area. The environmental impacts associated with these improvements have been evaluated in the Draft EIR for the Project. In addition to the construction of roadways, the Project developers would pay applicable traffic mitigation fees (e.g., North Perris Road and Bridge Benefit District [NPRBBD] Fees) that would fund additional traffic improvements to General Plan roadways in the Project area and would go toward the maintenance of roadway infrastructure in the Project area.

The Project also includes the construction of a Class I multipurpose trails along Ramona Expressway, Nevada Avenue and Webster Avenue, to accommodate safe and efficient pedestrian and bicycle travel. The onsite and site-adjacent pedestrian and bicycle facilities would allow access to other uses in the Project vicinity, to nearby bus routes, and to the bus stop that would be constructed as part of the Project on the south side of Ramona Expressway, west of Webster Avenue.

#### **8. The Ramona Gateway Project will provide regional drainage improvements.**

The Perris Valley Master Drainage Plan (PVMDP) was adopted by the Riverside County Flood Control & Water Conservation District (RCFC&WCD) in July 1987, was revised in June 1991, and addresses drainage infrastructure required for the 38-square-mile Perris Valley area. The infrastructure plans associated with the PVCCSP involve modifications to the PVMDP. The PVCCSP anticipates the construction of various adopted PVMDP facilities to accommodate the 100-year storm flows in the area. The backbone drainage facility for the Project site and surrounding area is the existing 60-inch RCP in Ramona Expressway (PVMDP Line E), which was designed to account for the fully developed condition of the tributary watershed it serves, including the entire Project site. As described in Section 3.0, Project Description, to address the un-detained bulk sheet flows from the property located west of the Project site, a 60-inch RCP storm drain, which would serve as the ultimate outlet storm drain line from the planned detention basin west of Nevada Avenue, would be installed as part of the Project and would be designed to Riverside County Flood Control District (RCFCD) standards. The proposed 60-inch public RCP storm drain would extend approximately 2,415 feet; it would be located in Nevada Avenue at its upstream end and run northerly to the retail component of the Project, turn easterly (within a public access/maintenance easement), and would connect to the existing 60-inch RCP storm drain stub out at the southeast corner of Ramona Expressway and Webster Avenue.

#### **9. The Ramona Gateway Project will provide other Community Benefits.**

Through the Project's Development Agreement, the Project Applicant will be providing additional Community Benefits supporting the surrounding community, including:

- Developer shall contribute seven hundred seventy-six thousand and six hundred and thirty four dollars (\$776,634.00) to the City for purposes to be determined by

*City, including but not limited to filling the construction contract budget overrun for the Perris Downtown Skills Training & Job Placement Center.*

- *Developer shall contribute \$200,000.00 to the Val Verde High School's Career and Technical Education (CTE) Program to prepare students for careers such as logistics, welding and manufacturing, video production, and graphic design.*
- *Developer shall contribute twenty-seven thousand dollars (\$27,000.00) to the Val Verde Academy to fund the garden modernization project.*
- *Developer shall design and construct a "Welcome to Perris" sign ("Sign") as approved by the City in the center median on Ramona Expressway. All costs for the design, permitting, and construction of the Sign shall be borne by Developer. Developer shall also be responsible for all other aspects of the construction of the Sign including, but not limited to, insurance, construction, and permitting including permitting and coordination with Caltrans and other outside local, state and federal agencies, as applicable.*

Although significant impacts will remain, the City of Perris will mitigate any significant adverse impacts related to air quality, 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.

