

Statement of Facts and Findings, and Statement of
Overriding Considerations Regarding the
Environmental Effects from the Environmental
Impact Report for the

Ethanac Logistics Center Project

***Case No.'s PLN22-05326, PLN22-05327, PLN22-05328, and
DPR 22-00030***

State Clearinghouse No. 2023090525

TABLE OF CONTENTS

1.0	STATEMENT OF FACTS AND FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS	1
1.1	INTRODUCTION	1
1.2	RECORD OF PROCEEDINGS.....	3
1.3	CUSTODIAN AND LOCATION OF RECORDS.....	4
2.0	PROJECT SUMMARY	4
2.1	INTRODUCTION	4
2.2	PROJECT DESCRIPTION.....	4
2.3	PROJECT GOALS AND OBJECTIVES	18
2.4	REQUIRED DISCRETIONARY ACTIONS AND PERMITS	18
2.5	OTHER CEQA DOCUMENTS REFERENCED.....	20
3.0	ENVIRONMENTAL REVIEW/PUBLIC PARTICIPATION.....	20
4.0	INDEPENDENT JUDGMENT AND FINDING	21
4.1	GENERAL FINDING ON MITIGATION MEASURES	22
5.0	ENVIRONMENTAL IMPACTS AND FINDINGS	22
5.1	EFFECTS DETERMINED NOT TO BE SIGNIFICANT	22
5.2	IMPACTS THAT ARE LESS THAN SIGNIFICANT WITHOUT THE NEED FOR MITIGATION.....	38
5.2.1	Air Quality	38
5.2.2	Cultural Resources	40
5.2.3	Energy	40
5.2.4	Greenhouse Gases.....	41
5.2.5	Hydrology and Water Quality.....	42
5.2.6	Land Use and Planning	44
5.2.7	Noise	45
5.2.8	Utility and Service Systems	46
5.3	POTENTIALLY SIGNIFICANT IMPACTS WHICH CAN BE MITIGATED BELOW A LEVEL OF SIGNIFICANCE WITH MITIGATION MEASURES ..	46
5.3.1	Aesthetics.....	47
5.3.2	Biological Resources	47
5.3.3	Cultural Resources	52
5.3.4	Geology and Soils.....	56

5.3.5	Noise	58
5.3.6	Tribal Cultural Resources	59
5.4	SIGNIFICANT AND UNAVOIDABLE IMPACTS OF THE PROJECT.....	62
5.5	ALTERNATIVES TO THE PROPOSED PROJECT	64
5.5.1	Alternative 1: No Project/Development of Existing Land Use and Zoning Scenario.....	64
5.5.2	Alternative 2: Reduced Project Size/Relocated Truck Parking	66
5.5.3	Alternative 3: Business Park Alternative Scenario	67
6.0	STATEMENT OF OVERRIDING CONSIDERATIONS	69
7.0	CERTIFICATION OF FINAL EIR	71
7.1	FINDINGS	71
7.2	CONCLUSIONS.....	72
7.3	ADOPTION OF MMRP	72

**Statement of Facts and Findings and Statement of Overriding Considerations
Regarding the Environmental Effects from the Approval of the Ethanac
Logistics Center Project
State Clearinghouse No. 2023090525**

1.0 STATEMENT OF FACTS AND FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS.

1.1 INTRODUCTION.

The California Environmental Quality Act (CEQA) (California Public Resources Code §§ 21000-21189) requires that a Lead Agency issue two sets of findings prior to approving a project that will generate a significant impact on the environment.

The first set of findings, generally called Findings of Fact, are where the Lead Agency identifies the significant environmental impacts as identified in the Environmental Impact Report (“EIR”); presents facts supporting the conclusions reached in the analysis; makes one or more of three findings for each impact; and explains the reasoning behind the agency’s findings (CEQA Guidelines § 15091).

The second set of findings (as discussed under Section 15093 of the CEQA Guidelines and in more detail in Section 5.0 below) is required where a project will cause unavoidable significant impacts. Section 15093 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 proposed 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.

In such case, the Lead Agency may still approve a project where its benefits outweigh the adverse impacts. As part of those findings, which are also known as a Statement of Overriding Considerations, the Lead Agency sets forth specific reasoning by which benefits are balanced against effects, and approves the project. For purposes of the consideration of the Ethanac Logistics Center EIR, these two sets of required findings are combined into a single document titled “Statements of Facts and Findings and Statement of Overriding Considerations.”

The EIR for the Ethanac Logistics Center Project was prepared at the direction of the City of Perris (“City”) acting as lead agency pursuant to CEQA. Hereafter, the Initial Study/Notice of Preparation, Notice of Availability/Notice of Completion, Draft EIR (“DEIR”), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the DEIR, and the Mitigation Monitoring and Reporting Program (“MMRP”) will be referred to collectively herein as the “EIR”. The following Facts and Findings have been prepared in accordance with the CEQA Guidelines (14 California Code of Regulations, Section 15091), and *Public Resources Code* Section 21081 (collectively, CEQA). Section 15091 of the CEQA Guidelines provides that:

- (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 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 or should be adopted by such other agency.
 - (3) 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.
- (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 subsection (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.

The City of Perris (City), serving as the CEQA Lead Agency, finds and declares that the proposed Ethanac Logistics Center EIR (State Clearinghouse No. 2023090525) has been completed in compliance with CEQA and the 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 proposed Ethanac Logistics Center Project, herein referred to as the “**Project**”.

Having received, reviewed and considered the EIR for the Project, as well as all other information in the record of proceedings on this matter, the Facts, Findings and Statement of Overriding Considerations included in this document are hereby adopted by the City in its capacity as the CEQA Lead Agency. Based upon its review of the EIR, the City finds that the EIR is an adequate assessment of the potentially significant environmental impacts of the proposed project; represents the independent judgment of the City; and sets forth an adequate range of alternatives to this project.

As further described in the Final EIR document, the Final EIR is composed of the following elements:

- Ethanac Logistics Center DEIR;
- Comment Letters Received and Responses to Comments;
- Corrections and Changes from the DEIR to the Final EIR (Errata) ; and
- Mitigation Monitoring and Reporting Program (MMRP).

All acronyms used herein shall have the meaning as defined in the DEIR.

1.2 RECORD OF PROCEEDING.

For purposes of CEQA and these Findings and Statement, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation (NOP) and all other public notices issued by the City in conjunction with the proposed project;
- The responses to the NOP received by the City;
- The Final EIR;
- The Draft EIR, including technical reports;

- All written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR;
- All responses to the written comments included in the Final EIR;
- The Mitigation Monitoring and Reporting Program (MMRP);
- The technical reports and analyses included or referenced in any response to comments in the Final EIR;
- All documents, studies, EIRs, or other materials incorporated by reference in, or otherwise relied upon during preparation of, the Draft EIR and the Final EIR;
- Matters of common knowledge, including, but not limited to, federal, state, and local laws and regulations;
- Any documents expressly cited in these Statements; and
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e)

1.3 CUSTODIAN AND LOCATION OF RECORDS.

The documents and other materials that constitute the administrative record for the City’s approval of the EIR and actions related to the project are located at the City of Perris Development Services Department, 135 North “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 Development Services Department. 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.

2.0 PROJECT SUMMARY.

2.1 INTRODUCTION.

The DEIR was prepared pursuant to CEQA to assess the potential environmental effects of the Ethanac Logistics Center Project, which is proposed for an approximately 21.6 gross acre (20 net acres) site located at the northeast corner of Trumble Road and Ethanac Road in the City of Perris, including an additional approximately 12 gross acres of offsite improvement areas located within the rights-of-way of Sherman Road, Trumble Road, Ethanac Road, and Illinois Avenue.

2.2 PROJECT DESCRIPTION.

The Project includes all on and offsite improvements and involves the consolidation of ten existing parcels at the Project site to create one approximately 19.9-acre parcel for the construction and operation of a 412,348-square-foot light industrial warehouse building along with infrastructure, appurtenances, associated parking areas, and associated offsite areas supporting improvements.

The building is proposed to accommodate high-cube warehouse distribution uses, anticipating that up to 50,000 square feet could be utilized for cold-refrigerated storage and up to 15,000 square feet for supporting office uses.

In addition to Development Plan Review and certification of the EIR, the Project requires the following:

- General Plan Amendment (GPA), Case No. PLN22-05326, to amend the City of Perris General Plan and redesignate the approximately 20-acre site from Community Commercial to Light Industrial (LI);
- Change of Zone (CZ), Case No. PLN22-05327, to rezone the approximately 20-acre site from Commercial Community Commercial to Light Industrial (LI); and
- Tentative Parcel Map No. 38600 (TPM), Case No. PLN22-05328, to consolidate the existing ten (10) parcels at the Project site into one parcel and to dedicate portions of Tumble Road, Sherman Road, and Ethanac Road right-of-way.

The building would include solar panels on the rooftop to provide 100 percent of the required power for the office area of the building, which exceeds current building code requirements (e.g., Title 24) and meets the City's adopted Good Neighbor Guidelines. The City of Perris Good Neighbor Guidelines goals and recommended policies formalize what is expected from industrial development, particularly those closer to sensitive receptors. The closest sensitive receptors to the Project site are existing non-conforming residences across Sherman Road to the east and across Ethanac Road to the south of the Project site, approximately 57 feet (17.37 meters) east and 123 feet (37.49 meters) south of the Project site, respectively.

The following list contains the recommended policies from the Perris Good Neighbor Guidelines that are applicable to the Project and would be implemented:

- Any industrial project over 400,000 square feet in size or requiring the preparation of an Environmental Impact Report (EIR) shall be designed to meet the requirements of LEED Silver Certification whether or not certification is pursued. Documentation shall be provided to the City demonstrating compliance.
- Building massing shall be consistent with the City's Industrial Design Guidelines to reduce visual dominance on adjacent/nearby sensitive receptors.
- Truck loading bays and drive aisles shall be designed to minimize truck noise.
- All lighting used in conjunction with a warehouse/ distribution facility operation shall be directed down into the interior of the site and not spill over onto adjacent properties.
- If a public address (PA) system is being used in conjunction with a warehouse/distribution facility operation, the PA system shall be oriented away

from sensitive receptors and the volume set at a level not readily audible past the property line.

- Comply with the Perris Municipal Code regarding parking limitations for commercial vehicles greater than 10,000 pounds or more.
- Warehouse/ distribution facilities shall be designed to provide adequate on-site parking for commercial trucks and passenger vehicles and on-site queuing for trucks away from sensitive receptors. Commercial trucks shall not be parked in the public right of way or nearby residential areas, in accordance with the Perris Municipal Code and Specific Plans.
- No parking shall be permitted in the landscape setback area.
- Provide signage or flyers identifying where the closest restaurant, lodging, fueling stations, truck repair facilities, and entertainment can be found.
- All signs shall be legible, durable, and weather-proof. Posted signage would include:
 - Signs shall be installed to identify onsite circulation and off-site parking prohibitions and should identify designated areas for parking and maintenance.
 - Signs shall be installed at all truck exit driveways directing truck drivers to the truck route as indicated in the City approved Truck Routing Plan and State Highway System to minimize potential impacts on sensitive receptors.
 - Signs shall be installed in public view with contact information of facility operator and SCAQMD for complaints related to excessive dust, fumes, or odors, and truck and parking complaints. Any complaints made to the facility operator shall be answered within 72 hours of receipt.
- The developer shall plant one 24-inch box tree per 2,500 square feet of building size including irrigation lines and controllers at an off-site location to be determined by the City (i.e., City right- of-way, parks, etc.) or provide funding equivalent to such cost at the discretion of the City, prior to issuance of the building permit.
- Minimize the air quality impacts of trucks on sensitive receptors by:
 - a) Restricting diesel engine and construction equipment idling to 5 minutes or less (SCAQMD Rule 2485). A driver of a vehicle shall turn off the engine upon stopping at a destination.
 - b) Designing facilities with adequate on-site queuing for trucks and away from sensitive receptors and preventing queuing of trucks on surrounding public streets.

- c) Providing ingress and egress for trucks away from sensitive receptors and locate loading docks and internal circulation away from sensitive receptors.
 - d) For buildings with 50 or more dock high doors, a site plan is required identifying a planned location for future electric truck charging stations and installation of raceway for conduit to that location. A ratio of one charging station shall be required for every 50 dock high doors.
 - e) On site equipment, such as forklifts, shall be ZE (Zero Emissions) with the necessary electrical charging stations provided or be powered by alternative technology.
 - f) Passenger vehicles parking should be separated from enclosed truck parking/truck court and have separate primary access.
 - g) At least 10 percent of all passenger vehicle parking spaces shall be electric vehicle (EV) ready. At least 5 percent of all passenger vehicle parking spaces shall be equipped with working Level 2 Quick charge EV charging stations installed and operational, prior to issuance of a certificate of occupancy. Signage shall be installed indicating EV charging stations and that spaces are reserved for clean air/EV vehicles.
 - h) Encouraging replacement of diesel fleets with new model vehicles.
 - i) Preventing the queuing of trucks on streets or elsewhere outside the warehouse facility or near sensitive receptor.
 - j) Promoting the installation of on-site electric hook-ups to eliminate idling of main and auxiliary engines during loading and unloading of cargo and when trucks are not in use – especially where transport refrigeration units (TRUs) are proposed to be used.
- No operation shall be permitted which emits odorous gases or other odorous matter in such quantities as to be dangerous, injurious, noxious, or otherwise objectionable to a level that is detectable with or without the aid of instruments at or beyond the lot line of the property containing said operation or activity.
 - On-site speed bumps shall not be allowed, except at security/entry gates.
 - Warehouses greater than 100,000 square feet are required to directly reduce nitrogen and diesel particulate matter emissions (SCAQMD Rule 2305).
 - Buildings over 400,000 square feet shall install solar panels so 100 percent of the power is supplied to the office area of the facility unless it is restricted due to the March Air Force Base Accident Potential Zone.
 - Truck operators with TRUs shall be required to utilize electric plug-in units when at loading docks. Equipment operator of a TRU shall not cause a TRU to operate

while stationary unless the vehicle is lawfully parked and not within 500 feet of a school, unless the operator is actively engaged in the process of loading or unloading cargo or is waiting in a queue to load or unload for a period not to exceed 2 hours.

- Pursuant to CARB's Truck and Bus Regulation, facility operators shall maintain records of their facility owned and operated fleet equipment and ensure that all diesel fueled Medium-Heavy Duty Trucks (MHDT) and Heavy-Heavy Duty (HHD) trucks with a gross vehicle weight rating greater than 19,500 pounds use year CARB compliant 2010 or newer engines. Records should be made available to the City of Perris.
- Facility operators shall coordinate with CARB and SCAQMD to obtain the latest information about regional air quality concentrations, health risks, and trucking regulations.
- Require low energy use features, low water use features, all-electric vehicles (EV) parking spaces and charging facility, carpool/vanpool parking spaces, and short- and long-term bicycle parking facilities (Title 24 of the California Code of Regulations – CALGreen).
- The facility operator shall abide by the truck routing plans, consistent with the City of Perris Truck Route Plan.
- Adequate turning movements at entrance and exit driveways shall be provided, subject to City approval.
- Truck traffic shall be routed to impact the least number of sensitive receptors.
- To the extent possible, establish separate entry and exit points within a warehouse/distribution facility for trucks and vehicles to minimize vehicle/truck conflicts.
- Check in gates and/or guard booths are required to be positioned with a minimum of 150 feet inside the property line for on-site truck queuing. An additional 75 feet of on-site queuing shall be added for every 20 loading docks beyond 40 up to 300 feet. Multiple lanes (minimum lane width 12 feet) are permitted to achieve the required queuing. The general queuing and spillover of trucks onto the surrounding public streets are prohibited. Commercial trucks and/or trailers shall not be parked on the public right of way or adjacent to sensitive receptors.
- Establish overnight parking within the warehouse/distribution center where not visible from the public right-of-way.
- A separation of at least 300 feet shall be provided, as measured from the dock doors to the nearest property line of the sensitive receptor.

- Percentage of landscaping for projects in the General Industrial (GI) and Light Industrial Zones shall be increased from 10 and 14 to 15 percent.
- Loading areas shall be screened with a 14-foot-high decorative block wall, architecturally consistent with the building, and an 8-foot high berming in front of the wall to soften the view of the wall from the public right of way.
- Loading areas shall be screened with a 14-foot-high decorative block wall, architecturally consistent with the building, and an 8-foot high berming in front of the wall to soften the view of the wall from the public right of way.
- The architecture of the building shall include at least two decorative materials (e.g., stone, brick, metal siding, etc.) and consist of a variation in plane and form, varied roof lines, pop-outs, recessed features, which are intended to result in interior and exterior areas that can be used by the general public, visitors, and employees.
- Sites shall be densely screened with landscaping along all bordering streets and adjacent/across the street from sensitive receptors. Trees along the landscape setbacks shall be at least 48 inch box in size and range in height between 14 and 25 feet. Trees should be planted a distance of 20 feet on center. Fifty percent of the landscape screening shall include a minimum of 36-inch box, evergreen trees. Palm trees shall not be utilized. All landscaping shall be irrigated for the life of the facility.
- An additional wing wall shall be installed perpendicular to the loading dock areas, where feasible, to further attenuate noise related to truck activities and address aesthetics related loading area when adjacent to sensitive receptors. Vines or other appropriate plant material should be planted in front of the screen walls to soften views from the street.
- Provide adequate notification to all owners of real property on the latest records of the County Assessor within 500 feet of the real property. or at least 25 property owners, whichever is greater, for all required public notices pertaining to a warehouse project's entitlement.
- Facility operators shall train their managers and employees on efficient scheduling and load management and to eliminate unnecessary queuing and idling trucks and require their drivers park and perform any maintenance of trucks in designated on site areas and not within the surrounding community or on public streets.
- Facility operators for sites that exceed 250 employees shall establish a rideshare program, accordance with SCAQMD Rule 2202, with the intent of discouraging single-occupancy vehicle trips and promote alternate modes of transportation, such as carpooling and transit where feasible.
- Provide informational flyers and pamphlets for truck drivers about the health effects of diesel particulates and importance of being a good neighbor.

- Encourage facility owners/management to coordinate an outreach program that will educate public and have site visits with neighbors and the community to view measures taken to reduce/and or eliminate diesel particulate emissions.
- Provide facility owners/management with information from CARB and SCAQMD and encourage the utilization of resources provided by those agencies.
- Applicant shall engage in a community outreach effort to determine issues of concern during project entitlement process.
- Applicant and City staff should look beyond the immediate development footprint and look opportunities to enhance the surrounding community through upgrades such as street paving, walls, bicycle lanes, bus turnouts, landscaping and other types of infrastructure improvements.
- Applicant and City staff should look beyond the immediate development footprint and look opportunities to enhance the surrounding community through upgrades such as street paving, walls, bicycle lanes, bus turnouts, landscaping and other types of infrastructure improvements.
- Applicant may be required to provide a supplemental funding contribution to further offset potential air quality impacts to the community and provide a community benefit beyond any CEQA related mitigation measures.
- In addition to regular construction inspections conducted by City Departments, the applicant shall provide monthly reports to the City demonstrating compliance with all the construction related policies.
- All diesel fueled off-road construction equipment greater than 50 horsepower shall be equipped with CARB Tier 4 Compliant engines. If Tier 4 equipment is not available within 50 miles of project site, Tier 3 or cleaner off road construction equipment may be utilized. Construction contractors shall utilize construction equipment with properly operating and maintained mufflers, consistent with manufacturer's standards.
- Construction contractors shall locate or park all stationary construction equipment away from sensitive receptors nearest the project site, to the extent practicable.
- Appropriate dust control measures that meet the SCAQMD Rule 403 standards shall be implemented for grading and construction activity. Such measures shall include sweeping surrounding streets on a regular basis to remove any construction related debris and dirt.
- Construction equipment maintenance records and data sheets, as well as any other records necessary to verify compliance with CARB standards shall be kept on site and furnished to the City of Perris upon request.

- Prepare a construction traffic control plan prior to grading, detailing the locations of equipment staging areas material stockpiles, proposed road closures, and hours of construction operations to minimize impacts to sensitive receptors.
- Minimize noise from construction activities.
- The maximum daily disturbance area (actively graded area) shall be determined by the Air Quality Study.
- Designate an area of the construction site where electric-powered construction vehicles and equipment can charge if the utility provider can feasibly provide temporary power for this purpose.
- During construction, signs are required to be in public view with contact information for a designated representative of the building occupant and an SCAQMD representative who is designated to receive complaints about excessive dust, fumes, or odors on this site.
- In compliance with CEQA, conduct SCAQMD California Emissions Estimator Model (CalEEMod) and Emission Factors (EMFAC) computer models to identify the significance of air quality impacts on sensitive receptors and require an air quality analysis to ensure air quality protection, in accordance with the Air Quality Management District (AQMD) guidelines, for both project specific and cumulative impact analysis.
- Require Health Risk Assessments for industrial uses within 1,000 feet of sensitive receptors in accordance with AQMD guidelines.
- A Noise Impact Analysis shall be prepared to evaluate potential impacts to the neighboring properties. It shall include construction and operation noise impacts, including stationary and off- site increases to ambient noise levels.
- Require Transportation Demand Management Measures for industrial uses with over 100 employees to reduce work related vehicle trips.
- Require signage about CARB regulations.
- Require the use of low volatile organic compounds (VOC) paints and coatings (SCAQMD Rule 1113).

The building would include 33 dock doors on the east side, and 29 dock doors on the west side. The proposed Project would be constructed as a speculative or “spec” building; that is, there is not a specific tenant identified at this time. It is anticipated that the building could operate 24 hours a day, seven days a week. The warehouse is not anticipated to include e-commerce.

The building design is modern industrial and includes concrete tilt-up wall construction with board-formed cement veneer and standard window glazing. The proposed building height would

be 48 feet, not exceeding the City's maximum standard of 50 feet. Additionally, there would be 40 feet of clearance from the top of slab to the top of the roof structure. Consistent with the Perris Municipal Code, Chapter 19.44 Industrial Zones, the proposed site plan includes outdoor employee amenities. Two outdoor patio areas are proposed: one patio area adjacent to the southwestern office and another patio area near the southeastern office area. Future tenants would provide indoor employee amenity areas.

Primary access to the Project site would be provided from Trumble Road to the west and Ethanac Road to the south. The Project site's passenger vehicle entrance would be separate from the truck entrance. Automobile vehicles would access the Project site via two driveways along Ethanac Road. Trucks would access the site via two separate driveways along Trumble Road. Emergency access would also be available from Trumble Road. No access would be provided from Sherman Road.

The automobile parking area would be physically separated from the trucks' path of travel by the building and an 8 foot-high manually operated metal gate containing view obscuring mesh and a Knox-pad for emergency vehicle access. The Project would provide a total of 106 automobile parking stalls, consisting of 76 standard stalls, 5 American Disabilities Act-compliant (ADA) stalls, and include a total of 27 Electric Vehicle (EV) capable stalls (6 EV stalls would be installed at the time of Project opening and 21 EV Capable stalls would be available to accommodate future demand). Automobile parking would be provided in the south and southeast corner of the building near the office areas. The Project would also include 144 trailer parking stalls with 42 stalls on the east side of the building and 102 on the west side of the building. Bike racks would also be provided at the Project site for employee use, per City standards.

Pedestrian path of travel would be provided between passenger vehicle parking areas and the office areas away from the trucks' path of travel. The Project would also provide curbs and sidewalks to facilitate pedestrian access even though the site is not adjacent to any existing or planned area-wide open space, trails, parks, or other community amenities. Sidewalks would be installed along Ethanac Road, Trumble Road, and Sherman Road along the Project site's frontage. A proposed shared use path would be provided along the northern side of Ethanac Road along the Project's frontage.

The Project is proposed to be consistent with City standards and provide 14-foot-high screen walls and perimeter landscaping along the Project site's frontage. The proposed landscaping consists of drought-tolerant and climate appropriate trees, shrubs and ground cover that include native species and would meet or exceed standards set forth in the Perris General Plan. All roof mounted equipment would be set back and fully screened from public view behind a parapet. Trash enclosures would be approximately 8 feet in height and utilize concrete tilt-up panels consistent with the proposed buildings. Project lighting would include energy efficient light-emitting diodes (LED) security lights along the buildings and wall and pole-mounted lights in the parking areas. All Project-related lighting would be downward facing and shielded as required by the Perris Municipal Code.

Domestic water services in the Project vicinity are provided by the Eastern Municipal Water District (EMWD). There are existing water lines near the Project site: a 12-inch diameter waterline in Trumble Road; a 20-inch diameter waterline and 18-inch brackish waterline in Ethanac Road;

an 8-inch diameter waterline, 18-inch brackish waterline, brackish water blowoff valve, and fire hydrant in Sherman Road; as well as a 12-inch waterline in Sherman Road south of Ethanac Road. There is also an existing 8-inch water line in Illinois Avenue. The Project would connect to the 12-inch waterline in Trumble Road. The Project would also provide a diesel-powered fire flow pump that will be used for fire flow demands. The fire flow pump would only be used during fire emergencies and routine testing and would not be part of the Project's normal daily operations. No offsite water line improvements are proposed.

Recycled water services in the Project vicinity are also provided by the EMWD. There are no existing recycled water lines adjacent to the Project site. The closest recycled water lines are within Case Road, west of Interstate 215 (I-215) and within McLaughlin Road, south of the Project site over half a mile away. The sizing of those recycled water lines do not account for irrigation demands of this proposed Project and the EMWD will not require extension of those lines to serve the proposed Project. There are nearby projects in development that may result in construction of recycled water facilities closer to the Project site. The Project would include recycled water irrigation infrastructure that could connect to future recycled water facilities. In the meantime, irrigation lines within the Project site would connect to the existing 12-inch potable waterline in Trumble Road.

Sewer (wastewater) collection and treatment services in the Project vicinity are also provided by the EMWD. There is an existing 15-inch sewer line in Ethanac Road, an existing 10-inch sewer line in Trumble Road, and an existing 8-inch sewer line in Sherman Road (south of Ethanac Road). The Project would connect to the existing 15-inch sewer line in Ethanac Road. No offsite sewer line improvements are proposed.

The Project site is located within the Romoland Master Drainage Plan watershed area. There are no existing storm drain facilities adjacent to the Project site but the Project site is a natural tributary to the Romoland Master Drainage Plan (MDP) Line A-11 facility. Onsite runoff would be conveyed throughout the site via proposed curb and gutters and captured by a network of drainage inlets that convey captured flows towards an underground storage chamber before being pumped to a proposed biotreatment device for water quality treatment. Treated stormwater would then gravity flow to a proposed storm drain line in Trumble Road, which connects to City of Perris Line A (City Line A) in Illinois Avenue. City Line A connects to MDP Line A-11 which ultimately connects to MDP Line A.

Offsite flows tributary to the Project site, from east of Sherman Road, would sheet flow from Sherman Road across the Project site. along the northerly boundary, to Trumble Road. Catch basins would be added in Trumble Road to collect and convey offsite flows to the proposed storm drain line in Trumble Road, which would connect to existing City Line A in Illinois Avenue. A second storm drain line parallel to City Line A in Illinois Avenue may be included to provide additional capacity should the City of Perris require.

As an alternative to the proposed storm drain system with respect to capturing offsite flows, these flows may instead be collected via proposed catch basins in Sherman Road and conveyed via a public storm drain line along the northern portion of the Project site to a second underground storage chamber system located on the west side of the Project site. Offsite flows would then be

pumped out of the storage system and confluence with the onsite flows in the proposed storm drain line in Trumble Road and continue from there, as described above.

The Project applicant would construct offsite drainage facilities traveling north of the Project site in Trumble Road to Illinois Avenue to connect to the existing MDP Line A-11 (an existing 36-inch currently transitioning into a 48-inch reinforced concrete pipe). These improvements may encroach into the City of Menifee. Hence, the Project would construct onsite drainage improvements as well as offsite drainage improvements along the western side of Trumble Road north of the Project site to Illinois Avenue from Trumble Avenue to I-215 in order to connect to MDP Line A-11 and ultimately MDP Line A. The Project would be generally consistent with the Romoland MDP since flows will ultimately drain to MDP facility Line A. It is anticipated that construction of any off-site drainage facilities would occur within the roadway right-of-way.

There are existing utilities in the surrounding and offsite roadways as follows:

- Ethanac Road – There are two existing power poles located along Ethanac Road that would be undergrounded as part of roadway improvements. Ethanac Road includes existing 2-inch and 6-inch gas lines. There are also existing overhead utility and power poles along the south side of the roadway but these would remain in place since this area is not along the Project frontage.
- Sherman Road – There is an existing telephone and 2-inch gas line in Sherman Road as well as an existing overhead utility along the eastern side of the roadway.
- Trumble Road – Trumble Road includes an existing 2-inch gas line, telephone, and electricity.
- Illinois Avenue – There is an existing 2-inch gas line in Illinois Avenue.

Drainage improvements would require an extension of City Line A, located along the west side of Trumble Road. Drainage improvements would extend from the Project site north in Trumble Road to Illinois Avenue and then west to I-215 in order to connect to existing MDP Line A-11 and ultimately MDP Line A as discussed above. Construction of this line and repaving of Trumble Road would require an encroachment permit from the City of Menifee since improvements may extend slightly beyond the centerline and for construction traffic control. The Project may also be required to improve the intersection of Ethanac and Trumble Roads along frontage of the not-a-part parcel identified on the Development Plan. These improvements would also require an encroachment permit from the City of Menifee for construction traffic control and potential encroachment over the roadway centerline.

The proposed warehouse building includes concrete tilt-up wall construction. Nighttime pouring of concrete is anticipated during summer months. The Project site would provide 15,600 cubic yards of cut and 66,100 cubic yards of fill; hence Project development would require 50,500 cubic yards of soil import. Construction of potential offsite infrastructure such as storm drain facilities are also anticipated.

Prior to grading operations, a Stormwater Pollution Prevention Plan (SWPPP) would be prepared in accordance with the requirements of the statewide general National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for stormwater discharge from construction sites. The SWPPP would include best management practices (BMPs) to reduce erosion and sedimentation and is subject to review and comment by the City Public Works Department. BMPs may include, but not be limited to, soil stabilization controls, perimeter silt fences, placement of hay bales, and use of sediment basins. All erosion and sediment controls would be in accordance with the currently adopted state general permit. The developer and construction contractor would be responsible for implementing the BMPs in accordance with the SWPPP.

Project construction would not be phased and is anticipated to begin in Fall 2024. Construction is anticipated to be completed in 2025. This construction schedule represents a “worst-case” analysis. The duration of construction activity (and associated equipment) represents a reasonable approximation of the expected construction activities as required per the CEQA Guidelines.

The Project site is located within Zone D of the March Air Reserve Base/Inland Port Airport (MARB/IPA) Airport Land Use Compatibility Plan (ALUCP). As such, the Project has been reviewed by the Riverside County Airport Land Use Commission (ALUC) to ensure compatibility with the MARB/IPA ALUCP. On June 8, 2023, the ALUC determined that the Project is consistent with the MARB/IPA ALUCP. Due to a site plan change which placed the basin underground to provide more truck trailer parking, the site plan was reviewed again by ALUC staff pursuant to Policy 1.5.2(d) of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan. On August 22, 2023, the ALUC Director determined that the site plan change was also consistent with the MARB/IPA ALUCP.

The Project would meet or exceed all applicable standards under California’s Green Building Code (CalGreen) and the Building Energy Efficiency Standards contained in Title 24 in addition to complying with the applicable policies within the City’s Good Neighbor Guidelines. The Project would implement concepts of efficient design and material use that are consistent with the LEED green building rating system. This would be accomplished by incorporating, at a minimum, the following sustainability features or other features that are equally efficient:

Energy Efficiency.

- Design building shells and components, such as windows, roof systems and electrical systems to meet California Title 24 Standards for nonresidential buildings.
- Design buildings to implement U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) features. The Project will be designed to achieve LEED Silver level certification. This includes design considerations related to the building envelope, heating, ventilation, and air conditioning (HVAC), lighting, and power systems. Additionally, the architectural expression such as roofs and windows in the buildings will relate to conserving energy.

- Install energy efficient light-emitting diodes (LED) lighting on the site. Provide skylights for natural daylight to reduce the lighting load, therefore saving energy. Lighting will incorporate motion sensors that turn them off when not in use.
- Meet City minimum landscape requirements and provide adequate landscape shade for the site to reduce energy use.
- Install light-colored roofing materials over office area spaces and light-colored paving materials.
- For future office space, install energy efficient HVAC systems (seasonal energy efficiency ratio (SEER) 13), appliances and equipment, and control systems that are Energy Star ® rated.
- For future office improvement, refrigerants and HVAC equipment will be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global climate change. Ventilation and HVAC systems will be designed to meet or exceed the minimum outdoor air ventilation rates described in the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE) standards and/or per California Title 24 requirements.
- Incorporate Energy Star ® rated space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.

Water Conservation and Efficiency.

- Surface parking lots will be landscaped in accordance with City standards to reduce heat island effect.
- Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance and Chapter 19.70 (Landscaping) of the Perris Municipal Code.
- Design buildings to be water-efficient. Install water-efficient fixtures in accordance with Section 5.303 of the California Green Building Standards Code Part 11.
- Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff in accordance with City Standards.
- Provide education about water conservation and available programs and incentives to the building operators to distribute to employees.

Solid Waste Measures.

- Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1 of the California Green Building Standards Code Part 11.
- Provide storage areas for recyclables and green waste and adequate recycling containers located in readily accessible areas in accordance with Section 5.410.1 of the California Green Building Standards Code Part 11.
- The property operator will provide readily available information provided by the City for employee education about reducing waste and available recycling services.

Transportation and Motor Vehicles.

- Limit idling time for commercial vehicles to no more than five minutes per Title 13 of the California Code of Regulations, Section 2485.
- Provide electric vehicle (EV) infrastructure and facilitate EV charging in accordance with Section 5.106.5.3 Electric Vehicle Charging Requirements, of the California Green Building Standards Code Part 11. Accordingly, the Project would provide 27 EV-capable parking spaces and at least 6 of these would be equipped with EV charging stations for passenger vehicles at Project opening.
- Signage shall be posted onsite directing truck drivers to use existing City truck routes on Ethanac Road.
- Provide Class II bike lanes on Ethanac Road, within the Project's frontage, per the City's Active Transportation Plan.
- Provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience in compliance with Section 5.106.4 of the California Green Building Standards Code Part 11 and standard City code requirements.

Onsite Equipment and Loading Docks.

- The Project owner will inform building operators of existing requirements to turn off equipment, including heavy-duty equipment, motor vehicles, and portable equipment, when not in use for more than 5 minutes. Truck idling shall not exceed 5 minutes in time. All facilities will post signs (both interior and exterior facing signs, including signs directed at all dock and delivery areas) requiring that trucks shall not be left idling for more than 5 minutes pursuant to Title 13 of the California Code of Regulations, Section 2485, which limits idle times to not more than five minutes and to report violations to the California Air Resources Board, the South Coast Air Quality Management District, and the building manager.

- Service equipment (i.e., yard trucks and forklifts) used within the site shall be electric or powered by other alternative fuels.

Construction.

- Require Construction Equipment to Turn Off When Not in Use per Title 13 of the California Code of Regulations, Section 2449.
- Use regionally produced and/or manufactured building materials, where feasible, for Project construction.
- Use “green” building materials where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way.

2.3 PROJECT GOALS AND OBJECTIVES.

Per Section 15124 (b) of the CEQA Guidelines, an EIR needs to include a statement of the objectives of a project which help the City develop a reasonable range of alternatives. The objectives need to outline the general purpose of the Project. The purpose of the proposed Project is to construct and operate a high-cube warehouse building. The Project Objectives are as follows:

- Develop and operate a logistics center that takes advantage of existing City infrastructure.
- Develop and operate a logistics center that is in close proximity to I-215, to support the distribution of goods throughout the region and that also limits traffic truck disruption to residential areas within the City and neighboring jurisdictions.
- Positively contribute to the economy of the City through new capital investment, creation of new employment opportunities, and include opportunities for highly trained workers.
- Provide local employment for residents of the City to improve jobs-housing balance within the City.

2.4 REQUIRED DISCRETIONARY ACTIONS AND PERMITS.

The EIR serves as an informational document for use by public agencies, the general public, and decision makers. The EIR discusses the impacts of development pursuant to the proposed Project and related components and analyzes project alternatives. The EIR will be used by the City of Perris and responsible agencies in assessing impacts of the proposed Project.

The following approvals and permits are required from the City of Perris to implement the proposed Project:

- **Certification of the EIR** with the determination that the EIR has been prepared in compliance with the requirements of CEQA;

- **General Plan Amendment (GPA), Case No. PLN22-05326**, to amend the City of Perris General Plan and redesignate the approximately 19.9-acre site from Community Commercial to Light Industrial (LI);
- **Zone Change (ZC), Case No. PLN22-05327**, to rezone the approximately 19.9-acre site from Commercial Community to Light Industrial (LI);
- **Tentative Parcel Map No. 38600 (TPM), Case No. PLN22-05328**, to consolidate the existing ten (10) parcels at the Project site into one 19.9 acre parcel and to dedicate portions of Tumble Road, Sherman Road, and Ethanac Road right-of-way; and
- **Development Plan Review (DPR) 22-00030**, to develop the approximately 20-gross-acre site with a 412,348-square-foot building consisting of a high-cube speculative warehouse for distribution uses. It is anticipated that up to 50,000 square feet of the building could be utilized for cold-refrigerated storage and 15,000 square feet would be utilized for supporting office uses. In addition to the approximately 20-acre site, approximately 12 additional gross acres of offsite improvements are included.

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

- Review and approval of all off-site infrastructure plans, including street and utility improvements pursuant to the conditions of approval;
- Review all on-site plans, including grading and on-site utilities; and
- Approval of a Final Preliminary Water Quality Management Plan (F-WQMP) to mitigate post-construction runoff flows.

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

- **Riverside County Airport Land Use Commission** – Consistency Determination with MARB/IPA ALUCP. As discussed above, on June 8, 2023 ALUC determined that the Project is consistent with the MARB/IPA ALUCP and on August 22, 2023, the ALUC Director determined that a revised site plan was also consistent with the MARB/IPA ALUCP.
- **Santa Ana Regional Water Quality Control Board** – A NPDES permit to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions and downstream water quality is not worsened;
- **South Coast Air Quality Management District** – Approval of permits to install and operate a diesel-powered fire water pump backup generator and compliance with the Indirect Source Rule (Rule 2305) for warehouse owners and operators;

- **Eastern Municipal Water District** – Approval of water and sewer improvement plans;
- Permits or associated approval by other utility agencies, as necessary, for installation of new utility infrastructure or connections to existing facilities;
- **Riverside County Flood Control and Water Conservation District** – Encroachment permits and approval of construction of the Romoland MDP storm drain line; and
- **City of Menifee** – Encroachment permits and approval of construction related to roadway improvements along Sherman Road and Ethanac Road, as well as roadway improvements related to the connection of the Romoland MDP storm drain line for a portion of Trumble Road north of the Project site to Illinois Avenue.

2.5 OTHER CEQA DOCUMENTS REFERENCED.

Under Section 15150 of the 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*, originally approved on April 26, 2005.
- *Perris General Plan 2030 Draft Environmental Impact Report* (SCH No. 2004031135), certified April 26, 2005.
- Perris Municipal Code, Through Supplement 9 adopted February 14, 2023.
- City of Perris Good Neighbor Guidelines – (Perris GNG) Siting New and/or Modified industrial Facilities, adopted September 27, 2022.

3.0 ENVIRONMENTAL REVIEW/PUBLIC PARTICIPATION.

The City conducted an extensive review of this Project which included a DEIR and a Final EIR, including related technical reports, which were subject to a public review and comment period. The following is a summary of the City’s environmental review of this Project:

- On September 22, 2023, the City circulated a Notice of Preparation (NOP) identifying the environmental issues to be analyzed in the Project’s EIR to the State Clearinghouse, responsible agencies, and other interested parties.
- The NOP public review and commenting period 30 days. Written comments on the NOP were received from eleven agencies and/or organizations. The scope of the issues identified in the comments expressing concern included potential impacts associated with: air quality, energy, greenhouse gases, hydrology, noise, transportation, tribal cultural resources, and utilities and services systems.

- On October 18, 2023, the City conducted a public scoping meeting.
- The Notice of Availability (“NOA”) and DEIR were circulated for public review for a 45-day review period from February 16, 2024 to April 1, 2024.
- The City received a total of 8 comment letters from organizations and public agencies. The City prepared specific responses to all comments, including one comment letter from Advocates for the Environment which was received after the close of the public comment period. The responses to comments are in Section 2 of the Final EIR.
- On or about [REDACTED], in accordance with *Public Resources Code* Section 21092.5, the City provided written proposed responses to public agencies that commented on the DEIR.
- Notice of the Planning Commission hearing to consider the project was provided in the following newspapers of general and/or regional circulation: [REDACTED]
- On [REDACTED], the Planning Commission conducted a public hearing to consider the Project. The Commission, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, the Planning Commission recommended that the City Council certify the EIR, adopt these Findings and to take action to approve the Project as recommended by the Staff Report.
- Notice of the City Council hearing to consider the project was provided in the following newspapers of general and/or regional circulation: [REDACTED].
- On [REDACTED], the City Council conducted a public hearing to consider the Project. The City Council, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, the City Council decided to certify the EIR, adopt these Findings and to take action to approve the Project as recommended by the Staff Report.

4.0 INDEPENDENT JUDGMENT AND FINDING.

Albert A. Webb Associates was retained by the applicant to prepare the EIR. Albert A. Webb Associates prepared the EIR under the supervision, direction and review of the City planning staff.

Finding: The EIR for the Project reflects the City’s independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c)(3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

The City has considered all the evidence presented in its consideration of the Project and the EIR, including, but not limited to, the Draft EIR, all supporting technical studies and public comments thereto, and the Final EIR.

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

4.1 GENERAL FINDING ON MITIGATION MEASURES.

In preparing the Discretionary Actions and Permits for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Discretionary Actions and Permits do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Discretionary Actions and Permits are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

Finding: Unless specifically stated to the contrary in these findings, it is this Council's intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Discretionary Actions and Permits or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Discretionary Actions and Permits repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

5.0 ENVIRONMENTAL IMPACTS AND FINDINGS.

As discussed in more detail below, these Facts, Findings and Statement of Overriding Considerations are intended to meet the requirements of CEQA Guidelines Sections 15091 and 15093. City staff reports, the EIR, written and oral testimony at public meetings or hearings, these Facts, Findings and Statement of Overriding Considerations and other information in the administrative record, serve as the basis for the City's environmental determination.

Detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 5.0 of the DEIR and Sections 3.0 and 4.0 of the Final EIR. Responses to comments from the public and from other government agencies on the EIR are provided in Section 2.0 of the Final EIR.

5.1 EFFECTS DETERMINED NOT TO BE SIGNIFICANT.

An Initial Study was prepared for the Project and was included as Appendix A of the Draft EIR and concluded that the proposed Project would no impacts or less than significant impacts to the

following topics or portions of those topics as described below. Therefore, the following impact thresholds listed were not required to be discussed further within the body of the Draft EIR:

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.

- **Aesthetics (all thresholds); refer to MM AES-1 in Section 5.3 below**
 - The Project site itself is not located on a scenic vista, nor does it block or diminish a scenic vista. The surrounding roadway network has been established and therefore is preserving the view corridors. Thus, the proposed Project would not have a substantial impact on a scenic vista. Therefore, potential impacts would be less than significant. There are no officially designated state scenic highways within the Project site. Thus, the proposed Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway since the Project site is not located within view of a State Scenic Highway. Therefore, no impact would occur. Construction activities would require the use of equipment and storage of materials within the Project site. However, construction activities are temporary in nature and would not result in any permanent visual impacts. The Project design would comply with all applicable City design-related codes, standards, and regulations to ensure the cohesive development of the Project site and would not create an aesthetically offensive site open to public view or degrade the existing visual character. Further, the Project would not conflict with applicable zoning or other regulations governing scenic quality. Thus, the Project site is in an urbanized area and the Project would not conflict with applicable zoning and other regulations governing scenic quality. Therefore, potential impacts would be less than significant. Due to the distance between the construction area and the adjacent existing residences and motorists on adjacent roadways, temporary security lights may result in glare to residents and motorists. This potential impact would be reduced to a less than significant level with implementation of mitigation measure MM AES-1, provided below. The Project site is located within Zone B of the Mt. Palomar Observatory and the Project would be required to comply with County of Riverside Ord. 655. Glare would be addressed through standard conditions of approval, plan check, permit procedures and design guidelines such as installation of window tinting or other measures that would reduce glare. Thus, with implementation of mitigation measure MM AES-1, the Project would not create new sources of light or glare that will adversely affect day or nighttime views in the area. Therefore, potential impacts would be less than significant with mitigation incorporated. (Initial Study, pp. 46-49).

- **Agriculture and Forest Resources (all thresholds).**
 - The California Department of Conservation Farmland Mapping Management Program (FMMP) identifies the Project site as consisting of Farmland of Local Importance, Other Land, and Urban and Built-up Land. Thus, the Project would not be converting Prime Farmland, Unique Farmland, or Farmland of Statewide Importance at a non-agricultural use. Therefore, no impact would occur. The Project site has a General Plan Land Use designation of Community Commercial and zoning designation of Commercial Community. The Project applicant proposes to amend the General Plan land use designation and change the zoning designation to Light Industrial. Thus, the Project would not create a conflict with existing agricultural zoning for agricultural use or a Williamson Act contract. There is no existing or proposed zoning for forest land, timberland, or Timberland Production Zones within the City of Perris and there is no commercial forestry or timber production industry within the City. Thus, the Project would not impact forestland or timberland as defined by Public Resources Code section 4526 or a Timberland Production Zone as defined by Government Code section 51104(g). There is no land zoned forest land within the City. Therefore, implementation of the proposed Project would not impact land zoned for forest land and would not result in the conversion of forest land to non-forest uses. The Project site is currently vacant and no agricultural production occurs at the site or in the immediate Project site vicinity. Thus, the Project would not result in changes in the existing environment that could result in conversion of farmland to non-agricultural use or conversion of forestland to non-forest use. Therefore, no impacts would occur. (Initial Study, p. 50-51).

- **Air Quality (odors).**
 - It is anticipated that the major potential sources of odor from the proposed Project would occur during construction, particularly from construction equipment exhaust. However, this impact would be limited to the immediate vicinity of the proposed Project site and temporary in nature. Odor impacts during Project operation would be minimal because the warehouse use proposed for the Project site are not included on the California Air Resources Board's list of facilities that are known to be prone to generate odors. Potential sources of operational odors generated by the Project would include disposal of miscellaneous refuse. Thus, the Project would not result in other emissions such as those leading to odors adversely affecting a substantial number of people. Therefore, potential impacts would be less than significant. (Initial Study, pp. 53-54).

- **Biological Resources (all thresholds); refer to MMs BIO-1 to BIO-3 in Section 5.3 below.**

- The Project site is not located within any MSHCP Conservation Areas and is determined to be located outside survey areas for amphibians, small mammals, Delhi-sands, flower-loving fly and other criteria. The Project site is located within a MSHCP-designated survey area for Western Burrowing Owl. Marginally suitable habitat for California horned lark (Watch List species), including the herbaceous nonnative forbs and grasses occurs within the Project footprint. Additionally, the large gum trees and other ornamental trees located adjacent to the Project site and within the offsite areas may provide nesting habitat for nesting birds and raptors. With implementation of mitigation measure MM BIO-1, impacts to nesting birds would be less than significant. A total of seven wildlife species were determined to have moderate potential to occur within the study area. However, these wildlife species are covered under the MSHCP and considered adequately conserved; no additional surveys or mitigation are required. Although potential impacts to Stephens' kangaroo rat are covered by the MSHCP and the Habitat Conservation Plan for the Stevens' Kangaroo Rat in Western Riverside County, impacts to Stephens' kangaroo rat habitat within the Habitat Conservation Plan area would require mitigation fee payment. California glossy snake is not covered under the MSHCP. However, this species is only expected to occur in very low densities and Project-related impacts would not be expected to contribute to the overall decline of populations for these species due to the lack of high-quality habitat within the study area, the site's history of anthropogenic disturbances, and the presence of urban development adjacent to the Project site. Hence, impacts to California glossy snake would not be considered significant under CEQA and additional surveys and mitigation are not necessary. The Project site is located within the MSHCP Burrowing Owl Survey Area and is subject to the MSHCP burrowing owl survey requirements. The Project footprint contains suitable burrowing owl habitat. However, implementation of mitigation measures MM BIO-2 and MM BIO 3 would reduce any potential impacts to burrowing owl. Through implementation of mitigation measures MM BIO-1, MM BIO-2, and MM BIO-3, compliance with the MSHCP, and payment of the Stephens' kangaroo rat fees, the Project would not result in substantial adverse effects, either directly or through habitat modifications, on any species identified a candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Therefore, potential impacts would be less than significant with mitigation incorporated. (Initial Study, pp. 55-62). The Project site and offsite impact areas are disturbed and vacant or disturbed and developed and do not include any riparian/riverine habitat. Thus, the Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. The Project site and offsite impact areas do not include any protected wetlands or jurisdictional features. Thus,

the Project would not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. No migratory wildlife corridors or native wildlife nursery sites were identified within the study area. The Project site does not contain sensitive biological resources since the Project site is highly disturbed. Nonetheless, the Project applicant would be required to pay the applicable MSHCP fees pursuant to Ordinance No. 1123. Thus, the Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, no impacts would occur. The Project site falls within the boundaries of two Habitat Conservation Plans: the MSHCP and the Habitat Conservation Plan for the Stephen's Kangaroo Rat in Western Riverside County California. The Project site is not located within a MSHCP Criteria Cell. Due to the suitable burrowing owl habitat and MSCHP Standard Best Management Practices, the Project applicant would be required to comply with mitigation measures MM BIO-1, MM BIO-2, and MM BIO-3 and pay Stephens' kangaroo rat preservation fees. Thus, the proposed Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. (Initial Study, pp. 55-63).

- **Geology and Soils.**

- **Rupture of known earthquake fault.**

- A Geotechnical Investigation Report and Limited Geotechnical Investigation prepared by Southern California Geotechnical dated February 2022 and May 2023, respectively. Both are included in the Initial Study found in Appendix A of the Draft EIR. There are no Alquist-Priolo Earthquake Faults within the Project site and no active earthquake faults crossing the Project site, and the possibility of significant fault ruptures at the Project site is considered to be low because no evidence of faulting is visible. Thus, because the Project would be designed to meet or exceed the seismic safety standards set forth in the current California Building Codes, and would be consistent with the recommended seismic parameters included in the Geotechnical Investigation Report, it would not directly or indirectly cause potential substantial adverse effects due to a known earthquake fault. Therefore, no impact would occur. (Initial Study, pp. 68-69).

- **Ground shaking.**

- There are no active faults crossing the Project site, or within the City limits. However there are several active faults within the Southern California region that may contribute to ground shaking at the

Project site so the Project would be required to be designed and constructed consistent with current California Building Codes, requiring structures to be designed to meet or exceed the seismic safety standards set forth therein. Thus, the Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. Therefore, potential impacts would be less than significant. (Initial Study, p. 69).

○ **Ground failure/liquefaction.**

- Subsurface conditions encountered at the boring locations as part of the Geotechnical Investigation determined that the Project site and offsite areas are not considered to be conducive to liquefaction. Thus, the Project would not directly, or indirectly, cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. Therefore, potential impacts would be less than significant. (Initial Study, pp. 69-70).

○ **Landslide risk.**

- The Project site is not in an area prone to slope instability and not susceptible to landslides. Implementation of the Project would not directly, or indirectly, cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including landslides. Therefore, no impact would occur. (Initial Study, p. 70).

○ **Soil erosion or loss of topsoil.**

- Construction of the proposed Project would include the grading, moving, and compaction of soils at the site which have the potential to result in soil erosion or the loss of topsoil. However, the Project site would be required to be graded to prevent ponding of surface water and to prevent water from running into excavations. Additionally, the Project would be required to comply with standard erosional control practices and National Pollutant Discharge Elimination System (NPDES) general construction permit which requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared prior to construction activities and implemented during construction activities. All construction activities would also be required to comply with Chapter 33 of the California Building Code, which regulates excavation activities and the construction of foundations and retaining walls, grading activities, including drainage and erosion control. Likewise, the City performs stormwater monitoring and enforcement activities. In the developed

condition, the addition of paved and landscaped areas would, over the long term, decrease the potential for erosion because less exposed soils would exist at the site. Thus, the proposed Project is not anticipated to result in substantial soil erosion or the loss of topsoil because it will be required to comply with the standard regulatory requirements of the NPDES, requiring a SWPPP with identified BMPs. Therefore, potential impacts would be less than significant. (Initial Study, pp. 70-71).

- **Lateral spreading/subsidence/liquefaction or collapse.**

- The potential for geological hazards induced by lateral spreading is considered low and only minor subsidence may occur at the Project site. Shoring is expected during excavation for the storm drain line along portions of the existing street segments to protect the existing utility lines located on the proposed storm drain line alignment. The Project would be required to comply with the recommendations in the Geotechnical Investigations and adhere to the measures identified in the California Building Code and applicable standards of the City's Grading Ordinance to reduce potential impacts resulting from unstable soil conditions. Thus, the Project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse. Therefore, potential impacts would be less than significant. (Initial Study, pp. 71-72).

- **Expansive soils.**

- The Project site includes the presence of expansive soils. As such, the Project would be required to incorporate the recommendations within the Geotechnical Investigation prior to issuance of grading permits. Thus, the Project would not create substantial direct or indirect risks to life or property due to expansive soil. Therefore, potential impacts would be less than significant. (Initial Study, pp. 72 – 73).

- **Septic tanks.**

- The Project would connect to the existing sewer system C and no septic tank or alternative wastewater system would be utilized. Therefore, no impact would occur. (Initial Study, p. 73).

- **Hydrology/Water Quality.**
 - **Groundwater supply/recharge.**
 - The Project site is located within the Perris South Groundwater Management Zone. Implementation of the proposed Project would increase the amount of impervious surfaces within the EMWD’s service area and may have the potential to impact the amount of water which percolates back into the local groundwater basin. However, the amount of impervious surface area due to implementation of the Project would be negligible compared to the groundwater basin. Furthermore, the groundwater from this groundwater management zone is not utilized for domestic purposes and will not be required as part of any agricultural land use. Thus, the proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Therefore, potential impacts would be less than significant. (Initial Study, p. 84).
 - **Flood, Tsunamis/Seiche.**
 - The Project site is located in “Zone X – Other Flood Areas” and is not located within a flood hazard zone. The Project site is also not located within an identified seiche zone, tsunami zone, or located within the Dam Inundation Area for the Lake Perris Dam. Thus, the Project would not be exposed to the release of pollutants due to project inundation from flood, tsunami, or seiche. Therefore, potential impacts would be less than significant. (Initial Study, p. 86).
- **Land Use and Planning (Physically divide an established community).**
 - The Project does not include any new roadways or structures that would physically divide the existing community. Therefore, no impact would occur. (Initial Study, p. 87).
- **Hazards and Hazardous Materials (all thresholds).**
 - The exact tenants of the proposed buildings are unknown at this time, so there is the potential that hazardous materials such as petroleum products, pesticides, fertilizer, and other household hazardous products may be stored and transported from the proposed facility during operation. However, these hazardous materials would not be manufactured at the Project site and would only be stored short-term before transport. Construction of the Project site would involve the transport of fuels, lubricants, and various other liquids for operation of construction equipment. However, several

federal and state agencies prescribe strict regulations for the safe transportation of hazardous materials. Compliance with all applicable laws and regulations will reduce potential impacts associated with routine transport, use, or disposal of hazardous materials. Thus, because the proposed Project would be required to comply with all applicable federal and state laws related to the transportation, use, storage and response to upsets or accidents that may involve hazardous materials, it will not create a significant hazard to the public or the environment through the routine transportation, use, or disposal of hazardous materials. Therefore, potential impacts would be less than significant. A Phase I Environmental Site Assessment dated April 2023 (Phase I ESA) was prepared for the Project site by Geosyntec Consultants, Inc. and is included as part of the Initial Study in Appendix A of the Draft EIR. The Project site was previously utilized for agricultural purposes, farming purposes, and developed with residential structures (which are no longer standing). It is possible that pesticides, herbicides, or petroleum products were utilized onsite. However, no indication of pesticide/herbicide usage was found so the findings are considered to be a de minimis condition which is a condition that generally does not present a threat to human health or the environment that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. The Project site is vacant and does not contain buildings or structures. However, the Phase I ESA observed scattered debris piles throughout the Project site and buried Eastern Municipal Water District (EMWD) telemetry cable improvement. However, no indication of releases, ground surface staining, or other impacts from the solid waste/debris were listed, so findings are considered to be a de minimis condition and there are no Recognized Environmental Conditions (RECs) or Historical Recognized Environmental Conditions (HRECs) in connection with the Project site. Pursuant to California Health and Safety Code §25507, a business shall establish and implement a Hazardous Materials Business Emergency Plan for emergency response to a release or threatened release of a hazardous material in accordance with the standards prescribed in the regulations adopted pursuant to §25503 if the business handles a hazardous material or a mixture containing a hazardous material that has a quantity at any one time above the thresholds described in §25507(a)(1) through (8). These regulations inherently safeguard life and property from the hazards of fire/explosion arising from the storage, handling, and disposal of hazardous substances, materials, and devices, as well as hazardous conditions due to the use or occupancy of buildings. Thus, implementation of the Project would not create a significant hazard to the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Therefore, potential impacts would be less than significant. There are no existing or proposed schools within a one-quarter-mile radius of the proposed Project site. Thus, the Project would not emit hazardous emissions or handle hazardous or acutely

hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The Department of Toxic Substances Control Cortese list, compiled pursuant to Government Code Section 65962.5, did not list any hazardous materials sites within or adjacent to the Project site, nor did the Phase I ESA. Thus, the Project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment. The proposed Project site is located just over 2 miles northwest of the Perris Valley Airport and Skydiving Center and approximately 11 miles southeast of March Air Reserve Base/Inland Port Airport (MARB/IPA). The Project site is within the MARB/IPA Airport Land Use Compatibility Plan (MARB/IPA ALUCP) area and is located within Land Use Compatibility Zone D. As such, the Project is required to undergo review by the Riverside County Airport Land Use Commission (ALUC). ALUC determined via a public hearing June 8, 2023, that the Project is consistent with the MARB/IPA ALUCP. Due to a site plan change which placed the basin underground to provide more truck trailer parking subsequent to the June 2023 hearing, the site plan was reviewed again by ALUC staff pursuant to Policy 1.5.2(d) of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan and was determined by the ALUC Director to be consistent on August 22, 2023. These letters are part of the Initial Study included in Appendix A of the Draft EIR. Thus, implementation of the Project would not expose people residing or working in the project area to a safety hazard or excessive noise for people residing or working in the project area. The Project site is located along Ethanac Road and Sherman Road which have both been identified as Evacuation Routes by the City of Perris General Plan. Additionally, Riverside County has identified these roadways as potential evacuation routes due to their connectivity to other major highways and roadways. The City participates in the County of Riverside Multi-Jurisdictional Local Hazard Mitigation Plan which outlines requirements for emergency access and standards for emergency responses. It is anticipated that all local roadways would remain open during Project construction and operation. Thus, the Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, potential impacts would be less than significant. The Project site is not located within or near a State Responsibility Area, in an area that is identified as being in a very high fire hazard severity zone and does not contain natural features that would exacerbate wildland fire risk. Thus, the Project would not result in direct or indirect significant risk of loss, injury or death involving wildland fires would occur. Therefore, no impact would occur. (Initial Study, pp. 75-81).

- **Mineral Resources (all thresholds).**
 - The Project site is located within City designated Mineral Resource Zone Three (MRZ-3), which contains minerals of unknown importance. Due to the existing developments in proximity to the Project site, it is unlikely that a mining operation could feasibly function if significant resources were discovered in the future. Thus, the Project is not anticipated to result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Therefore, no impact would occur. No sites within the City of Perris have been designated as locally-important mineral resource recovery sites on any local plan. Therefore, no impact to the availability of a locally-important mineral resource recovery site would occur. (Initial Study, p. 88).

- **Noise (Private airstrip/airport noise).**
 - The Project site is located within MARB/IPA ALUCP 55 dBA CNEL noise contour where potential noise impacts from MARB/IPA are considered moderate to low with concerns focused primarily on individual loud events. The southernmost offsite areas of the Project area consisting of road ROW are located beyond the 55 dBA CNEL noise contour where potential noise impacts from MARB/IPA are considered low with concerns focused primarily on occasional overflights that may be intrusive to some outdoor activities. The City's noise compatibility standards in the Perris Municipal Code Section 19.51.080, prevents the establishment of noise-sensitive land uses. Further, the Project was reviewed by ALUC and determined to be consistent with the MARB/IPA ALUCP on June 8, 2023. Due to a site plan change which placed the basin underground to provide more truck trailer parking subsequent to the June 2023 hearing, the site plan was reviewed again by ALUC staff pursuant to Policy 1.5.2(d) of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan and was determined by the ALUC Director to be consistent on August 22, 2023. Both consistency determinations are part of the Initial Study included as Appendix A to this Draft EIR. Thus, implementation of the Project would not expose people residing or working in the Project area to excessive noise levels. Therefore, potential impacts would be less than significant. (Initial Study, pp. 89-90).

- **Population and Housing (all thresholds).**
 - The proposed Project does not involve construction of any new homes and would not contribute to a direct increase in the City's population. The proposed Project may indirectly contribute to population growth within the City by creating jobs both during construction and operation. The Project is projected to create approximately 400 jobs. However, it is anticipated that the majority of new jobs would be filled by workers who already reside in the

Project vicinity and that the Project would not attract a substantial number of new residents to the City. As part of the proposed Project, an extension of storm drain infrastructure is required to serve the Project's need. However, the addition of storm drain infrastructure would not cause additional growth within the cities of Perris and Menifee. Additionally, the General Plan amendment and rezone from Commercial Community to Light Industrial would not result in a substantial change in the number of people in the area. Thus, implementation of the proposed Project would not substantially introduce unplanned population growth in an area, either directly or indirectly. Thus, potential impacts to population growth within the City and Project vicinity would be less than significant. The Project site is currently vacant. Hence, no housing units would be displaced as a result of Project construction. Thus, the Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. Therefore, no impact would occur (Initial Study, p. 91).

- **Public Services (all thresholds).**
 - Fire protection is provided to the City by the Riverside County Fire Department. The Project would be required to comply with the City's Perris Municipal Code (PMC) Section 19.68.020 which establishes a developer impact fee to mitigate the cost of public facilities needed to offset the impact of developing new facilities to support fire services. Thus, through payment of Developer Impact Fees (DIF), the Project would not result in substantial physical impacts associated with the provision of new or physically altered governmental facilities; need for new or physically altered governmental facilities; the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection. Therefore, potential impacts would be less than significant. Police protection is provided to the City by the Riverside County Sheriff. The Project would be required to comply with PMC Section 19.68.020, requiring payment of DIF fees for the local police department. Thus, the Project would not result in substantial physical impacts associated with the provision of new or physically altered governmental facilities; need for new or physically altered governmental facilities; the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection. Therefore, potential impacts would be less than significant. The proposed Project site is located within the boundaries of the Perris Elementary School District and Perris Union High School District. The proposed Project would not

directly create a source of school-aged children, as the Project does not include any residential land uses. The Project would be required to comply with the City's PMC Section 19.68.020 and require payment of DIF fees for the school districts. Thus, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools. Therefore, potential impacts would be less than significant. The proposed Project would not directly require the construction or expansion of public recreational facilities as it does not include new residential uses. However, it may indirectly affect public recreational facilities by providing a source of employment that may draw new residents into the area. However, the Project developer will be required to pay DIF fees per PMC Section 19.68.20 which will be used to offset potential impacts to park facilities. Thus, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks. Therefore, potential impacts would be less than significant. The proposed Project would not directly increase the demand for library or other public services because it does not include new residential uses. However, the Project developer will be required to pay DIF fees per PMC Section 19.68.20 which are utilized for constructing new or expanding existing library facilities consequential to demand. Medical services are available approximately 11.5 miles north of the Project site. Healthcare facilities are developed in response to perceived market demand by free enterprise. Hence, development of the proposed Project would not result in the construction of new or expanded medical facilities. Thus, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities. Therefore, potential impacts would be less than significant. (Initial Study, pp. 92-94).

- **Recreation (all thresholds).**
 - The proposed Project may indirectly affect public recreational facilities by creating new jobs in the area which may draw new residents to the area.

However, the Project would be required to comply with PMC Section 19.68.020 requiring payment of DIF fees used to construct new, expand, or replace existing recreational facilities consequential to increased demand. Thus, the proposed Project would not result impacts to existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would not occur or be accelerated. Therefore, potential impacts would be less than significant. The Project proposes to provide its own amenities for employees but is not a use that would induce the construction or expansion of recreational facilities. The proposed Project may indirectly affect public recreational facilities by creating new jobs in the area which may draw new residents to the area. However, the Project would be required to comply with PMC Section 19.68.020 requiring payment of DIF to offset impacts to park facilities. Thus, the Project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Therefore, potential impacts would be less than significant. (Initial Study, p. 95).

- **Transportation.**

- **Increased hazards due to geometric design.**

- No sharp curves or other hazardous traffic conditions currently exist within the Project vicinity or on the Project site since the site is vacant and undeveloped. The proposed Project would be required to comply with all applicable City development standards and policies for providing pedestrian walkways, bike lanes and road improvements to ensure safety amongst vehicle circulation. Access points would be limited to Trumble and Ethanac Roads. The passenger vehicle parking area within the Project site would be separated from the truck activity areas to ensure pedestrian safety. Thus, the proposed Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) and would not include incompatible uses. Therefore, potential impacts would be less than significant. (Initial Study, p. 96).

- **Inadequate emergency access.**

- The proposed Project would be required to comply with all applicable fire code and City Fire Department requirements and standards for construction, access, water mains, fire flow, and fire hydrants. Prior to any site development or future project approvals, all plans would be required to be submitted to the fire marshal for review and verification that they conform to all pertinent fire standards and requirements. Thus, the Project would not result in result in inadequate emergency access because it would be required

to comply with applicable fire codes. Thus, implementation of the proposed Project would not result in inadequate emergency access. Therefore, potential impacts would be less than significant. (Initial Study, p. 97).

- **Utilities and Service Systems.**

- **Sufficient water supplies.**

- The EMWD's 2020 Urban Water Management Plan (UWMP) includes a water system analysis, identifies improvements to correct existing deficiencies and serve projected future growth, and presents the estimated costs and phasing of the recommended improvements. Based on the UWMP findings, the EMWD anticipates that it will be able to meet projected demand within its service boundaries until at least the year 2045 during normal and dry weather years. Further, the proposed Project land use would result in less water demand than originally projected for the Project site as a commercial use. Thus, the EMWD would have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years. Therefore, potential impacts would be less than significant. (Initial Study, pp. 101-102).

- **Inadequate wastewater treatment capacity.**

- The EMWD's Perris Valley Regional Water Reclamation Facility receives approximately 128 million gallons per day (mgd) of sewage. Based upon the EMWD's wastewater generation rate of 300 gallons per day per acre for industrial light land uses, the proposed Project would generate approximately 6,000 gallons of wastewater per day (300 gallons per day per acre × 20 Project acres = 6,000 gallons per day). If the site were to be developed under the existing land use and zoning designations, the wastewater generation rate of 1,200 gallons per day per acre would result in approximately 24,000 gallons per day for the same site. As the site was planned for future uses that would generate a higher wastewater result that was already accounted for within Perris Valley Regional Water Reclamation Facility's capacity, it can be concluded that this facility has sufficient capacity to serve the proposed Project. Thus, the proposed Project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the Project's projected demand in addition to the provider's existing commitments. Therefore, potential impacts would be less than significant. (Initial Study, p. 102).

- **Generation of excess solid waste.**
 - Trash, recycling, and green waste services within the City are provided by CR&R Waste Services. Waste is transported to the Perris Transfer Station and Materials Recovery Facility. At this facility, recyclable materials are separated from solid waste materials. Recyclable materials are sold in bulk and transported for processing and transformation for other uses. Solid waste from the proposed Project would be transported to either the Badlands Landfill or the El Sobrante Landfill on Dawson Canyon Road in Corona; all of which have capacity to serve the Project. Thus, the Project would not generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Therefore, potential impacts would be less than significant. (Initial Study, pp. 103 – 105).

- **Compliance with solid waste regulations.**
 - Federal, State, and local statutes and regulations regarding solid waste generation, transport, and disposal are intended to decrease solid waste generation through mandatory reductions in solid waste quantities (e.g., through recycling and composting of green waste) and the safe and efficient transport of solid waste. The proposed Project would be required to coordinate with CR&R Waste Services to develop a collection program. Additionally, the Project would be required to comply with applicable practices enacted in AB 939 and any other local, State, and federal solid waste management regulations. Thus, the proposed Project would be required to comply with all regulatory requirements regarding solid waste. Therefore, potential impacts would be less than significant. (Initial Study, p. 105).

- **Wildfire (all thresholds).**
 - The Project site is not located within or near a State Responsibility Area very high fire, high or moderate hazard severity zone and the Project site is generally flat with no steep slopes located onsite or adjacent to the affected lands that would exacerbate wildfire risk (i.e., from upslope winds). No other natural features are present onsite that would exacerbate wildfire risks. Therefore, no impact would occur (Initial Study, p. 106).

For the reasons set forth in the Initial Study (Draft EIR Appendix A) and provided at **DEIR pages 4-1 to 4-18**, this Council finds that the above thresholds were not required to be discussed further in the Draft EIR. With the exception of those specific sub issue areas identified in Section 5.3 below as requiring mitigation (Aesthetics and Biological Resources), all of the above impacts of the Project are less than significant without the need for mitigation.

5.2 IMPACTS THAT ARE LESS THAN SIGNIFICANT WITHOUT THE NEED FOR MITIGATION.

The DEIR evaluated 11 major environmental categories for potential impacts including Air Quality, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, Noise, Transportation, Utilities and Service Systems and Tribal Cultural Resources. Both Project-specific and cumulative impacts were evaluated. Of these 11 major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Section 5 of the Draft EIR are less than significant without the need for mitigation.

The Council finds that impacts of the Project related to Air Quality, Energy, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, and Utilities and Service Systems (all issue areas) and their respective cumulative impacts are less than significant without the need for mitigation, in whole or in part due to Project location and characteristics, various design considerations and efficiency standards that have been incorporated into the Project, including mandatory compliance with conditions of approval, applicable standards under CALGreen, Title 24 and other regulations, compliance with the City of Perris Good Neighbor Guidelines, and a commitment by the Project applicant to meet the requirements of LEED Silver certification for the Project building.

5.2.1 Air Quality.

Threshold: The EIR evaluated and concluded that the Project would not conflict with or obstruct implementation of the applicable air quality plan.

Finding: Based on the entire record before us, this Council finds that this impact is less than significant without the need for mitigation.

Facts in Support of Finding: The Project's localized and regional construction and operation source emissions would not exceed applicable regional significance and localized thresholds. Although the Project's proposed uses are not consistent with the General Plan land use designation, the Project would not exceed the regional or localized construction and operational thresholds and the Project's development intensity is therefore consistent with the development intensities allowed within the General Plan. As such, the Project is considered to be consistent with the air quality plan. (DEIR at 5.1-24).

Threshold: The EIR evaluated and concluded that the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

Finding: Based on the entire record before us, this Council finds that this impact is less than significant without the need for mitigation.

Facts in Support of Finding: The Project's design features are discussed at DEIR pages 5.1-20 to 5.1-22. The Project region is designated as nonattainment for ozone, PM₁₀, and PM_{2.5} under the California Ambient Air Quality Standards while the Project region is designated as nonattainment for ozone and PM_{2.5} under the National Ambient Air Quality Standards. As shown in DEIR

Tables 5.1-E, Overall Construction Emissions Summary, **Table 5.1-F**, Summary of Peak Operational Emissions (Summer) and **Table 5.1-G**, Summary of Peak Operational Emissions (Winter), the criteria pollutant emissions from construction and operation of the Project will not exceed the South Coast Air Quality Management District (AQMD) regional daily thresholds during summer or winter for any criteria pollutants. Thus, the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard. (**DEIR at 5.1-29**).

Threshold: The EIR evaluated and concluded that the Project would not expose sensitive receptors to substantial pollutant concentrations.

Finding: Based on the entire record before us, this Council finds that this impact is less than significant without the need for mitigation.

Facts in Support of Finding: As shown in **DEIR Table 5.1-H**, localized construction emissions would not exceed the applicable South Coast AQMD Localized Significance Thresholds (LST) for emissions of any criteria pollutant. Therefore, localized impacts related to construction activities would be less than significant and no mitigation is required. In an effort to establish a maximum potential impact scenario for analytic purposes, the emissions shown in **DEIR Table 5.1-I**, Localized Operation Emissions Summary, represent all on-site Project-related stationary (area) sources and mobile sources. Operational emissions would not exceed the LST for the nearest sensitive receptor. Therefore, localized impacts from operational activities would be less than significant and no mitigation is required. (**DEIR at 5.1-32**).

The intersection of Trumble Road and Ethanac Road would have the highest AM and PM traffic volumes of 3,241 vehicles per hour and 4,014 vehicles per hour, respectively. As such, total traffic volumes at the intersections considered are less than the traffic volumes identified in the 2003 Air Quality Management Plan. As such, the Project considered herein along with background and cumulative development would not produce the volume of traffic required to generate a CO “hot spot” either in the context of the 2003 Los Angeles hot spot study or based on representative Bay Area AQMD CO threshold considerations. Therefore, CO “hot spots” are not an environmental impact of concern for the Project. Localized air quality impacts related to mobile-source emissions would therefore be less than significant. (**DEIR at 5.1-33**). A Health Risk Assessment was prepared to evaluate the potential significance of the Project’s mobile-source diesel particulate matter emissions generated by heavy-duty diesel trucks and equipment accessing the site. As summarized at **DEIR pages 5.1-34 to 5.1-42**, neither the construction emissions nor operational emissions resulting from implementation of the proposed Project would exceed the LST at the nearest receptor locations. Additionally, the Project would not result in potentially adverse CO concentrations or “hot spots.” None of the cancer or non-cancer thresholds are exceeded as a result of Project construction and operation for receptors within the proposed Project vicinity. Finally, the Project site is not located within a disadvantaged community nor would its emissions be sufficiently high enough to warrant the use of a regional modeling program to correlate health effects on a basin-wide level. Thus, the Project would not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project construction or operation. Therefore, impacts would be less than significant. (**DEIR at 5.1-42**).

5.2.2 Cultural Resources.

Threshold: The EIR evaluated and concluded that the Project would not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.

Finding: Based on the entire record before us, this Council finds that this impact is less than significant without the need for mitigation.

Facts in Support of the Finding: The Cultural Resources Assessment investigation included an archaeological literature and records search at the Eastern Information Center of the California Historical Resources Information System which identified 31 cultural resources within the Study Area. Of the 31 cultural resources identified, 16 were classified as historical period-built environment resources. None of the resources identified are located on the Project site or offsite areas. The pedestrian survey found a dense cover of recent and old vegetation growth. Ground visibility ranged from zero to 100 percent depending on location. The Project site shows signs of modern disturbances such as tilling activities. Evidence of fragments of modern concrete water conveyance pipes were found in the tilled area in the southwest corner of the Project site. A windshield survey and reconnaissance pedestrian survey method was used within the rights-of-way for offsite areas along Illinois Avenue, Ethanac Road, Trumble Road, and Sherman Road as access was not provided to the offsite areas extending beyond the rights-of-way. As a result of the survey, three historic period road segments (Ethanac Road, Trumble Road, and Sherman Road) were documented and evaluated for listing on the California Register of Historical Resources as part of the current study. Hence, none of the roadway segments appear eligible for listing in the California Register of Historical Resources under any of the four criterion. Based on the Eastern Information Center records search, review of aerial photographs, and intensive pedestrian survey of the Project site and windshield reconnaissance survey of the offsites by PaleoWest, no historical resources are anticipated to be impacted by Project implementation, and no mitigation is required. Thus, the Project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. Therefore, no impact would occur. **(DEIR at 5.2-15).**

5.2.3 Energy.

Threshold: The EIR evaluated and concluded that the Project would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

Finding: Based on the entire record before us, this Council finds that this impact is less than significant without the need for mitigation.

Facts in Support of Finding: Energy demands of the Project are analyzed in detail at **DEIR pages 5.3-15 to 5.3-20**. Through implementation of project design features (PDF) and the City of Perris Good Neighbor Guidelines, the Project would meet or exceed all applicable standards under California's Green Building Code (CALGreen) and the Building Energy Efficiency Standards contained in Title 24. Project construction and operations would not result in the inefficient, wasteful, or unnecessary consumption of energy. The energy demands of the Project can be accommodated within the context of available resources and energy delivery systems. Hence, the

Project would not cause or result in the need for additional energy producing or transmission facilities and would not cause or result in the need for additional energy producing or transmission facilities. Further, the Project would not engage in wasteful or inefficient uses of energy and aims to achieve energy conservation goals within the State of California. Thus, 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. Therefore, impacts would be less than significant. (DEIR 5.3-20).

Threshold: The EIR evaluated and concluded that the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Finding: Based on the entire record before us, this Council finds that this impact is less than significant without the need for mitigation.

Facts in Support of Finding: The proposed Project would comply with current CALGreen Code requirements and Building Energy Efficiency Standards, in addition to implementing PDFs and applicable City of Perris Good Neighbor Guidelines. The Project's consistency with the California State Plan, the City of Perris Climate Action Plan, ISTEPA, Senate Bill 350, TEA-21 and Title 24 is provided at **DEIR pages 5.3-20 to 5.3-21**. The Project would not conflict with or obstruct any adopted State or local plans for renewable energy or energy efficiency.

5.2.4 Greenhouse Gases.

Threshold: The EIR evaluated and concluded that the Project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

Finding: Based on the entire record before us, this Council finds that this impact is less than significant without the need for mitigation.

Facts in Support of Finding: The City of Perris utilizes the South Coast AQMD's 10,000 MTCO₂e/year threshold for industrial projects. A summary of the Project's construction and operational emissions and the level of GHG impacts as a result of implementing the Project evaluated in the Project's Greenhouse Gas Analysis is provided within the EIR. As shown in **DEIR Table 5.5-E, Total Project GHG Emissions**, the total GHG emissions generated from the Project is approximately 3,234.13 MTCO₂e/year. The total GHG emissions from the Project would not exceed the South Coast AQMD's numeric threshold of 10,000 MTCO₂e/year. Thus, with incorporation of project design features, regulations, and compliance with conditions of approval, the proposed Project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. Therefore, impacts would be less than significant. (DEIR at 5.5-32).

Threshold: The EIR evaluated and concluded that the Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emission of greenhouse gases.

Finding: Based on the entire record before us, this Council finds that this impact is less than significant without the need for mitigation.

Facts in Support of Finding: The Project's consistency with the 2022 Scoping Plan is discussed in Section 5.5 of the DEIR, as well as the Project's consistency with the Perris Climate Action Plan (CAP). The Project's consistency with the 2022 Scoping Plan also satisfies consistency with AB 32 since the 2022 Scoping Plan is based on the overall targets established by AB 32 and SB 32. The Project would be required to comply with applicable current and future regulatory requirements promulgated through the 2022 Scoping Plan. Some of the current transportation sector policies the Project will comply with (through vehicle manufacturer compliance) include: Advanced Clean Cars II, Advanced Clean Trucks, Advanced Clean Fleets, Zero Emission Forklifts, the Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, In-use Off-Road Diesel-Fueled Fleets Regulation, Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, Amendments to the In-use Off-Road Diesel-Fueled Fleets Regulation, carbon pricing through the Cap-and-Trade Program, and the Low Carbon Fuel Standard. Additionally, the Project includes design features related to water and solid conservation that will further reduce Project GHG emissions. As such, the Project would not be inconsistent with the 2022 Scoping Plan. Lastly, the Project would be required to comply with applicable elements outlined in the City's CAP. As such, the Project would not be inconsistent with the 2022 Scoping Plan. **(DEIR at 5.5-33).**

The Project is subject to California Building Code requirements. New buildings must meet the applicable building code requirements and standards in place at the time building permit documentation submittals are made. CALGreen is updated on a regular basis, with the most recently approved 2022 California Green Building Code Standards that became effective on January 1, 2023. As construction of the Project is anticipated to be completed in 2025, it is presumed that the Project would be required to comply with the Title 24 standards in place at that time. While the Project does not include reduced parking, increased density, or a mixed-use development, it would provide sidewalks, bike racks, and pedestrian walkways to encourage the use of alternative modes of transportation (walking, biking, and transit). Thus, with implementation of project design features, regulations, and compliance with conditions of approval, the proposed Project will not conflict with any applicable plan, policy, or regulation either directly or indirectly, that may have a significant impact on the environment. **(DEIR at 5.5-33).**

5.2.5 Hydrology and Water Quality.

Threshold: The EIR evaluated and concluded that the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

Finding: Based on the entire record before us, this Council finds that this impact is less than significant without the need for mitigation.

Facts in Support of Finding: Existing and proposed drainage conditions are discussed in detail at **DEIR pages 5.6-22 to 5.6-26.** Because the proposed stormwater runoff treatment system design is consistent with the standards of the Multiple Separate Storm Sewer System (MS4) Permit for

sizing and pollutant removal effectiveness, the Project's potential to violate water quality standards or waste discharge requirements is considered to be less than significant due to the ability of the proposed drainage system to adequately treat and manage the water quality and water discharge requirements of the Project site. Project design features are included to address any impacts, and therefore no mitigation measures are necessary. Thus, because the Project would be required to comply with existing regulations, the proposed Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Therefore, potential impacts would be less than significant. (DEIR 5.6-26).

Threshold: The EIR evaluated and concluded that the Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or offsite; result in flooding on or offsite; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows.

Finding: Based on the entire record before us, this Council finds that this impact is less than significant without the need for mitigation.

Facts in Support of Finding: The proposed system would capture and convey offsite flows as well as capture, treat, and convey onsite runoff. Both on and offsite runoff will be directed to City Line A, potentially a second storm drain line running parallel with City Line A, MDP Line A-11, and then ultimately MDP Line A. There is potential for erosion and siltation to occur on- and off-site from construction of the Project. As described in Threshold A above, a SWPPP will be implemented to minimize to the extent practicable any non-stormwater discharges resulting from construction activities. The Water Quality Management Plan (WQMP) for the Project would include water quality treatment for volume of stormwater generated onsite during the operational phase of the Project. With implementation of the water quality treatment system, downstream siltation is also unlikely to result from the Project. Thus, through implementation of existing regulations of stormwater quality, as well as project design features, the Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site. (DEIR at 5.6-26 to-27).

With the addition of new impervious surfaces, stormwater runoff will flow at a faster rate and higher volume. However, the Project would include new drainage facilities to convey both on-and off-site flows underground storage chambers sufficiently sized to retain and treat stormwater, as well as convey on- and off-site flows for the interim and ultimate conditions such that it would not result in flooding. All flows from the Project would ultimately discharge to MDP Line A, which is a regional drainage facility sized to handle the runoff from development in the MDP area, including additional flows from the Project. Thus, through implementation of project design features, all facilities can adequately handle on-site and off-site flows and the Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. (DEIR at 5.6-27).

The Project would be designed and sized to adequately capture all increased volumes and flows that the proposed Project would generate. Since the capacity of the Romoland MDP would not be exceeded and because the Project would be required to provide a SWPPP and WQMP to address pollutants generated by the Project, substantial additional sources of pollutants are also unlikely to result from the Project. Thus, the Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. **(DEIR at 5.6-27).**

The Project site is identified on FIRM Panel No. 06065C2060H (effective 8/18/2014) (FEMA) as being located within “Zone X – Other Flood Areas” which is defined as “areas with a 0.2 percent annual chance flood; areas of 1 percent annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1 percent annual chance flood”. This means the Project site is not located in an area with existing flood flows. Thus, the Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows. **(DEIR at 5.6-28).**

Threshold: The EIR evaluated and concluded that the Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Finding: Based on the entire record before us, this Council finds that this impact is less than significant without the need for mitigation.

Facts in Support of Finding: The Project site is within the regulatory boundary of the Santa Ana Regional Water Quality Control Board (RWQCB). The governing regulatory document of the RWQCB is the Water Quality Control Plan (i.e., Basin Plan) for the Santa Ana Region which outlines the regulatory programs of the Santa Ana RWQCB to protect and improve surface water and groundwater quality. For new developments, the Basin Plan requires compliance with applicable NPDES permits, including the Construction General Permit for construction activities and the MS4 Permit for WQMPs. Because the Project will implement these existing regulations, the Project is consistent with the Basin Plan. Further, the Project site is located within the boundary of the San Jacinto Groundwater Basin for which the EMWD has prepared the San Jacinto Groundwater Sustainability Plan. The Project site is not a designated groundwater production or recharge site and is not slated to become one in the future. As such, development of the Project will not conflict with or obstruct the intent of the Groundwater Sustainability Plan. Through implementation of existing regulations related to water quality and groundwater management, the Project will not conflict with or obstruct a water quality control plan or groundwater management plan. Therefore, potential impacts would be less than significant. **(DEIR at 5.6-28).**

5.2.6 Land Use and Planning.

Threshold: The EIR evaluated and concluded that the Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Finding: Based on the entire record before us, this Council finds that this impact is less than significant without the need for mitigation.

Facts in Support of Finding: The Project includes a General Plan Amendment to redesignate the approximately 20-gross acre Project site from Community Commercial to Light Industrial. The Project also includes a Change of Zone to rezone the approximately 20-gross acre Project site from Commercial Community to Light Industrial. With approval of the General Plan Amendment and Change of Zone, the General Plan land use designation and zoning would be consistent and allow for the proposed industrial uses on the Project site. Development of the Project site is regulated by the development regulations and design standards contained within the Title 9 of the Perris Municipal Code. The proposed Project would be subject to Perris Municipal Code Section 19.44 – Industrial Zones as it relates to Light Industrial. The primary purpose of Light Industrial is to provide for light industrial uses and related activities including manufacturing, research, warehouse and distribution, assembly of non-hazardous products/materials, and retail related to manufacturing. This designation is required to further comply with Perris Municipal Code Section 19.44.090 which provides site planning and development standards for specific uses, with which the proposed Project would be required to comply.

CEQA Guidelines Section 15125(d) requires EIRs to “...discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans.” The objective of such a discussion is to find ways to modify a proposed project, if warranted, to reduce any identified inconsistencies with relevant plans and policies. Pursuant to Section 15125(d), the Draft EIR includes an evaluation of the consistency of the proposed Project with applicable goals and policies of Perris General Plan 2030 that have been adopted for the purpose of avoiding or mitigating an environmental effect, as shown in **DEIR Table 5.7-A**, Project Consistency with Perris General Plan 2030 Policies. Based on the analysis contained therein, the Project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect with the implementation of the mitigation measures recommended throughout the Draft EIR and adopted herein. (**DEIR 5.7-6 to 5.7-30**).

5.2.7 Noise.

Threshold: The EIR evaluated and concluded that the Project would not generate excessive groundborne vibration or groundborne noise levels.

Finding: Based on the entire record before us, this Council finds that this impact is less than significant without the need for mitigation.

Facts in Support of Finding: The City does not regulate vibration. In the absence of local regulations, the Noise Assessment used the Federal Transit Administration guidance to determine vibration resulting from construction and operation of the proposed Project. As demonstrated at **DEIR pages 5.8-38 to 5.8-39**, the Project’s construction and operational activities would generate vibration levels less than 0.3 in/sec peak particle velocity so as not to exceed City standards. Thus, the proposed Project would result in generation of excessive groundborne vibration or groundborne noise levels. Therefore, impacts would be less than significant.

5.2.8 Utility and Service Systems.

Threshold: The EIR evaluated and concluded that the Project would not require or result in the relocation or construction of new or expanded water wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

Finding: Based on the entire record before us, this Council finds that this impact is less than significant without the need for mitigation.

Facts in Support of Finding: The Initial Study determined that Project would result in a less than significant impact to water, sewer, electric, natural gas, and telecommunication facilities. Wet and dry utilities installed as part of the proposed Project would be installed on-site and off-site consistent with the requirements of the respective utility providers, and consistent with final plans approved by the utility providers. Hence, these utilities were not further analyzed in accordance with CEQA Guidelines Section 15128. (**Final EIR at 3-22**). The Project applicant would construct the on- and offsite storm drainage facilities as described in Section 5.6 – Hydrology and Water Quality of the Draft EIR; specifically Section 5.6.7 – Environmental Impacts, Threshold A. Because the Project would ultimately be connecting to storm drain facilities that are regional in nature, do not exceed capacity, and comply with all required regulations, the Project would not require expanded facilities. The effects of constructing these storm facilities are described, analyzed, and mitigated in this Draft EIR (e.g., air quality impacts, cultural resources, hydrology and water quality, noise impacts, etc.). Thus, the Project would not require or result in the relocation or construction of new or expanded water wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. Therefore, potential impacts would be less than significant. (**DEIR at 5.11-6**).

5.3 POTENTIALLY SIGNIFICANT IMPACTS WHICH CAN BE MITIGATED BELOW A LEVEL OF SIGNIFICANCE WITH MITIGATION MEASURES.

Public Resources Code Section 21081 and CEQA Guidelines Section 15091(a)(1) state that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

The following issues from the environmental categories analyzed in the EIR and/or Initial Study, including Aesthetics, Biological Resources, Cultural Resources, Geology and Soils, Noise and Tribal Cultural Resources were found to be potentially significant, but can be mitigated to a less than significant level with the imposition of mitigation measures. Likewise, all cumulative impacts related to these issue areas were found to be less than significant with mitigation. This Council hereby finds pursuant to *Public Resources Code* Section 21081 and CEQA Guidelines Section 15091(a)(1) that all potentially significant Project-level and cumulative impacts related to the environmental categories listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are

included as Conditions of Approval and set forth in the MMRP adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

5.3.1 Aesthetics.

Aesthetic impacts were evaluated in the Initial Study but were not discussed further within the Draft EIR. Please refer to Section 5.1 of these Findings.

Potential Significant Impact: Due to the distance between the construction area and the adjacent existing residences and motorists on adjacent roadways, temporary security lights may result in glare to residents and motorists. Therefore, the Project could create a source of substantial light or glare.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but can be mitigated to a less than significant level through implementation of Mitigation Measure AES-1. This Mitigation Measure is adopted and incorporated into the MMRP for the Project, and will be implemented as specified therein, thereby reducing this potentially significant impact to a less than significant level. The impacts related to this issue area are discussed in detail in the Initial Study contained at Appendix A of the DEIR. The following Mitigation Measure will mitigate Project-level and cumulative impacts related to aesthetics to below a level of significance:

Mitigation Measures.

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

Facts in Support of the Finding: The Project site is located within Zone B of the Mt. Palomar Observatory and the Project would be required to comply with County of Riverside Ordinance 655. Glare would be addressed through standard conditions of approval, plan check, permit procedures and design guidelines such as installation of window tinting or other measures that would reduce glare. Thus, with implementation of mitigation measure MM AES-1, the Project would not create new sources of light or glare that will adversely affect day or nighttime views in the area. Therefore, potential impacts would be less than significant with mitigation incorporated. **(Initial Study, pp. 48-49; DEIR at 4-2).**

5.3.2 Biological Resources.

Impacts to Biological Resources were evaluated in the Initial Study but were not discussed further within the Draft EIR. The Project site is not located within any MSHCP Conservation Areas and is determined to be located outside survey areas for amphibians, small mammals, Delhi-sands, flower-loving fly and other criteria. The Project site is located within a MSHCP-designated survey area for Western Burrowing Owl. Marginally suitable habitat for California horned lark (Watch List species), including the herbaceous nonnative forbs and grasses occurs within the Project footprint. Additionally, the large gum trees and other ornamental trees located adjacent to the

Project site and within the offsite areas may provide nesting habitat for nesting birds and raptors. Although potential impacts to Stephens' kangaroo rat are covered by the MSHCP and the Habitat Conservation Plan for the Stevens' Kangaroo Rat in Western Riverside County, impacts to Stephens' kangaroo rat habitat within the Habitat Conservation Plan area would require mitigation fee payment. California glossy snake is not covered under the MSHCP. However, this species is only expected to occur in very low densities and Project-related impacts would not be expected to contribute to the overall decline of populations for these species due to the lack of high-quality habitat within the study area, the site's history of anthropogenic disturbances, and the presence of urban development adjacent to the Project site. (Initial Study, pp. 55-65).

Potential Significant Impact: The EIR evaluated and concluded that the Project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, and that the Project could conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Finding: Based on the entire record before us, this Council finds that these impacts are potentially significant but can be mitigated to a less than significant level through implementation of Mitigation Measures BIO-1, BIO-2 and BIO-3. These Mitigation Measures are adopted and incorporated into the MMRP for the Project and will be implemented as specified therein, thereby reducing these potentially significant impacts to a less than significant level. The impacts related to this issue area are discussed in detail in the Initial Study contained at Appendix A of the DEIR. The following Mitigation Measures will mitigate Project-level and cumulative impacts to biological resources to below a level of significance:

Mitigation Measures.

MM BIO-1: Preconstruction Survey for Nesting Birds. In order to avoid violation of the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code Sections 3503, 3503.5, and 3513, site preparation activities (ground disturbance, construction activities, staging equipment, and/or removal of trees and vegetation) for the Project shall be avoided, to the greatest extent possible, during the nesting season of potentially occurring native and migratory bird species.

If site-preparation activities are proposed during the nesting/breeding season, the Project proponent shall retain a qualified biologist to conduct a pre-activity field survey prior to the issuance of grading permits for the Project to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone. The nest surveys shall include the Project site and adjacent areas where Project activities have the potential to cause nest failure. The survey results shall be provided to the City's Planning Division. The Project proponent shall adhere to the following:

1. The Project proponent shall designate a biologist (Designated Biologist) experienced in: identifying local and migratory bird species of special concern;

conducting bird surveys using appropriate survey methodology; nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, and identifying nesting stages and nest success; determining/establishing appropriate avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures.

2. Pre-activity field surveys shall be conducted at the appropriate time of day/night, during appropriate weather conditions, no more than 3 days prior to the initiation of Project development activities. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration shall take into consideration the size of the project site; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate.

If no nesting birds are observed during the survey, site preparation and construction activities may begin conducted during the nesting/breeding season. However, if active nests (including nesting raptors) are located then avoidance or minimization measures shall be undertaken in consultation with the City of Perris and the CDFW. Measures shall include immediate establishment of an appropriate buffer zone to be established by a qualified biologist, and approved by the City of Perris, based on their best professional judgement and experience. The buffer around the nest shall be delineated and flagged, and no construction activity shall occur within the buffer area until a qualified biologist determines nesting species have fledged and the nest is no longer active or the nest has failed. The biologist shall monitor the nest at the onset of Project activities, and at the onset of any changes in such Project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the biologist determines that such Project activities may be causing an adverse reaction, the biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. All work within these buffers will be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest). The onsite biologist shall review and verify compliance with these nesting avoidance buffers and shall verify the nesting effort has finished. Work can resume within these avoidance areas when no other active nests are found. Upon completion of the survey and nesting bird monitoring, a report shall be prepared and submitted to City of Perris Planning Division for mitigation monitoring compliance record keeping.

MM BIO-2 Preconstruction Surveys for Western Burrowing Owl. The Project proponent shall retain a qualified biologist to conduct a pre-construction survey for resident burrowing owls within 30 days prior to commencement of initial ground-disturbing activities (e.g., vegetation clearing, clearing, and grubbing, grading, tree removal, site watering, equipment staging) at the Project site. The survey shall include the Project site and all suitable burrowing owl habitat within a 500-foot buffer. The results of the survey shall be submitted to the City of Perris Planning Division prior to obtaining a grading permit. In addition, a pre-construction survey for resident

burrowing owls shall also be conducted within three days prior to commencement. If burrowing owls are observed during the Migratory Bird Treaty Act (MBTA) nesting bird survey (mitigation measure MM BIO-1), to be conducted within three days of ground disturbance or vegetation clearance, the observation shall be reported to the CDFW and the US Fish and Wildlife Service (USFWS). If ground disturbing activities in these areas are delayed or suspended for more than 30 days after the pre-construction survey, the area shall be resurveyed for owls. The pre-construction survey and any relocation activity will be conducted in accordance with the current Burrowing Owl Instruction for the Western Riverside MSHCP.

If burrowing owl are not detected during the pre-construction survey, no further mitigation is required.

If burrowing owl are detected, the CDFW shall be sent written notification within three days of detection of burrowing owls.

If active nests are identified during the pre-construction survey, the Project applicant shall not commence activities until no sign is present that the burrows are being used by adult or juvenile owls or following CDFW approval of a Burrowing Owl Plan as described below.

If owl presence is difficult to determine, a qualified biologist shall monitor the burrows with motion-activated trail cameras for at least 24 hours to evaluate burrow occupancy.

The qualified biologist and Project applicant shall coordinate with the City of Perris Planning Division, the US Fish and Wildlife Service (USFWS), and the CDFW to develop a Burrowing Owl Plan to be approved by the City in consultation with the CDFW and the USFWS prior to commencing project activities. The Burrowing Owl Plan shall be prepared in accordance with guidelines in the CDFW Staff Report on Burrowing Owl (March 2012) and MSHCP. The Burrowing Owl Plan shall describe proposed avoidance, minimization, relocation, and monitoring as applicable. The Burrowing Owl Plan shall include the number and location of occupied burrow sites and details on proposed buffers if avoiding the burrowing owls and/or information on the adjacent or nearby suitable habitat available to owls for relocation. If no suitable habitat is available nearby for relocation, details regarding the creation and funding of artificial burrows (numbers, location, and type of burrows) and management activities for relocated owls may also be required in the Burrowing Owl Plan. The permittee shall implement the Burrowing Owl Plan following CDFW and USFWS review and concurrence. A final letter report shall be prepared by a qualified biologist documenting the results of the Burrowing Owl Plan. The letter shall be submitted to CDFW prior to the start of project activities. The onsite qualified biologist will verify the nesting effort has finished according to methods identified in the Burrowing Owl Plan. When the biologist determines that burrowing owls are no longer occupying the Project site per the criteria in the Burrowing Owl Plan, Project activities may begin.

MM BIO-3 If burrowing owl are discovered to occupy the Project Site after Project activities have started, then construction activities shall be halted immediately. The Project proponent shall notify the CDFW and the USFWS within 48 hours of detection. A Burrowing Owl Plan, as detailed in mitigation measure BIO-1, shall be implemented. The Burrowing Owl Plan shall be submitted to the CDFW for review and approval within two weeks of detection and no Project activity shall continue within 1,000 feet of the burrowing owls until the CDFW approves the Burrowing Owl Plan. The Project proponent shall be responsible for implementing appropriate avoidance and mitigation measures, including burrow avoidance, passive or active relocation, or other appropriate mitigation measures as identified in the Burrowing Owl Plan.

Facts in Support of the Finding: The Project site falls within the boundaries of two Habitat Conservation Plans: the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP). The Project site is not located within a MSHCP Criteria Cell. Because the Project site is located within the area subject to the MSHCP, a biological resources assessment titled Biological Technical Report and MSHCP Consistency Analysis, was prepared by Ecorp Consulting Inc. dated September 2023 and is included as part of the Initial Study in Appendix A of this Draft EIR. The Project site is not located within any MSHCP Conservation Areas and is determined to be located outside survey areas for amphibians, small mammals, Delhi-sands flower-loving fly and other criteria. The Project site is located within a MSHCP-designated survey area for Western Burrowing Owl. Marginally suitable habitat for California horned lark (Watch List species), including the herbaceous nonnative forbs and grasses occurs within the Project footprint. Additionally, the large gum trees and other ornamental trees located adjacent to the Project site and within the offsite areas may provide nesting habitat for nesting birds and raptors. With implementation of mitigation measure MM BIO-1, impacts to nesting birds would be less than significant. **(DEIR at 4-4).**

A total of seven wildlife species were determined to have moderate potential to occur within the study area. However, these wildlife species are covered under the MSHCP and considered adequately conserved; no additional surveys or mitigation are required. Although potential impacts to Stephens' kangaroo rat are covered by the MSHCP and the SKR HCP, impacts to Stephens' kangaroo rat habitat within the SKR HCP area would require mitigation fee payment. California glossy snake is not covered under the MSHCP. However, this species is only expected to occur in very low densities and Project-related impacts would not be expected to contribute to the overall decline of populations for these species due to the lack of high-quality habitat within the study area, the site's history of anthropogenic disturbances, and the presence of urban development adjacent to the Project site. Hence, impacts to California glossy snake would not be considered significant under CEQA and additional surveys and mitigation is not necessary. The Project site is located within the MSHCP Burrowing Owl Survey Area and is subject to the MSHCP burrowing owl survey requirements. The Project footprint contains suitable burrowing owl habitat. However, implementation of mitigation measures MM BIO-2 and MM BIO 3 would reduce any potential impacts to burrowing owl. **(DEIR at 4-5).**

Through implementation of mitigation measures MM BIO-1, MM BIO-2, and MM BIO-3, compliance with the MSHCP, and payment of the SKR HCP fees, the Project would not result in substantial adverse effects, either directly or through habitat modifications, on any species

identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. In addition, compliance with MM BIO-1 to BIO-3 would ensure that the Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, potential impacts would be less than significant with mitigation incorporated. (**Initial Study, pp. 55-65; DEIR at 4-7 to 4-8**).

5.3.3 Cultural Resources.

As discussed in Draft EIR Section 5.2, Cultural Resources, a Cultural Resources Assessment was prepared for the Project by PaleoWest LLC, dated December 11, 2023 (PW-A). The analysis within the Cultural Resources Assessment encompasses the 1) Project site, 2) segments of Ethanac Road, Trumble Road, Sherman Road, and Illinois Avenue (offsite areas), and 3) a 1-mile radius around the Project site and offsite areas; collectively these three areas are referred to as the “Study Area”. A combination pedestrian survey and reconnaissance/windshield survey was completed on May 4, 2023, of the Project site and offsite areas. No cultural constituents were observed within the proposed Project site, except for fragments of modern concrete water conveyance pipes within the tilled area of the southwest corner. Three historic road segments (Ethanac Road, Trumble Road, and Sherman Road) were documented and evaluated for potential listing on the California Register of Historical Resources during the pedestrian/ windshield survey. No prehistoric or historic archaeological resources were found during the survey. A total of 31 cultural resources were identified within the Study Area.

Potential Significant Impact: The EIR evaluated and concluded that the Project could cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5.

Findings: Potential impacts of the Project on cultural resources are discussed in Section 5.2 of the DEIR. Based on the entire record before us, this Council finds there is the potential for discovery of archeological resources. Impacts could be significant without mitigation. Based on the entire record before us, this Council finds that this impact is potentially significant but can be mitigated to a less than significant level through implementation of Mitigation Measure CR-1. This Mitigation Measure is adopted and incorporated into the MMRP for the Project, and will be implemented as specified therein, thereby reducing this potentially significant impact to a less than significant level. The following Mitigation Measure will mitigate Project-level and cumulative impacts related to cultural resources to below a level of significance:

Mitigation Measures.

MM CR 1: Archaeological Resource – Monitoring. Prior to the issuance of grading permits, the Project proponent/developer shall retain a professional archaeologist meeting the Secretary of the Interior’s Professional Standards for Archaeology (U.S. Department of Interior, 2012; Registered Professional Archaeologist preferred). The primary task of the consulting archaeologist shall be to monitor the initial ground-disturbing activities at both the subject site and any off-site project-related

improvement areas for the identification of any previously unknown archaeological and/or cultural resources.

Selection of the archaeologist shall be subject to the approval of the City of Perris Director of Development Services and no ground-disturbing activities shall occur at the site or within the off-site project improvement areas until the archaeologist has been approved by the City.

The archaeologist shall be responsible for monitoring ground-disturbing activities, maintaining daily field notes and a photographic record, and for reporting all finds to the developer and the City of Perris in a timely manner. The archaeologist shall be prepared and equipped to record and salvage cultural resources that may be unearthed during ground-disturbing activities and shall be empowered to temporarily halt or divert ground-disturbing equipment within a 50-foot radius of the find to allow time for the recording and removal of the resources. Work may continue outside of the 50-foot radius.

The Project proponent/developer shall also enter into an agreement with either the Soboba Band of Luiseño Indians or the Pechanga Band of Indians Native American tribal representative (observer/monitor) to work along with the consulting archaeologist. This tribal representative will assist in the identification of Native American resources and will act as a representative between the City, the Project proponent/developer, and Native American Tribal Cultural Resources Department. The Native American tribal representative(s) should be on-site during all ground-disturbing of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, etc. The Native American tribal representative(s) should be on-site any time the consulting archaeologist is required to be on-site. Working with the consulting archaeologist, the Native American representative(s) shall have the authority to halt, redirect, or divert any activities in areas where the identification, recording, or recovery of Native American resources are on-going.

The agreement between the proponent/developer and the Native American tribe shall include, but not be limited to:

- An agreement that artifacts will be reburied on-site and in an area of permanent protection;
- Reburial shall not occur until all cataloging and basic recordation have been completed by the consulting archaeologist;
- Native American artifacts that cannot be avoided or relocated at the project site shall be prepared for curation at an accredited curation facility in Riverside County that meets federal standards (per 36 CFR Part 79) and available to archaeologists/researchers for further study; and
- The Project archaeologist shall deliver the Native American artifacts, including title, to the identified curation facility within a

reasonable amount of time, along with applicable fees for permanent curation.

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

In the event that archaeological resources are discovered at the Project site or within the off-site Project improvement areas, the handling of the discovered resource(s) will differ, depending on the nature of the find. Consistent with *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 shall commit to the relinquishing and curation of all artifacts identified as being of Native American origin. All artifacts, Native American or otherwise, discovered during the monitoring program shall be recorded and inventoried by the consulting archaeologist.

If any Native American artifacts are identified when Native American tribal representatives are not present, all reasonable measures shall be taken to protect the resource(s) in situ and the City Planning Division and Native American tribal representative(s) shall be notified. The designated Native American tribal representative will be given sufficient time to examine the find. If the find is determined to be of sacred or religious value, the Native American tribal representative will work with the City and project archaeologist to protect the resource in accordance with tribal requirements as may be feasible. 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 site or within the off-site project improvement areas, mitigation measure MM CR-2 shall immediately apply and all items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling.

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

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

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

Facts in Support of the Finding: Of the 31 cultural resources identified in the Cultural Resources Assessment, 15 were classified as archeological resources consisting of six prehistoric archaeological sites, three historic period archaeological sites, five multi-component archaeological sites, and one prehistoric isolated artifact. However, none of these resources are mapped within the Project site or offsite areas. Although there are no previously recorded archeological resources within the Project site or offsite areas, the area is considered to be sensitive for buried cultural resources. Therefore, the City would require monitoring for previously undiscovered archaeological resources during initial ground-disturbing activities within the Project site and the off-site improvement areas. Thus, with implementation of mitigation measure MM CR-1, the Project would not cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5. Therefore, potential impacts would be less than significant with mitigation incorporated. **(Draft EIR at 5.2-15).**

Potential Significant Impact: The EIR evaluated and concluded that the Project could disturb any human remains, including those interred outside of dedicated cemeteries.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but can be mitigated to a less than significant level through implementation of Mitigation Measure CR-2. This Mitigation Measure is adopted and incorporated into the MMRP for the Project, and will be implemented as specified therein, thereby reducing this potentially significant impact to a less than significant level. The impacts related to this issue area are discussed in detail in Section 5.2 of the DEIR. The following Mitigation Measure will mitigate impacts related to the inadvertent disturbance of human remains to below a level of significance:

Mitigation Measures.

MM CR 2: Human Remains. In the event that human remains (or remains that may be human) are discovered at the project site or within the off-site project improvement areas during ground-disturbing activities, the construction contractors, project archaeologist, and/or designated Native American tribal representative shall immediately stop all activities within 100 feet of the find. Work outside of the 100-foot radius may continue. 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 *Health and Safety Code* Section 7050.5(b).

If the coroner determines that the remains are of Native American origin, the coroner shall notify the Native American Heritage Commission (NAHC), which will identify the “Most Likely Descendent” (MLD). Despite the affiliation with any

Native American 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* Sections 5097.98I and 5097.94(k)).

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

Facts in Support of the Finding: In its natural state, the Project site may have possessed potential for burial of site features within the upper 20 centimeters of soil beneath clay and silt deposits of vernal pools. However, the previous agricultural use of the land would likely have resulted in disturbance and exposed any shallowly buried sites. Nonetheless, there is the potential for inadvertent discoveries. In the unlikely event that suspected human remains are uncovered during construction, all activities in the vicinity of the remains shall cease and the contractor shall notify the County Coroner immediately pursuant to *Health & Safety Code* Section 7050.5, *Public Resources Code* Section 5097.98, and mitigation measure MM CR-2, which identifies actions to be taken in the event that human remains are found, would be implemented. Thus, the Project would not disturb any human remains, including those interred outside of dedicated cemeteries. Therefore, potential impacts with regard to disturbing human remains, including those interred outside of formal cemeteries, will be reduced to less than significant with mitigation. **(DEIR at 5.2-16).**

5.3.4 Geology and Soils.

As discussed in Section 5.4 of the Draft EIR, a Paleontological Resource Assessment was prepared for the Project by PaleoWest LLC dated June 27, 2022. The Paleontological Resource Assessment is included as Appendix D of the Draft EIR. Per the Perris General Plan Conservation Element, the Project site is located in a paleontologically sensitive area. Specifically, the Project site is located in the High Sensitivity Zone (Area 2), which is characterized by Pleistocene older fan deposits (GP, Exhibit CN-7: Paleontological Sensitivity).

Potential Significant Impact: The EIR evaluated and concluded that the Project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but can be mitigated to a less than significant level through implementation of Mitigation Measures GEO 1 and GEO 2. These Mitigation Measures are adopted and incorporated into the MMRP for the Project, and will be implemented as specified therein, thereby reducing this

potentially significant impact to a less than significant level. The impacts related to this issue area are discussed in detail in Section 5.4 of the DEIR. The following Mitigation Measures will mitigate Project-level and cumulative impacts related to inadvertent destruction of a unique paleontological resource or site or unique geologic feature to below a level of significance:

Mitigation Measures.

MM GEO-1 Worker's Environmental Awareness Program (WEAP). Prior to the start of the Proposed Project activities, all field personnel will receive a worker's environmental awareness training on paleontological resources. The training will provide a description of the laws and ordinances protecting fossil resources, the types of fossil resources that may be encountered in the Project area and offsite, the role of the Paleontological Monitor, outline steps to follow if a fossil discovery is made and provide contact information for the Project Paleontologist. The training shall be developed by the Project Paleontologist and can be delivered concurrent with other training including cultural, biological, safety, et cetera.

MM GEO-2 Paleontological Mitigation Monitoring. Prior to the issuance of grading permits, the project proponent/developer shall submit to and receive approval from the City, a Paleontological Resource Impact Mitigation Monitoring Program (PRIMMP). The PRIMMP shall include the provision for a qualified professional paleontologist (or his or her trained paleontological representative) to be on-site for any project-related subsurface excavations. Selection of the paleontologist shall be subject to approval of the City of Perris Planning Manager and no grading activities shall occur at the project site or within the off-site project improvement areas until the paleontologist has been approved by the City.

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

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

A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered specimens. The report and inventory, when submitted to the City of Perris Planning Division, will signify completion of the program to mitigate impacts to paleontological resources.

Facts in Support of the Finding: The Paleontological Resource Assessment conducted a records search by the Western Science Center which did not produce any fossil localities from within the Project site or offsite areas or from the same geologic unit within five miles. Nonetheless, significant fossil localities were mapped in similar Pleistocene localities across Southern California. Fossil discoveries during construction at the Project site or offsites would be considered significant scientific value.

The Paleontological Resource Assessment used the Society of Vertebrate Paleontology 2010 guidelines as a classification system for determining paleontological sensitivity. Using this system, the sensitivity of the geologic units was determined by the relative abundances and risk of adverse impacts to invertebrate fossils and significant vertebrates and plants. The Project site and offsite areas are composed of sedimentary alluvial deposits (Qof) from middle to late Pleistocene in age at the surface. Per the Society of Vertebrate Paleontology 2010 guidelines, the Pleistocene-age sediments would have a high sensitivity for paleontological resources. In addition, the presence of nearby significant Pleistocene vertebrate localities suggests that sediments in the Project site and offsite areas have the potential to yield significant fossil material and Project related ground disturbance is likely to impact paleontological resources. Additionally, the Perris General Plan Exhibit CN-7: Paleontological Sensitivity illustrates that the Project site lies within Area 2 which has high sensitivity for Pleistocene older fan deposits.

Hence, the Project's potential to result in impacts to paleontological resources is directly proportional to the amount of ground disturbances within geological deposits with known paleontological sensitivity. The Project entails ground disturbance of up to a depth of 15 feet within the Project site and proposed road-widening and utility improvements within the adjacent roadways and offsite areas may disturb depths up to 9 feet below grade. Due to the presence of Pleistocene deposits at the surface, and potentially depth ground disturbance, Project-related construction activity has the potential to result in impacts to paleontological resources.

However, implementation of mitigation measures MM GEO-1 and MM GEO-2, would require awareness training of all field personnel as to the potential for paleontological resources, require monitoring, and a recovery program should any inadvertent finds be discovered during ground disturbing activities. Compliance with mitigation measures MM GEO-1 and MM GEO-2 would reduce potential impacts. Thus, within incorporation of mitigation measures, the Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. Therefore, potential impacts would be less than significant with mitigation incorporated. (**DEIR at 5.4-4 to 5.4-5**).

5.3.5 Noise.

As discussed in Draft EIR Section 5.8, a Noise and Vibration Analysis was prepared for the Project by Urban Crossroads dated December 7, 2023. The Noise and Vibration Analysis is included as Appendix F of this Draft EIR.

Potential significant impact: The EIR evaluated and concluded that the Project could result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but can be mitigated to a less than significant level through implementation of Mitigation Measure NOISE-1. This Mitigation Measure is adopted and incorporated into the MMRP for the Project and will be implemented as specified therein, thereby reducing this potentially significant impact to a less than significant level. The impacts related to this issue area are discussed in detail in Section 5.8 of the DEIR. The following Mitigation Measure will mitigate Project-level and cumulative impacts related to noise to below a level of significance:

Mitigation Measures.

MM NOISE-1: Prior to occupancy, applicant shall provide evidence to the City of Perris Planning Division that cold storage loading and unloading activities are restricted to the western side of the Project site along the building’s western dock area during all hours of operation.

Facts in Support of the Finding: The Project’s construction noise and daytime operational noise impacts were determined to be less than significant. (DEIR at 5.8-26 to 5.8-31). However, **Draft EIR Table 5.8-N** indicates that the nighttime hourly noise levels at the off-site receiver locations are expected to range from 54.8 to 62.1 dBA L_{max} . The operational noise levels during the nighttime hours would not exceed City’s nighttime threshold of 60 dBA L_{max} standard for exterior noise level standards at nearby noise-sensitive receiver locations except at receiver locations R3 and R4 located to the east of the Project site within the City of Menifee. This is a potentially significant impact. Implementation of mitigation measure MM NOISE-1 would require cold storage loading and unloading activities to be limited to the western dock area during all hours of operations. As shown in **Draft EIR Table 5.8-O**, with no cold storage activity in the eastern loading dock area, nighttime operational noise levels would not exceed the City of Perris nighttime 60 dBA L_{max} exterior noise level standards. With implementation of mitigation measure MM NOISE-1, Project-only operational noise levels were evaluated against exterior noise level thresholds based on the City of Perris exterior noise level standards at nearby noise-sensitive receiver locations to demonstrate compliance with local noise regulations. To maintain consistency with the Perris General Plan Noise Element – Implementation Measure V.A.1, Project operational noise levels at the nearest sensitive receiver locations cannot exceed 60 dBA CNEL. The CNEL metric is typically used to describe 24-hour transportation-related noise levels. However, the City requires new industrial facilities and large commercial facilities to demonstrate compliance at any noise-sensitive land use within 160 feet. **Draft EIR Table 5.8-P** shows that with no cold storage activity in the eastern loading dock area, the mitigated nighttime operational noise levels associated with the Project would not exceed the City of Perris nighttime 60 dBA L_{max} exterior noise level standards at the nearest sensitive receiver locations. Hence, with incorporation of mitigation, the Project complies with Noise Element Implementation Measure V.A.1. (DEIR at 5.8-34).

5.3.6 Tribal Cultural Resources.

As discussed in Draft EIR Section 5.10, a Cultural Resources Assessment was prepared for the Project by PaleoWest LLC dated December 11, 2023 and attached as Appendix C of the Draft EIR. By preparing the Cultural Resources Assessment, the applicant has complied with

Conservation Element Measures IV.A.2 and IV.A.3. The City's compliance with AB 52 and SB 18 is discussed further below.

Potential Significant Impact: The EIR evaluated and concluded that the Project could cause a substantial adverse change in the significance of a tribal cultural resource defined in *Public Resources Code* Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: (i) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in *Public Resources Code* section 5020.1(k); or (ii) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in *Public Resources Code* Section 5024.1(c). In applying this criteria, the lead agency will consider the significance of the resource to a California Native American tribe.

Finding: Based on the entire record before us, this Council finds that these impacts are potentially significant but can be mitigated to a less than significant level through implementation of Mitigation Measures CR-1 and CR-2. These Mitigation Measures are adopted and incorporated into the MMRP for the Project, and will be implemented as specified therein, thereby reducing this potentially significant impact to a less than significant level. The impacts related to this issue area are discussed in detail in Section 5.14 of the DEIR. The following Mitigation Measures will mitigate Project-level and cumulative impacts related to tribal cultural resources to below a level of significance:

Mitigation Measures.

Implement MMs CR-1 and CR-2, provided above.

Facts in Support of the Finding: An archaeological literature and records search was undertaken at the Eastern Information Center at the University of California, Riverside. Results of the records search indicated a total of 31 known cultural resources are located within the Project Study Area. However, none of these 31 resources are located within the Project site or offsite areas. Additionally, there are three historic period road segments located within the Study Area: Ethanac Road, Trumble Road, and Sherman Road. However, none of the Native American Tribes consulted identified the road segments as being culturally significant. Although there are no previously recorded archeological resources within the Project site or offsite areas, in the event that previously unidentified archaeological resources are discovered during ground disturbance, the Project would be required to comply with mitigation measure MM CR-1, which requires that an archaeological and Native American 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. Furthermore, the Project would be required to comply with mitigation measure MM CR-2, which identifies actions to be taken in the event that human remains are found which includes identification of the most likely descendent, despite affiliation with any Native American tribal monitor present at the site. Thus, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in *Public Resources Code* Section 21074 that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in *Public Resources Code* section 5020.1(k)

as the structures are not associated with traditional Native American activities. Therefore, potential impacts would be less than significant with mitigation incorporated. **(DEIR at 5.10-8).**

The Project site was determined to have low-potential for deeply buried prehistoric resources and previous agricultural use of the land may have resulted in disturbance and exposure to any shallowly buried sites. However, the City as lead agency, is required to coordinate with Native American Tribes through both the AB 52 and SB 18 consultation process for the proposed Project's General Plan Amendment. As such, on January 31, 2023, the City of Perris notified six local tribal governments in writing of the proposed Project pursuant to AB 52 and SB 18 pertaining to tribal cultural resources consultation which included:

- Agua Caliente Band of Cahuilla Indians
- Rincon Band of Luiseño Indians
- Soboba Band of Luiseño Indians
- Morongo Band of Mission Indians
- Torrez Martinez Desert Cahuilla Indians
- Pechanga Band of Indians

Of the tribes contacted for AB 52 and SB 18 consultation, two responses were received by the City. On March 13, 2023, the Rincon Band of Luiseño Indians advised that they did not want to continue with consultation. On February 8, 2023, the Agua Caliente Band of Cahuilla Indians requested a copy of the cultural study prepared for the Project and consultation. On February 28, 2023, the City consulted with the Agua Caliente Band of Cahuilla Indians who deferred consultation to the Soboba Band of Luiseño Indians and Pechanga Band of Indians and requested a copy of the cultural study prepared for the report and mitigation. No further recommendations or conditions were requested by the Agua Caliente Band. No other Tribes reached out to the City.

In addition to the Native American scoping and consultation conducted pursuant to the requirements of AB 52 and SB 18 by the City, as part of the Cultural Resources Assessment prepared for the Project, the NAHC was contacted on January 17, 2023, for a review of the Sacred Lands File. The NAHC responded on February 2, 2023, indicating that the Sacred Lands File search was completed with negative results (no cultural properties were found). In accordance with the recommendations of the NAHC, PaleoWest contacted 21 tribes on January 17, 2023. Seven responses were received and are outlined in Table 5.2- A in Section 5.2 of the Draft EIR. PaleoWest received responses from both Soboba Band of Luiseño Indians and Pechanga Band of Indians stating that the Project site was highly sensitive for potential and known cultural resources and that they would like to consultant with the City to share information. The Soboba Band of Luiseño Indians and Pechanga Band of Indians were two of six tribes contacted by the City on January 31, 2023, as part of the AB 52 and SB 18 consultation processes discussed above. The City did not received a response from either the Soboba Band of Luiseño Indians or the Pechanga Band of Indians. On March 2, 2023, the City concluded AB 52 consultation and on May 1, 2023, the City concluded SB 18 Consultation efforts.

No cultural resources, including tribal cultural resources were observed during the field survey and no information obtained through Native American consultation or review of applicable records indicates that tribal cultural resources are present within the Project site. In the event that deeper ground-disturbing activities associated with Project construction that extend below disturbed soils encounter unknown tribal resources, implementation of mitigation measures MM CR-1 and MM CR-2 during Project-related construction activities, would ensure potential impacts to tribal cultural resources are less than significant. Thus, with implementation of mitigation measures MM CR-1 and MM CR-2, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined *Public Resources Code* Section 21074 that is a resource determined significant to a California Native American Tribe. **(Draft EIR at 5.10-10).**

5.4 SIGNIFICANT AND UNAVOIDABLE IMPACTS OF THE PROJECT.

The Council finds that feasible mitigation is not available to reduce the following Project-level and cumulative impacts related to Transportation vehicle miles traveled (VMT) to a less than significant level. Therefore, the following Project impacts are significant and unavoidable.

Transportation.

Urban Crossroads prepared both a Traffic Analysis for Hillwood Ethanac – DPR 22-05139 and PLN22-00030, dated December 15, 2023 and the Hillwood Ethanac Vehicle Miles Traveled Analysis, dated December 15, 2023. Both analyses were prepared in accordance with the City of Perris Transportation Impact Analysis Guidelines for CEQA, adopted June 2020. The Traffic Analysis and VMT Analysis are included as Appendix G of the Draft EIR. The Project did not meet any of the screening criteria in the City’s 2020 Transportation Impact Analysis Guidelines for CEQA, and therefore a VMT analysis was prepared.

Potentially Significant Impact: The EIR evaluated and concluded that the project would conflict or be inconsistent with CEQA Guidelines Section 15064.3(b).

Finding: Based on the entire record before us, this Council finds that despite implementation of all feasible mitigation, the Project’s VMT impacts are not capable of being mitigated to below a level of significance and will result in a significant and unavoidable impact on both a project-level and cumulative basis.

Mitigation Measures.

MM TRANS-1 **Voluntary Commute Trip Reduction.** Prior to occupancy, the Project tenant shall implement a Voluntary Commute Trip Reduction (CTR) marketing program to encourage alternative transportation modes such as carpooling. Potential CTR measures may include, but are not limited to, on-site and/or online commute information services on local transit options or ride-share coordination amongst employees.

MM TRANS-2 **Carpool/Vanpool.** Prior to occupancy, the Project shall be designed to provide designated carpool/vanpool parking in desirable locations on the Project site to encourage employees to rideshare.

Facts in Support of Finding: Senate Bill 743 changed the way transportation impacts are determined according to CEQA. Updates to the CEQA Guidelines approved in December 2018 included the addition of CEQA Guidelines Section 15064.3, of which subdivision (a), states, “For the purposes of this section, ‘vehicle miles traveled’ refers to the amount and distance of automobile travel attributable to a project.” Here, the term “automobile” refers to on-road passenger vehicles, specifically cars and light trucks (i.e., no heavy-duty trucks). Subdivision (b) establishes criteria for evaluating a project’s transportation impacts based on project type and using automobile VMT as the metric. CEQA Guidelines Section 15064.3 provides that transportation impacts of projects are, in general, best measured by evaluating the project's VMT. Automobile delay (often called Level of Service or LOS) will no longer be considered to be an environmental impact under CEQA. Automobile delay can, however, still be used by agencies to determine local operational impacts.

Because the Project does not meet any of the listed screening criteria identified in Section 5.9.6 - Methodology above, a VMT Analysis was prepared for the Project as required by the City’s Traffic Impact Analysis Guidelines. As of now, WRCOG has not published jurisdictional averages for its member agencies utilizing RIVCOM. Hence, a City Threshold was calculated for ease of comparison. As shown in **DEIR Table 5.9-C**, City of Perris VMT per Service Population, VMT was calculated by utilizing a Citywide VMT (a total calculated from the RIVCOM base year traffic model for all traffic analysis zones (TAZ) located within the City of Perris) and dividing it by the service population (i.e., population and employment). The total Citywide average VMT per service population was 32.38 miles was used as the City Threshold for this analysis.

As shown in **DEIR Table 5.9-E**, the Project would generate a total Origin/Destination VMT per service population above the City’s adopted impact threshold of 32.38 miles for both Base Year and Future Year conditions. Since the Project exceeds the City’s adopted threshold by approximately 29 percent and 31 percent in Base Year and Future Year, respectively, the proposed Project would have potentially significant impacts related to VMT. Further, City Guidelines state projects that do not meet at least one of the above screening criteria and generate fewer than 2,500 daily vehicle trips should utilize the “Project TAZ Rate” and VMT Scoping Form to mitigate VMT impacts to the extent feasible. The Project TAZ Rate of 17.6 VMT per Employee when compared to the Baseline Citywide Average VMT per Employee of 17.1 would require a 3.12 percent reduction in VMT to meet the Baseline Citywide Average. Mitigation may be provided in the form of 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 *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity* by California Air Pollution Control Officers Association, dated December 2021. With proper implementation and 100 percent of the Project’s employees eligible, this design feature could reduce VMT per employee by 4 percent bringing it to 16.9 VMT per employee. This reduction in VMT is beyond the required 3.12 percent reduction to meet the baseline citywide average VMT per employee of 17.1. Preparation of an Employee Commute Reduction Program per South Coast AQMD Rule 2022 and implementation of mitigation measures MM TRANS-1 and MM TRANS-2 offer potential commute trip reduction measures.

However, since the future building tenants are unknown at this time the effectiveness of the commute trip reduction measures may be limited. Further, the commute trip reduction program would be voluntary and there is no requirement that would ensure that the number of trips and associated VMT would actually be reduced by the values needed to reduce the VMT impact to a less than significant level. Further, there are few existing residences in the Project area so there would not be a substantial number of employees residing and walking to and from work. There is also very limited transit service in the vicinity of the Project site. Hence, mitigation measures MM TRANS-1 and MM TRANS-2 would not adequately reduce VMT impacts to below the City's impact threshold. Therefore, even with implementation of mitigation measures MM TRANS-1 and MM TRANS-2, the Project would result in significant and unavoidable impacts related to VMT. (DEIR at 5.9-28 to 5.9-30).

5.5 ALTERNATIVES TO THE PROPOSED PROJECT.

The EIR analyzed three alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives. CEQA requires evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the Project." Thus, the Project objectives must be considered when this Council is evaluating alternatives.

The DEIR evaluated three alternatives:

1. No Project/Development of Existing Land Use and Zoning Scenario Alternative
2. Reduced Project Size/Relocated Truck Parking Alternative
3. Business Park Alternative Scenario

5.5.1 Alternative 1: No Project/Development of Existing Land Use and Zoning Scenario.

Under the No Project/Development of Existing Land Use and Zoning Scenario Alternative, the site would be developed with commercial uses in accordance with the existing General Plan land use designation of Community Commercial and zoning designation of Commercial Community.

Allowable uses under the Commercial Community designation include: professional offices, department stores, discount stores, furniture/appliance outlet, home improvement centers, Entertainment centers, sub regional/ regional shopping centers. The Perris General Plan allows a maximum Floor-Area-Ratio of 0.75 to 1. Hence, this Alternative assumes a maximum of 653,400 square feet of Commercial Community; specifically shopping center development since this represents the worst-case land use that could be developed under the existing land use scenario. These uses could potentially result in higher intensity or a more impactful project resulting in impacts to other threshold topics under CEQA greater than that of the proposed Project.

As shown in DEIR Table 8.0-A, Alternative 1 would generate a total of approximately 19,600 vehicular trips; 18,982 more total trips than the proposed Project. The trip lengths for employees under Alternative 1 would be similar to the proposed Project. Although the truck-related emissions

generated by Alternative 1 would be reduced compared to the proposed Project, the increase in number of employee-based traffic trips and the amount of customer trips is substantially greater than that of the proposed Project. As such, it is anticipated that the mass daily regional emissions from Alternative 1 would be substantially greater and may have the potential to exceed the South Coast AQMD operational thresholds. Localized operational emissions from development of Alternative 1 would be reduced compared to the proposed Project and would remain below applicable South Coast AQMD significance thresholds. Commercial uses would not generate as much truck traffic as the proposed Project, which would reduce the potential cancer and non-cancer risk from diesel particulate matter exposure to nearby sensitive receptors compared to the proposed Project. While potential health risk impacts resulting from fewer trucks associated with development of Alternative 1 would be reduced compared to the proposed Project and localized operation emissions would remain below the South Coast AQMD significance thresholds, the increase in the total vehicular trips would result in greater mass daily regional emissions and may exceed South Coast AQMD operational thresholds. Thus, air quality impacts would be greater than those of the proposed Project.

Total electricity usage per unit per year for non-refrigerated warehouse space, refrigerated warehouse space, and a shopping center is 4,602 kilowatt-hours (KWh), 21,870 kWh, and 9,758 kWh, respectively. Given the increase in building size in Alternative 1 and the increased electricity usage per square foot of commercial space, the electricity usage from Alternative 1 would be greater than the proposed Project. Therefore, the amount of vehicle and building-related energy usage would be greater than the proposed Project. In addition, this Alternative would not be required to provide solar panels to provide energy to portions of the building(s) as required by the City of Perris Good Neighbor Guidelines for industrial uses. The one-time construction-related greenhouse gas (GHG) emissions from Alternative 1 would be similar to the Project. However, total GHG emissions from Alternative 1 would be greater than the proposed Project because there are more traffic trips ends from commercial uses. As such, it is anticipated that the GHG emissions from Alternative 1 would be greater than the proposed Project. Furthermore, the numeric GHG threshold for non-industrial uses is much lower (3,000 metric tons of carbon dioxide per year (MTCO_{2e}) compared to 10,000 MTCO_{2e} for industrial uses). Thus, total GHG emissions from Alternative 1 are expected to exceed the South Coast AQMD recommended threshold for commercial uses.

Short-term construction noise would remain similar to that of the proposed Project. Ambient noise levels are anticipated to remain similar to the proposed Project. However, this Alternative would result in 18,968 more daily total vehicular trips than the proposed Project. As vehicular trips contribute to roadway noise, it can be concluded that because this Alternative would result in substantially more vehicular trips, it would result in a substantial increase in roadway noise. As roadway noise is a primary cause related to an increase in permanent noise levels, it can be concluded that this Alternative would result in greater noise impacts than the proposed Project. Therefore, noise impacts would be greater than those of the proposed Project.

Per City of Perris Transportation Impact Analysis Guidelines for CEQA, this Alternative would be considered a local serving land use. Hence, this Alternative would meet the City's VMT screening criteria. As such, this Alternative would result in less than significant VMT impacts and would avoid the significant and unavoidable VMT impact that would occur under the Project.

Cultural Resources, Geology and Soils, Hydrology, Land Use, Tribal Cultural Resources and Utility and Service System impacts under Alternative 1 would be similar to the Project and less than significant. (DEIR at 8-4 to 8-9).

Finding: Based on the entire record, this Council finds that the No Project/Development of Existing Land Use and Zoning Scenario Alternative would not develop and operate a warehouse. Thus this Alternative would not support the distribution of goods throughout the region and benefit from the site's proximity to I-215. While the location may be appropriate for commercial uses and development of this Alternative would reduce the number of truck trips associated with the proposed Project, this Alternative would result in a higher number of passenger trips because commercial land uses utilize a higher trip generation factor than warehouse uses. As a result, the higher traffic volumes would result in increased impacts related to Air Quality, Greenhouse Gas Emissions, and Noise. This Alternative would not fully meet the Project Objectives. Therefore, Alternative 1: No Project/Development of Existing Land Use and Zoning Scenario is rejected.

5.5.2 Alternative 2: Reduced Project Size/Relocated Truck Parking.

This Alternative would also provide all truck parking along the northern site boundary. In this case, the proposed warehouse building would be reduced by 25 percent overall, providing a reduced building size of approximately 309,261 square feet. This results in a development totaling 103,087 square feet less development than that of the proposed Project. Alternative 2 would consist of 260,511 square feet of warehouse space (86,837 square feet less than proposed Project), 37,500 square feet cold storage space (12,500 square feet less than proposed Project), and 11,250 square feet of office space (3,750 square feet less than proposed Project). It is assumed there would be a corresponding decrease in the number of dock doors, trailer parking stalls, automobile parking stalls, and ADA-compliant parking stalls.

Alternative 2 would develop approximately 25 percent less building square footage and it is assumed to reduce car and truck traffic by approximately 25 percent, which in turn reduces air quality emissions by a similar amount. Daily air quality impacts related to construction would be similar to the proposed Project and will not exceed South Coast AQMD thresholds because the daily construction activity would be similar and the same site acreage would be disturbed on a daily basis. Since Alternative 2 would be a reduction in size compared to the proposed Project, the amount of vehicle/equipment use and building-related energy usage would be less than the proposed Project. Therefore, energy impacts would be less than those of the proposed Project. However, because the warehouse building would be less than 400,000 square feet, it would not be required to provide solar panels to provide 100 percent of the energy demand for the office space as required by the City of Perris Good Neighbor Guidelines.

The one-time construction-related GHG emissions from Alternative 2 would be slightly less than the Project. Alternative 2 would also comply with all present and future regulatory measures developed in accordance with SB 32 and the 2022 Scoping Plan. Alternative 2 would result in approximately 25 percent fewer trip ends than the proposed Project. Total operational GHG emissions would also be reduced by approximately 25 percent under Alternative 2 and, like the

proposed Project, would not exceed the South Coast AQMD 10,000 MTCO₂e/yr threshold of significance for industrial projects.

This Alternative would result in 154 less total vehicular trips than the proposed Project and 30 fewer truck trips. As vehicular trips contribute to roadway noise, it can be concluded that because this Alternative would result in fewer vehicular trips, it would result in less roadway noise. With implementation of mitigation measure MM NOISE-1, the proposed Project would result in less than significant impacts to noise as cold storage loading and unloading activities would be restricted to the western side of the Project site where there are no sensitive receptors. This Alternative would also be required to comply with the Perris Good Neighbor Guidelines so this Alternative's relocation of truck parking would result in impacts similar to the proposed Project. However, as roadway noise is a primary cause related to an increase in permanent noise levels, it can be concluded that this Alternative would result in less noise impacts than the proposed Project since it would result in 25 percent fewer vehicular trips. Development of Alternative 2 would result in approximately 25 percent fewer trips than the proposed Project resulting in a total of 464 vehicular trips; 154 less total trips than the proposed Project, and would therefore avoid the significant and unavoidable VMT impact that would occur under the Project. **(DEIR at 8-9 to 8-13).**

Under Alternative 2, Cultural Resources, Geology and Soils, Hydrology, Land Use, Tribal Cultural Resources and Utility and Service System impacts would be similar to those of the proposed Project and less than significant.

Finding: Based on the entire record, this Council finds that the Reduced Project Size/Relocated Truck Parking Alternative would reduce development of the Project site by 25 percent in comparison to the proposed Project site. This Alternative would eliminate the one significant and unavoidable impact of the proposed Project related to VMT. Although Alternative 2 meets all the Project Objectives, these objectives are met to a lesser degree than the proposed Project as it reduces site coverage by 25 percent and would provide fewer jobs. Therefore, Alternative 2: Reduced Project Size/Relocated Truck Parking is rejected.

5.5.3 Alternative 3: Business Park Alternative Scenario.

Alternative 3 would result in development of the Project site as a Business Park. While the Project's proposed Light Industrial land use designation allows for manufacturing, research, warehousing/distributing, assembly of non-hazardous products and materials, and retail related to manufacturing uses, the Business Park land use designation allows for business/professional offices, light manufacturing, storage, warehousing/distribution, wholesaling, large-scale warehouse retail, automobile dealerships, service commercial, and public land uses. Alternative 3 would require entitlement applications similar to that of the proposed Project including a General Plan Amendment to change the land use designation from Community Commercial to Business Park, a Change of Zone to change the zoning from Community Commercial to Business Park, a Development Plan Review to reflect proposed development and could also include a parcel map. Like the proposed Project, Business Park land uses are classified under the Perris General Plan Industrial land use designation and allow for a maximum Floor-to-Area ratio (FAR) of 0.75 to 1. Hence, this Alternative assumes a maximum of 653,400 square feet of Business Park development.

Thus, Alternative 3 assumes maximum FAR buildout of the site. The intent of Alternative 3 would be to develop the site as a business park with business/professional offices.

Construction emissions under Alternative 3 would be similar to the Proposed Project. Under Alternative 3, the site would have the potential to develop with business park uses which generates more traffic to and from the site. Alternative 3 would generate a total of 8,130 vehicular trips; 7,512 more total trips than the proposed Project. As such, it is anticipated that the mass daily regional emissions from Alternative 3 would be substantially greater than the proposed Project and may have the potential to exceed the South Coast AQMD operational thresholds of significance. Localized operational emissions from development of Alternative 3 would be greater than the proposed Project due to the increase in on-site truck activity and may exceed applicable AQMD significance thresholds. Diesel exhaust exposure to nearby sensitive receptors would also increase because Alternative 3 would generate more truck trips compared to the proposed Project and may exceed AQMD health risk thresholds. Therefore, Alternative 3 air quality impacts would be greater than the proposed Project.

Alternative 3 generates more vehicular trips and would result in more building energy usage than that of the proposed Project because the vehicle trip generation rate is higher and the building size is substantially increased. Therefore, energy impacts would be greater than that of the proposed Project. In addition, this Alternative would not be required to provide solar panels to provide 100 percent of the energy demand for the office areas of the building(s) as required by the City of Perris Good Neighbor Guidelines for industrial uses. Development of Alternative 3 would result in the same disturbance area (site footprint) as the proposed Project. Thus, the one-time construction-related GHG emissions from Alternative 3 were assumed to be the same as the Project. Alternative 3 would also comply with all present and future regulatory measures developed in accordance with SB 32 and the 2022 Scoping Plan. Alternative 3 would generate more traffic trips to and from the site with a total of 8,130 vehicular trips; 7,512 more total trips than the proposed Project. Alternative 3 also generates more truck trips. As such, it is anticipated that the GHG emissions from Alternative 3 would be greater than the proposed Project. Furthermore, the numeric GHG threshold for non-industrial uses would apply to business park development and is much lower (3,000 MTCO₂e) compared to 10,000 MTCO₂e for industrial uses). Thus, total GHG emissions from Alternative 3 are expected to exceed the South Coast AQMD recommended threshold for non-industrial uses. Therefore, GHG emission impacts would be greater than the proposed Project.

Short-term construction noise would remain similar to that of the proposed Project. Ambient noise levels are anticipated to remain similar to the proposed Project. This Alternative would result in 7,512 more total daily vehicular trips than the proposed Project. Further, this Alternative would result in 1,284 more truck trips than the proposed Project. As vehicular trips contribute to roadway noise, it can be concluded that because this Alternative would result in more vehicular trips, it would result in an increase in roadway noise. As roadway noise is a primary cause related to an increase in permanent noise levels, it can be concluded that this Alternative would result in greater noise impacts than the proposed Project. Hence, operational traffic noise levels would be greater than the proposed Project. Therefore, noise impacts would be greater than that of the proposed Project.

Like the Project, this Alternative would not be located within a low VMT generating zone. Alternative 3 would generate 1,778 more employees than the proposed Project which would result

in a similar TAZ rate to the proposed Project of 17.7 VMT per employee which is over the City baseline of 17.1. This Alternative could also include mitigation measures similar to that of the proposed Project to reduce these impacts. However, similar to the proposed Project, this mitigation would be largely dependent on employer/tenant participation so any VMT reduction effectiveness could not be guaranteed. As such, this Alternative would also result in a significant and unavoidable VMT impact, but to a greater degree than the proposed Project.

Under Alternative 3, Cultural Resources, Geology and Soils, Hydrology, Land Use, Tribal Cultural Resources and Utility and Service System impacts would be similar to those of the proposed Project and less than significant.

Finding: Based on the entire record, this Council finds that Alternative 3 would change the General Plan land use designation and zoning to Business Park (BP) but develop site as business/professional offices. While Alternative 3 would take advantage of access to I-215, would not support goods distribution because it would not include development of a logistics center. While the location may be appropriate for business park uses, development of this Alternative would result in more overall traffic trips, both passenger car and truck. Further, this Alternative would result in a similar VMT per employee as the proposed Project and would remain significant similar to the proposed Project. The higher traffic volumes would result in increased impacts related to Air Quality, Greenhouse Gas Emissions, and Noise. As a result of increased vehicular traffic, an increased demand for public services, recreation, and utilities and service systems may also result. As the existing land use and zoning designation would not place constraints upon future business park development, there is no guarantee a future development project under this Alternative would result in fewer impacts than the proposed Project. Therefore, Alternative 3: Business Park Alternative Scenario is rejected.

CEQA Guidelines Section 15126.6(e)(2), requires the identification of the environmentally superior alternative. Of the alternatives evaluated above, the No Project/Development of Existing Land Use and Zoning Scenario Alternative is the environmentally superior alternative, because the site would remain in its existing condition with no development with respect to reducing impacts created by the proposed Project. However, the beneficial impacts of the proposed Project would not be realized. The CEQA Guidelines also require the identification of another environmentally superior alternative if the “No Project” alternative is selected as the environmentally superior alternative.

Alternative 2: Reduced Project Size/Relocated Truck Parking would reduce the size of the warehouse building by approximately 25 percent and eliminate the one significant and unavoidable impact associated with the proposed Project. Further, this Alternative meets all 4 of the Project Objectives, albeit to a lesser degree. Thus, this is the most environmentally superior Alternative to the proposed Project, although it is rejected for the reasons stated herein.

6.0 STATEMENT OF OVERRIDING CONSIDERATIONS.

CEQA and the CEQA Guidelines provide, in part, the following:

(a) CEQA requires that the decision maker balance the benefits of a Project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of the 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 effect 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 findings under Section 15091(a)(2) or (a)(3) of the 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 CEQA Guidelines).

The City of Perris, 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.

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 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. All feasible mitigation measures have been imposed to lessen project impacts to less than significant levels; and furthermore, alternatives to the Project are infeasible because while they have similar or less environmental impacts, they do not provide the benefits of the Project, or are otherwise socially or economically infeasible when compared to the Project, as described in this Facts, Findings and Statement of Overriding Considerations.
2. The Project will incorporate design features that comply with applicable guidelines from the City of Perris Good Neighbor Guidelines that include, but are not limited to, meeting the requirements for LEED Silver Certification, installation of solar panels, EV charging stations and infrastructure, idling limitations, Zero Emission (ZE) on-site operating equipment, and cleaner construction equipment.
3. Construction spending will create a one-time stimulus to the local and regional economies.
4. Provide for uses that will generate tax revenue for the City of Perris including, but not limited to, increased property tax, to support the City’s ongoing municipal operations.
5. Approval of the Project will create maximum local and regional employment-generating opportunities for citizens of the City and surrounding communities. Specifically, approval of the Project will create up to 400 new jobs, in addition to temporary construction jobs.

6. The Project would help meet the needs of the growing logistics sector while producing new jobs in a region that is typically viewed as housing rich and jobs poor.
7. Attract new businesses to the City of Perris and thereby provide a more equal jobs-housing balance in the Riverside County/Inland Empire area that will reduce the need for members of the local workforce to commute outside the area for employment.
8. Approval of the Project will contribute towards maximizing employment opportunities within the City to improve the jobs-housing balance and to reduce systemic unemployment within the City. The Project will attract businesses that can expedite the delivery of essential goods to consumers and businesses in the City and region.
9. The Project is strategically located in close proximity to freeways, roads, nearby airports and the ports of Los Angeles and Long Beach, thereby ensuring efficient movement of goods and a reduction in vehicle miles traveled.
10. The Project is consistent with, and will contribute to achieving the goals and objectives established by the Perris General Plan. Implementing the Perris General Plan as a policy is a legal and social prerogative of the City.

Although significant impacts will remain, the City will mitigate any significant adverse impacts to transportation to the maximum extent practicable. In its decision to approve the Project, the City has considered the Project benefits to outweigh the environmental impacts.

7.0 CERTIFICATION OF FINAL EIR.

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

7.1 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. However, the Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City. The following significant environmental impacts have been identified in the Final EIR and will require mitigation but cannot be mitigated to a level of insignificance:

- **Transportation (VMT):** The Project would generate a total VMT per service population above the City's adopted impact threshold of 32.38 miles for both Base Year and Future Year conditions. The Project exceeds the City's adopted threshold by approximately 29 percent and 31 percent in Base Year and Future Year, respectively. Based on the VMT Analysis, it is expected that implementation of mitigation measures MM TRANS-1 and MM TRANS-2 could reduce Project-generated VMT by up to eight percent. However, since the future building tenants are unknown at this time the effectiveness of the commute trip reduction measures may be limited. Further, the commute trip reduction program

would be voluntary and there is no requirement that would ensure that the number of trips and associated VMT would actually be reduced by the values needed to reduce the VMT impact to a less than significant level. Further, there are few existing residences in the Project area so there would not be a substantial number of employees residing and walking to and from work. There is also very limited transit service in the vicinity of the Project site. Hence, mitigation measures MM TRANS-1 and MM TRANS-2 would not adequately reduce VMT impacts to below the City's impact threshold. Therefore, even with implementation of mitigation measures MM TRANS-1 and MM TRANS-2, the Project would result in significant and unavoidable impacts related to VMT.

7.2 CONCLUSIONS.

1. With the exception of Transportation (VMT) impacts, all potentially significant Project-level and cumulative environmental impacts from the implementation of the proposed Project have been identified in the EIR and, with implementation of the mitigation measures identified, will be mitigated to less than significant.
2. The No Project/Development of Existing Land Use and Zoning Scenario, Reduced Project Size/Relocated Truck Parking Alternative and Business Park Alternative have been considered and rejected in favor of the proposed 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.

7.3 ADOPTION OF MMRP.

Pursuant to *Public Resources Code* Section 21081.6, the City hereby adopts, as conditions of approval of the Project, the Mitigation Monitoring and Reporting Plan (MMRP) provided as Resolution Exhibit [REDACTED]. In the event of any inconsistencies between the mitigation measures set forth herein and the attached MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.