

Perris Gateway Project Environmental Impact Report

**FINDINGS OF FACT AND
STATEMENT OF OVERRIDING CONSIDERATIONS**

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TABLE OF CONTENTS

	<u>Page</u>
I. INTRODUCTION	1
A. Findings of Fact and Statement of Overriding Considerations.....	1
B. Records of Proceedings.....	2
C. Custodian and Location of Records	3
II. PROJECT SUMMARY	3
A. Project Location	3
B. Project Description.....	4
C. Statement of Objectives	4
D. Required Discretionary Actions and Permits.....	5
E. Other CEQA Documents Referenced	6
III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION	7
IV. SUMMARY OF IMPACTS	7
V. FINDINGS REGARDING IMPACTS.....	8
A. Potential Environmental Impacts Determined to be Less Than Significant	8
1. Aesthetics	9
2. Agriculture and Forestry Resources.....	9
3. Energy	10
4. Hazards and Hazardous Materials	10
5. Hydrology and Water Quality.....	11
6. Land Use and Planning	11
7. Mineral Resources	12
8. Noise	12
9. Population and Housing.....	12
10. Public Services.....	13
11. Recreation	14
12. Transportation.....	14
13. Utilities and Service Systems.....	15
14. Wildfire	16

B.	Potential Environmental Impacts that will be Mitigated to Below a Level of Significance.....	16
1.	Biological Resources	17
2.	Cultural Resources	18
3.	Geology and Soils	21
4.	Tribal Cultural Resources	23
C.	Potential Environmental Impacts Determined to be Significant and Unavoidable	23
1.	Air Quality	24
2.	Greenhouse Gas Emissions.....	28
D.	Alternatives to the Proposed Project.....	30
1.	No Project Alternative	30
2.	Reduced Development Alternative	31
E.	Cumulative Impacts	31
F.	Environmental Impact Report Recirculation	33
VI.	STATEMENT OF OVERRIDING CONSIDERATIONS	33
A.	Findings for Statement of Overriding Considerations	35
1.	Develop and operate an attractive commercial project along Ramona Expressway that meets local demand for more social gathering places, services, and eateries in a currently underserved area of the PVCC area.	35
2.	Provide additional job opportunities in a housing-rich area to improve the local jobs to housing balance.	35
3.	Provide necessary infrastructure and utilities to adequately serve the proposed development.	35
4.	Encourage land uses that will generate tax revenue for the City, including, but not limited to, increased sales tax, to support the City’s ongoing municipal operations.	35
B.	Conclusion	36
VII.	REFERENCES.....	36

I. INTRODUCTION

The following Findings of Fact and Statement of Overriding Considerations are made for the Perris Gateway Project (herein referred to as “Project”). The environmental effects of the Project are addressed in the Environmental Impact Report (EIR), State Clearinghouse (SCH) No. 2024080050 dated January 31, 2025, which is incorporated by reference herein.

A. Findings of Fact and Statement of Overriding Considerations

The California Environmental Quality Act (CEQA), Public Resources Code (PRC) Section 21081, and the CEQA Guidelines, 14 California Code of Regulations, Section 15091 (collectively, CEQA) require that a public agency consider the environmental impacts of a project before a project is approved and make specific findings. CEQA Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
 - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can 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.

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- (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.

CEQA Guidelines Section 15093 further provides:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. This 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.

Having received, reviewed, and considered the Final EIR, as well as all other information in the record of proceedings on this matter, the following Findings of Fact (Findings) are made, and a Statement of Overriding Considerations (Statement) is adopted by the City of Perris (City) in its capacity as the CEQA Lead Agency. These Findings and Statement set forth the environmental basis for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the project.

B. Records of Proceedings

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 Initial Study, including technical reports;
- 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;

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- 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;
 - 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 Findings and Statement; and
 - Any other relevant materials required to be in the record of proceedings by PRC Section 21167.6(e).

C. Custodian and Location of Records

The documents and other materials which constitute the administrative record for the City's actions related to the Project are located at the City of Perris Planning Division, 135 North D Street, Perris, CA 92570. The City Planning Division is the custodian of the administrative record for the Project. Copies of these documents, which constitute the Record of Proceedings, are and at all relevant times have been and will be available upon request at the offices of the City Planning Division. The EIR is located on the City of Perris's website, at <https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review>.

The contact for this material is:

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The information is provided in compliance with PRC Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e).

II. PROJECT SUMMARY

A. Project Location

The Project site (Assessor's Parcel Numbers 314-170-020, 314-170-023, and 314-180-024) is located within the western portion of the Perris Valley Commerce Center (PVCC) area of the City and includes approximately 20 acres (20.28 acres) of disturbed vacant land that was

previously used for agricultural purposes. The Project site is bounded by Ramona Expressway to the south, Webster Avenue to the east, and Interstate (I-) 215 to the west. It is located approximately 6.5 miles south of State Route (SR) 60 and approximately one mile south of March Air Reserve Base/Inland Port Airport (March ARB/IPA). The Project site is located within the March ARB/IPA Airport Influence Area Boundary and the City's Airport Overlay Zone. The Project site is located entirely within Airport Compatibility Zone C1 (Primary Approach/Departure Zone).

The existing City General Plan land use designation for the Project site is PVCCSP - Perris Valley Commerce Center Specific Plan and the zoning is Commercial per the PVCCSP. Surrounding land uses include the Optimus Logistics Center to the north, residential land uses to the northeast, commercial development to the east, currently undeveloped areas zoned for commercial uses to the south, and I-215 to the west.

B. Project Description

The proposed Project involves City approval of a Specific Plan Amendment, Tentative Parcel Map, Development Plan Reviews, and Conditional Use Permits, to allow the construction and operation of a self-storage facility, two sit-down restaurants, six fast-food restaurants, two gas stations including convenience stores, and a car wash on 20.28 total acres. In total, the Project involves the development and operation of 126,342 square feet of building area across these uses. Specifically, the Project would include 80,478 square feet of self-storage use across 22 buildings, two 6,000-square-foot sit-down restaurants, six drive-through fast-food restaurants comprised of 18,400-square-foot building area, 32 vehicle fueling positions across two gas stations including 10,039 square feet of convenience store uses, and a 5,425-square-foot automated car wash building.

Construction of the Project is anticipated to occur over an approximately 19-month period, requiring site preparation, grading, building construction, paving, and architectural coating activities. Utilities at the Project site would tie into existing utility systems in the Project vicinity and the Project developer(s) would construct the necessary connections to serve the Project. The general architectural style of the proposed structures would be contemporary. The buildings would be constructed of plaster walls with accents of sustainable and natural materials. The exterior color palette would be comprised of various neutral shades, including whites, tans, greys, blues, and blacks, with occasional accent tones. The proposed buildings would be a maximum of 45 feet in height above the exterior finished grade. The architectural elements and landscaping would avoid monotony and repetition in building elevations and would minimize glare. Rooftop equipment would be screened and not visible from the street.

C. Statement of Objectives

The applicant's goals for the proposed Project are to provide for the development of local serving commercial uses in the northern portion of the City and to increase employment opportunities while providing development compatible with the March ARB/IPA Airport Land Use Compatibility Plan (ALUCP). Specifically, the Project would achieve its purposes and goals through the following objectives:

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1. Develop and operate an attractive commercial project along Ramona Expressway that meets local demand for more social gathering places, services, and eateries in a currently underserved area of the PVCC area.
 2. Provide additional job opportunities in a housing-rich area to improve the local jobs to housing balance.
 3. Provide necessary infrastructure and utilities to adequately serve the proposed development.
 4. Encourage land uses that will generate tax revenue for the City, including, but not limited to, increased sales tax, to support the City's ongoing municipal operations.

D. Required Discretionary Actions and Permits

Pursuant to the provisions of CEQA and the State CEQA Guidelines, the City of Perris, as the lead agency, is charged with the responsibility of deciding whether to approve the Project. As identified above, the following permits and discretionary actions are required by the City of Perris to implement the proposed Project:

- **Certification of the EIR (SCH No. 2024080050)** with the determination that the EIR has been prepared in compliance with the requirements of CEQA.
- **Specific Plan Amendment (SPA 22-05280)** to add self-storage as a conditionally permitted use within the PVCCSP Commercial land use designation.
- **Tentative Parcel Map (TPM 22-05275 [38576])** to subdivide the existing two-parcel western site into four parcels.
- **Tentative Parcel Map (TPM 24-05150 [38985])** to subdivide the existing one-parcel eastern site into four parcels.
- **Development Plan Review (DPR 22-00028)** to approve the proposed western site development plan.
- **Development Plan Review (DPR 23-00021)** to approve the proposed eastern site development plan.
- **Conditional Use Permit (CUP 22-05295)** to allow self-storage uses on the site, designated as Commercial under the PVCCSP.
- **Conditional Use Permit (CUP 24-05141)** to allow drive-through services on the site, designated as Commercial under the PVCCSP.
- **Conditional Use Permit (CUP 24-05142)** to allow drive-through service gas station uses with alcohol sales for off-site consumption on the site, designated as Commercial under the PVCCSP.

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- **Riverside County Airport Land Use Commission (ALUC) Consistency Review** (Approved July 11, 2024).

Other non-discretionary actions anticipated to be taken by the City at the staff level for 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 of all plans, including grading and on-site utilities; and
- Approval of a Preliminary Water Quality Management Plan to mitigate post-construction runoff flows.

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

- A **National Pollutant Discharge Elimination System** permit and a **Construction Activity General Construction Permit** from the Regional Water Quality Control Board to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions and downstream water quality is not worsened;
- Permits to construct and/or permits to operate new stationary sources of equipment that emit or control air contaminants, such as heating, ventilation, and air conditioning units, cooking equipment, and fuel dispensers from the **South Coast Air Quality Management District**;
- Permits and associated approvals, as necessary for the installation of new utility infrastructure or connections to existing facilities.

E. Other CEQA Documents Referenced

In accordance with Section 15150 of the State CEQA Guidelines, an EIR may incorporate by reference all or portions of another document that is a part of public record or is available to the public. The previously prepared EIRs and environmental analyses listed below were relied upon or consulted in the preparation of this EIR, and are hereby incorporated by reference:

- Perris Comprehensive General Plan 2030, City of Perris, originally approved April 26, 2005 and subsequently amended.
- Perris General Plan 2030 Draft Environmental Impact Report (SCH No. 2004031135), certified April 26, 2005.
- Perris Municipal Code for the City of Perris, adopted 1972 and amended through November 28, 2023.
- Perris Valley Commerce Center Specific Plan adopted January 10, 2012 and subsequently amended.

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- Perris Valley Commerce Center Specific Plan Final Environmental Impact Report (SCH No. 2009081086), certified January 10, 2012.
 - Optimus Logistics Center Draft Environmental Impact Report (SCH No.2012111003), certified January 2016.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

On August 2, 2024, the Project NOP was filed at the Riverside County Clerk’s Office. The City also distributed the NOP to 54 federal, state, regional, and local government agencies and interested parties for a 30-day public review period to solicit comments and to inform agencies and the public of the Project. The NOP comment period began on August 2, 2024 and ended on September 3, 2024. A public scoping meeting was held during a Planning Commission Meeting on August 7, 2024. The Project was described, potential environmental effects associated with Project implementation were identified, and agencies and the public were invited to review and comment on the NOP.

Comments received during the public scoping process were considered in the preparation of the Draft EIR. The Draft EIR was made available for review by the public and interested parties, agencies, and organizations for a 45-day comment period beginning on January 31, 2025 and ending March 17, 2025. During the comment period, the public was invited to submit written or email comments on the Draft EIR to the City of Perris Planning Division.

Following the conclusion of the 45-day public review period for the Draft EIR, the City reviewed comments received and prepared written responses to comments on environmental issues. A Final EIR has been prepared, which contains the comments received, responses to comments raising environmental issues, and any minor changes to the Draft EIR. The Final EIR will be presented to the City of Perris City Council for consideration and certification. Agencies, organizations, and/or individuals who commented on the Draft EIR shall be notified of the availability of the Final EIR and the date of the public hearings before the City of Perris City Council.

Responses to comments submitted on the Draft EIR by public agencies shall be provided to those agencies at least 10 days prior to certification of the EIR. Public input is encouraged at all public hearings before the City. The City Council would also make findings regarding each significant environmental impact of the proposed Project as identified in the Final EIR.

IV. SUMMARY OF IMPACTS

As described in Section V.A. of these Findings and Statement, the Final EIR concludes that the proposed Project will have **less than significant impacts and require no mitigation measures** with respect to the following issues:

- Aesthetics
- Agriculture and Forestry Resources
- Energy

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- Hazards and Hazardous Materials
 - Hydrology and Water Quality
 - Land Use and Planning
 - Mineral Resources
 - Noise
 - Population and Housing
 - Public Services
 - Recreation
 - Transportation
 - Utilities and Service Systems
 - Wildfire

As described in Section V.B of these Findings and Statement, **potentially significant impacts of the proposed Project will be mitigated to below a level of significance** with respect to the following issues:

- Biological Resources
- Cultural Resources
- Geology and Soils
- Tribal Cultural Resources

As described in Section V.C of these Findings and Statement, the Final EIR concludes that the Project could result in **significant and unavoidable impacts** with respect to the following issues:

- Air Quality
- Greenhouse Gas Emissions

V. FINDINGS REGARDING IMPACTS

The Findings Regarding Impacts are organized as follows:

- Environmental impacts determined to be less than significant;
- Environmental impacts that will be mitigated to below a level of significance; and,
- Environmental impacts determined to be significant and unavoidable after mitigation.

A. Potential Environmental Impacts Determined to be Less Than Significant

This section of the Findings summarizes the potential effects evaluated in the EIR that were determined to be less than significant with no mitigation required.

1. Aesthetics

Rationale: As identified in Section 3 Part I of Appendix A of the Draft EIR, the Project would not result in significant impacts to aesthetic resources. While development of the Project may obstruct views to the foothills from at least some vantage points, the Project site is located within the boundaries of the PVCC and would not adversely impact a scenic vista. Furthermore, the building design would be consistent with land use development regulations, including PVCCSP design standards. The Project would not have a substantial adverse effect on a scenic vista and impacts would be less than significant. The Project site is vacant and does not contain scenic resources such as trees, rock outcroppings, or historic buildings. Further, none of the designated state scenic highways in Riverside County have views of the Project site given that the nearest state scenic highway is SR 74, approximately four miles from the Project site. Thus, there would be no impact to scenic resources within a state scenic highway.

The Project site is zoned for commercial uses and proposes development consistent with that designation. Therefore, the Project would be consistent with the planned site uses and would not conflict with applicable zoning or other regulations governing scenic quality. The Project would introduce new lighting at a vacant site without existing light sources; however, land uses and roadways surrounding the Project site generate light in the Project vicinity. While the Project would introduce new sources of light to the Project site, such lighting would comply with applicable State, local, and PVCCSP regulations and would not adversely affect day or nighttime views in the area. The City's standard review and approval process for projects requesting allowances for nighttime construction would further ensure lighting would not adversely affect residents or motorists. Compliance with the requirements of the PVCCSP related to building materials would ensure that glare does not create a nuisance to on- and off-site viewers of the Project site or aircraft traveling to or from March Air Reserve Base/Inland Port Airport (MARB/IPA). Impacts related to aesthetics would be less than significant.

Finding: Less than significant impact

2. Agriculture and Forestry Resources

Rationale: As identified in Section 3 Part II of Appendix A of the Draft EIR, no significant impacts to agriculture and forestry resources would occur. Pursuant to CEQA Section 21060.1, agricultural land means Prime Farmland, Farmland of Statewide Importance, or Unique Farmland, as defined by the U.S. Department of Agriculture land inventory and monitoring criteria as modified for California. The State CEQA Guidelines Appendix G thresholds of significance used by the City of Perris for CEQA purposes states that a significant impact to agriculture could occur if a Project was to convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. According to the California Department of Conservation's Farmland Mapping and Monitoring Program, the Project site is classified as Farmland of Local Importance and does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The Project site and surrounding areas are not currently being utilized for agricultural purposes. Further, the Conservation Element of the General Plan does not map Williamson Act land within the Project site (City 2008). Similarly, the Project site does not contain forest resources. Therefore, the proposed Project would have no impact.

Finding: No impact

3. Energy

Rationale: As identified in Section 3 Part VI of Appendix A of the Draft EIR, the Project would not result in significant impacts in regard to energy usage. The total electricity usage from Project construction related activities are estimated to require approximately 317,943 kilowatt-hours (kWh) of electricity, 68,219 gallons of diesel fuel for off-road equipment, and 25,965 gallons of gasoline and diesel fuel for worker and vendor vehicle trips. Due to the temporary nature of construction and the financial incentives for developers and contractors to use energy-consuming resources in an efficient manner, the construction phase of the proposed Project would not result in wasteful, inefficient, and unnecessary consumption of energy. During operation, annual building operations activities would result in the consumption of approximately 1,811,842 kWh of electricity and 5,405,396 thousand British Thermal Units of natural gas per year, while mobile trips would consume approximately 2,690,417 gallons of fuel per year. Compliance with several regulatory government programs, Title 24 and California Green Building Standards Code (CALGreen) standards, as well as PVCCSP design standards and guidelines would ensure the Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation. While impacts related to energy would not be significant, implementation of PVCCSP EIR mitigation measures MM Air 19 and MM Air 20 would further reduce the Project's energy consumption. Impacts would be less than significant.

Finding: Less than significant impact

4. Hazards and Hazardous Materials

Rationale: As identified in Section 3 Part IX of Appendix A of the Draft EIR, the Project would not result in significant impacts as a result of hazards and hazardous materials. The proposed self-storage, restaurant, convenience store, and car wash uses are not anticipated to use acutely hazardous materials during operations but each future tenants would be required to comply with applicable federal, State, and local laws and regulations regarding the transport, use, and storage of hazardous materials. Therefore, the potential for the release of toxic substances or hazardous materials into the environment, either through accidents or due to routine transport, use, or disposal of such materials, would be reduced to a less than significant level. Additionally, the Project site is not located within one-quarter mile of an existing or planned school nor on the list of hazardous materials sites compiled pursuant to Government Code §65962.5. The Project site is within the ALUCP area for MARB/IPA Zone C1 and would not conflict with requirements outlined in the MARB/IPA ALUCP, PVCCSP, and PVCCSP EIR. The Project would have a less than significant impact related to the potential to result in an aviation related safety hazard or excessive noise for people residing or working in the Project area. Furthermore, the Project site does not contain any emergency facilities, nor does it serve as an emergency evacuation route and is not located within or near areas identified as being subject to wildland fire hazards. Potential impacts related to hazards and hazardous materials would be less than significant.

Findings: Less than significant impact

5. Hydrology and Water Quality

Rationale: As identified in Section 3 Part X of Appendix A of the Draft EIR, the Project would not result in significant impacts to hydrology and water quality. As required under the National Pollutant Discharge Elimination System (NPDES), a Storm Water Pollution Prevention Plan (SWPPP) would be created specifically for construction of the proposed Project. The Project would also be required to comply with the NPDES permit and Waste Discharge Requirements for Riverside County, of which the City is a co-permittee. The proposed Project would incorporate site design, source control, and treatment control BMPs to address storm water runoff during operation and would implement BMPs during construction in accordance with a SWPPP. Thus, through the BMPs and compliance with existing regulations such as the implementation of a Water Quality Management Plan (WQMP), the proposed Project would not violate water quality standards or waste discharge requirements. Therefore, potential impacts would be less than significant.

Due to the proposed Project site's small size in relationship to the total size of the San Jacinto Groundwater Basin and reliance on domestic water supply over groundwater sources, there would not be a substantial effect upon groundwater recharge within the groundwater basin. The Project would not conflict with the Groundwater Sustainability Plan for the West San Jacinto Groundwater Sub-basin because groundwater would not be used to serve the Project.

Since the on-site runoff would be accommodated by on-site storage facilities and would utilize an existing channel and storm drain facility, the proposed Project would not substantially alter the existing drainage pattern of the site or area, in a manner which would result in substantial erosion or siltation, flooding, exceedance of stormwater drainage capacity, or redirection of flood flows.

The Project site is not located within a Special Flood Hazard Area Inundated by 100 Year Flood Zone or within a Dam Inundation Area. Therefore, there no impacts related to flood hazards. Additionally, due to the proposed Project site's distance from the ocean or large enclosed bodies of water, risks from a tsunami or the release of pollutants due to tsunamis or seiches are not present for the Project site.

Finding: Less than significant impact

6. Land Use and Planning

Rationale: As identified in Section 3 Part XI of Appendix A of the Draft EIR, the Project would not result in significant impacts to Land Use and Planning. The Project would result in the development of an existing vacant lot that is surrounded by development and roadway facilities on all sides and does not include any linear features that would extend outside of the Project site and physically divide an established community. Land use of the project site is guided by both the Perris General Plan and the PVCCSP. The proposed Specific Plan Amendment would allow the development of a self-storage facility within the Commercial land use designation per the PVCCSP. Therefore, with approval of the proposed Specific Plan Amendment, the Project development would be consistent with the land use and zoning designations for the site and would comply with other applicable PVCCSP standards and guidelines. Additionally, the Project

would be consistent with the City’s General Plan policies related to avoiding environmental impacts. Therefore, potential impacts would be less than significant.

Finding: Less than significant impact

7. Mineral Resources

Rationale: As identified in Section 3 Part XII of Appendix A of the Draft EIR, no significant impacts regarding mineral resources were reported. The California Department of Conservation is primarily interested in the preservation of significant resources in Mineral Resource Zone (MRZ) 2 regions. According to the City’s General Plan Conservation Element, the land within the City, including the Project site, is classified as MRZ 3 and MRZ 4 (City 2008), which are not considered to be significant mineral resource areas (City 2005). Therefore, implementation of the proposed Project would not 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. Additionally, Project site is not used for mineral extraction nor delineated on any plan for mineral resource recovery uses. No impacts to mineral resources or their availability would occur.

Finding: No Impact

8. Noise

Rationale: As identified in Section 3 Part XIII of Appendix A of the Draft EIR, no significant impacts related to noise were identified. Construction noise levels would not exceed the 80 A-weighted decibel (dBA) maximum noise level (L_{MAX}) threshold or exceed the average nighttime noise level measured at the Project site during the site survey. On-site Project operations would not exceed the significance criteria or result in a substantial permanent increase in ambient noise levels. Noise levels generated by traffic on Ramona Expressway would not exceed the PVCCSP EIR significance criteria of 3.0 dBA Community Noise Equivalent Level (CNEL). Construction vibration levels would be lower than both the “strongly perceptible” level for human response of 0.1 inch per second peak particle velocity (PPV) and the structural damage threshold of 0.5 inch per second PPV. The Project site is located within the limits of the MARB/IPA ALUCP area and the Air Installations Compatible Use Zones (AICUZ) study area but falls outside of the 60 decibel (dB) CNEL noise contour identified in the AICUZ study. The City General Plan states that commercial uses are normally compatible with noise levels up to 65 dBA CNEL and conditionally compatible with noise levels up to 75 dBA CNEL (City 2016). The Project would therefore not result in excessive airport noise exposure. Potential impacts related to noise would be less than significant.

Findings: Less than significant impact

9. Population and Housing

Rationale: As identified in Section 3 Part XIV of Appendix A of the Draft EIR, no significant impacts to population and housing were identified. The proposed Project does not include residential development and would not directly affect the number of residents in the area or contribute to the creation of additional housing within the City. The proposed Project would include the development of vacant land for commercial uses to serve the existing population,

such as gas stations, restaurants, and a storage facility. No existing housing units would be removed, nor would displacement occur. Therefore, since the Project would serve the existing population and has no other features that would directly or indirectly induce growth, potential impacts would be less than significant.

Findings: No impact

10. Public Services

Rationale: As identified in Section 3 Part XIV of Appendix A of the Draft EIR, no significant impacts regarding public services were identified. The City of Perris has concluded that the Project would not result in potentially significant impacts to public services as discussed below.

Fire Protection

The proposed Project would include the construction and operation of commercial uses that would require fire protection services; however, no new residential uses or other uses that would increase the City's population would be involved. The Project would also not represent a use that would require the construction of new or expanded fire protection facilities. Project applicant would be required to pay a development impact fee pursuant to Perris Municipal Code Section 19.68.020, *Development Impact Fees*, to fund the acquisition, design, and construction of public facilities, including fire protection facilities, necessary to serve new development within the City. Further, as part of the development review process, Riverside County Fire Department would review the Project for requirements to ensure adequate emergency access would be provided to and within the Project site. The project would also be required to comply with all applicable Building and Fire Code requirements, whose implementation would further reduce potential impacts concerning fire protection services. Therefore, potential impacts would be less than significant.

Therefore, potential impacts would be less than significant.

Police Protection

The proposed Project would include the construction and operation of planned commercial land uses that would require police protection services; however, no new residential uses or other uses that would increase the City's population would be involved. The Project would also not represent a use that would require the construction of new or expanded police protection facilities. Project applicant would be required to pay a development impact fee pursuant to Perris Municipal Code Section 19.68.020, *Development Impact Fees*, to fund the acquisition, design, and construction of public facilities, including police protection facilities, necessary to serve new development within the City. Further, as part of the development review process, Riverside County Sheriff's Department would review the Project and provide comments regarding risks to security and ways to minimize those risks. Therefore, potential impacts would be less than significant.

Schools

The proposed Project involves the construction and operation of commercial facilities. It is not anticipated to introduce new residents to the Project site that would generate new students and require additional schools. As a result, the Project itself is not expected to require the construction of new or expanded school facilities; however, the Project applicant would be required to pay school impact fees to the Val Verde Unified School District in accordance with Senate Bill (SB) 50 . Pursuant to Government Code Section 65995(3)(h), payment of statutory fees is deemed to be full and complete mitigation of impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use or development of real property...”. Therefore, potential impacts related to schools would be less than significant.

Parks

The proposed Project would not result in substantial increases in population and is not anticipated to result in increased use or demand on parks that would require the construction or expansion of additional park and recreational facilities. Therefore, there would be no impact.

Other Public Facilities

Other public facilities may include libraries, senior centers, community centers, and pools, all of which are intended to serve the general public. The proposed Project involves the construction and operation of commercial uses that would not result in increased population resulting in increased demand for these services that would require the construction or expansion of other public facilities. Therefore, there would be no impact.

Finding: Less than significant impact

11. Recreation

Rationale: As identified in Section 3 Part XVI of Appendix A of the Draft EIR, no significant impacts regarding recreation were identified regarding the use of existing or proposed recreational facilities were identified. The proposed Project consists of construction and operation of commercial uses. The Project would not increase the use of or create the need for the expansion of new parks or recreational facilities. Similarly, the proposed Project would not result in physical deterioration of an existing open space area or any recreation facilities. Therefore, there would be no impact.

Finding: No impact

12. Transportation

Rationale: As identified in Section 3 Part XVII of Appendix A of the Draft EIR, no significant impacts regarding transportation were identified. The proposed Project is projected to generate approximately 14,394 two-way trips per day with approximately 747 a.m. peak hour trips and 590 p.m. peak hour trips (actual vehicles). There are no applicable study area intersections that may warrant a traffic signal for existing traffic conditions. The proposed Project would include site access and roadway improvements to Ramona Expressway and Webster Avenue. The

Project would not conflict with or preclude implementation of recommended bicycle lane improvements in the future and a meandering walkway would be installed along the Project's Ramona Expressway frontage. The Project would implement improvements consistent with PVCCSP, General Plan Circulation Element, and PVCCSP mitigation measure requirements, and the Project would not conflict with circulation plans or policies.

The Project components meet the Local-Serving Land Use screening criteria. Therefore, a detailed Vehicle Miles Travelled (VMT) study is not required and impacts related to VMT would be less than significant. The Project site is within the influence area of MARB/IPA and does not include any design features that would increase traffic hazards. The Project is consistent with the on-site and surrounding land use and zoning designations, and implementation of the Project would not introduce incompatible uses to the Project site. The recommendations contained in the Traffic Analysis, such as installing traffic signals and stop controls, have been incorporated into the Project design and would reduce traffic hazards at proposed intersections. Additionally, the operation of the Project would occur within two adjacent parcels and would not create dangerous curves or intersections. During construction, the proposed Project would comply with all local regulations regarding temporary road closures and/or one-way traffic controls. The Project would not result in inadequate emergency access. Site access for personal vehicles would be provided via four driveways along Ramona Expressway and two driveways along Webster Avenue. All access features are subject to the City of Perris design requirements, including the Fire Department's requirement of a minimum 20-foot-width for driveways. Because of this, emergency vehicles would be able to access the Project site. Impacts related to traffic would be less than significant.

Findings: Less than significant impact

13. Utilities and Service Systems

Rationale: As identified in Section 3 Part XIX of Appendix A of the Draft EIR, the Project would not result in significant impacts to utilities and service systems. The proposed Project, including the other planned developments in the PVCCSP, would be conditioned to construct the off-site and on-site infrastructure consistent with the overall development envisioned by the PVCCSP and in consultation with the utility providers to ensure each project can receive service. The utility providers for the PVCCSP have accounted for development of the PVCCSP area and the Project in their respective planning documents, including the Eastern Municipal Water District's (EMWD) 2020 Urban Water Management Plan, the EMWD's 2015 Wastewater Collection System Master Plan Update, the Riverside County Flood Control and Water Conservation District's Perris Valley Master Drainage Plan, and the City of Perris' solid waste reduction policies in conjunction with Riverside County's responsibility to ensure sufficient landfill capacity for countywide buildout. At such time that these providers undertake expansion projects, they will make their own CEQA determinations.

The Project site is located adjacent to existing industrial and commercial development that require utility connections similar to those necessary to serve the Project. Therefore, the Project's utility improvements primarily consist of off-site connections within developed roadways and on-site improvements to connect utilities to each of the proposed buildings as needed. The Project would not require or result in the relocation or construction of new or expanded water,

wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities that could cause additional significant environmental effects. Operation of the proposed Project would result in increases in potable water demand. According to the 2020 Urban Water Management Plan for EMWD, there is sufficient supply to accommodate demand under normal and single- and multiple-dry year conditions utilizing imported water. Local supplies, including groundwater pumped from the San Jacinto groundwater Basin, desalinated groundwater, and recycled water would supplement imported supplies and provide additional supply reliability. Additionally, this Project would not inhibit the ability of the Perris Valley Regional Water Reclamation Facility to operate within its established wastewater treatment requirements. The project is not expected to generate a substantial quantity of solid waste as the amount produced would be negligible compared to the capacity available at the two primary landfills of El Sobrante Landfill in Corona or the Badlands Landfill in Moreno Valley. Compliance with Riverside County waste reduction programs and policies would also reduce the volume of solid waste entering landfills. The Project would be required to coordinate with CR&R Waste Services to develop a collection program for recyclables in accordance with local and State programs, including the California Solid Waste Reuse and Recycling Act of 1991. Additionally, the proposed Project would be required to comply with applicable practices enacted by the City under the California Integrated Waste Management Act of 1989 (Assembly Bill [AB] 939) and any other applicable local, State, and federal solid waste management regulations. Impacts related to utilities and service systems would be less than significant.

Findings: Less than significant impact

14. Wildfire

Rationale: As identified in Section 3 Part XX of Appendix A of the Draft EIR, no significant impacts to wildfire were reported. According to the City General Plan Safety Element, the Project site is located within a Local Responsibility Area and is not located in or near an area identified as a Very High Fire Hazard Severity Zone (City 2021). Additionally, the Project site is not within a State Responsibility Area, which is the land where the State of California is financially responsible for the prevention and suppression of wildfires. Therefore, the Project would have no impact and would not contribute to a potential impact to wildfires.

Findings: No impact

B. Potential Environmental Impacts that will be Mitigated to Below a Level of Significance

Pursuant to Section 15091(a)(1) of the State CEQA Guidelines, the City of Perris finds that for each of the following significant effects as identified in the Draft EIR, changes or alterations (mitigation measures) have been required in, or incorporated into, the Project which avoid or substantially lessen each of the significant environmental effects as identified in the Draft EIR. The following discussion includes all issue areas of potentially significant effects for which changes or alterations (mitigation measures) have been required in, or incorporated into, the Project which avoid or substantially lessen each of the significant environmental effects as identified in the Draft EIR. The rationale is included for each issue area discussed in this section.

1. Biological Resources

Special Status Species: Rationale

As identified in Section 3 Part IV of Appendix A of the Draft EIR, potentially significant impacts to biological resources could occur as a result of the Project. The Migratory Bird Treaty Act (MBTA) of 1918 is an international treaty that declares it unlawful to take, possess, buy sell, purchase, or barter any migratory bird listed in 50 Code of Federal Regulations (CFR) Part 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). In addition, Sections 3503, 3503.5, and 3800 of the California Fish and Game Code prohibit the take, possession, or destruction of birds, their nests or eggs. The Project site provides potential nesting habitat for a variety of birds and raptors protected under the MBTA and California Fish and Game Code. Vegetation removal during the nesting season (generally February 1st - August 31st although the nesting season may be extended due to weather and drought conditions) has the potential to result in adverse effects on nesting birds, if present, and impacts to nesting birds would be potentially significant.

The Project is required to implement PVCCSP EIR mitigation measures MM Bio 1, which has been refined and replaced with the Project-specific mitigation measures MM BR 1. Implementation of Project-specific mitigation measure MM BR 1 would reduce potentially significant impacts to migratory birds to a less than significant level.

Mitigation Measures

Project-Specific MM BR 1: In order to avoid violation of the MBTA and the California Fish and Game Code, 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.

If active nests are not located within the Project site and an appropriate buffer of 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected bird nests (non-listed), or 100 feet of sensitive or protected songbird nests, then construction may be conducted during the nesting/breeding season. However, if active nests are located during the pre-activity field survey, then the biologist shall immediately establish a conservative avoidance buffer surrounding the nest based on their best professional judgement and experience. 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 on-site qualified biologist will review and verify compliance with these nesting avoidance buffers and will 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 the City for mitigation monitoring compliance record keeping.

Findings

1. Changes or alterations have been required in, or incorporated into, the Perris Gateway Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
2. The effects identified in the Draft EIR have been determined not to be significant.

Facts in Support of Findings: The potential impacts to migratory birds, have been eliminated or substantially lessened to a level of less than significant by virtue of Project-specific mitigation measure BR 1.

2. Cultural Resources

Archaeological Resources: Rationale

As identified in Section 3 Part V of Appendix A of the Draft EIR, no known cultural resources are present on the Project site. In addition, the majority of resources identified within one mile of the Project site during the records search are historic period resources rather than archaeological resources. Therefore, no archaeological resources are anticipated to occur within the site and Project construction is not anticipated to disturb archaeological resources. However, ground disturbing activities have the potential to encounter previously undiscovered archaeological resources, which could result in a potentially significant impact. Therefore, Project-Specific mitigation measure MM CR 2 is required to reduce potential impacts to unanticipated archaeological resources to less than significant levels. Mitigation measure MM CR 1 implements PVCCSP EIR mitigation measures MM Cultural 2 through MM Cultural 4 as subsequently revised by the City of Perris.

Mitigation Measures

Project-Specific MM CR 2: 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). Selection of the Project 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 Project Archaeologist has been approved by the City.

The Project Archaeologist shall be responsible for monitoring ground-disturbing activities, including initial vegetation removal, maintaining daily field notes and a photographic record, and for reporting all finds to the developer and the City of Perris in a timely manner. The

archaeologist shall be prepared and equipped to record and salvage cultural resources that may be unearthed during ground-disturbing activities and shall be empowered to temporarily halt or divert ground-disturbing equipment to allow time for the recording and removal of the resources.

In the event that archaeological resources are discovered at the Project site, the handling of the discovered resource(s) will differ, depending on the nature of the find. Consistent with California Public Resources Code Section 21083.2(b) and AB 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 artifacts of Native American origin are discovered, all activities in the immediate vicinity of the find (within a 50-foot radius) shall stop and the Project proponent and Project archaeologist shall notify the City of Perris Planning Division, the Soboba Band of Luiseño Indians, the Rincon Band of Luiseño Indians, the Agua Caliente Band of Cahuilla Indians, and the Pechanga Band of Indians. A designated Native American representative from either the Soboba Band of Luiseño Indians, the Rincon Band of Luiseño Indians, the Agua Caliente Band of Cahuilla Indians, or the Pechanga Band of Indians shall be retained to assist the Project archaeologist in the significance determination of the Native American as deemed possible. The designated tribal representative will be given ample time to examine the find. The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the tribe. If the find is determined to be of sacred or religious value, the tribal representative will work with the City and consulting archaeologist to protect the resource in accordance with tribal requirements. All analysis will be undertaken in a manner that avoids destruction or other adverse impacts.

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

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

Native American artifacts that cannot be avoided or relocated at the Project site shall be prepared for curation at an accredited curation facility in Riverside County that meets federal standards (per 36 CFR Part 79) and available to archaeologists/researchers for further study. The Project archaeologist shall deliver the Native American artifacts, including title, to the identified curation facility within a reasonable amount of time, along with applicable fees for permanent curation.

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

Once grading activities have ceased and/or the archaeologist, in consultation with the designated Native American 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 and the tribe(s) involved with the Project.

Findings

1. Changes or alterations have been required in, or incorporated into, the Perris Gateway Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
2. The effects identified in the Draft EIR have been determined not to be significant.

Facts in Support of Findings: The potential impacts to archaeological resources that may be present beneath the site's subsurface have been eliminated or substantially lessened to a level of less than significant by virtue of Project-specific mitigation measure CR 2.

Human Remains: Rationale

As identified in Section 3 Part V of Appendix A of the Draft EIR, the Project site is not expected to contain human remains. However, in the unlikely event that suspected human remains are uncovered during construction, disturbance of the remains would result in a potentially significant impact. Project mitigation measure MM CR 2 would be implemented to require all activities in the vicinity of the remains to occur in compliance with California Health & Safety Code Section 7050.5 and California Public Resources Code Section 5097.98. Project mitigation measure MM CR 2 implements PVCCSP EIR mitigation measure MM Cultural 6, as subsequently revised by the City of Perris, and would reduce impacts to human remains to a less than significant level.

Mitigation Measures

Project-Specific MM CR 2: In the event that human remains (or remains that may be human) are discovered at the Project site during ground-disturbing activities, the construction contractors and Project archaeologist, and/or designated Native American tribal representative shall immediately stop all activities within 100 feet of the find. The Project proponent shall then inform the Riverside County Coroner and the City of Perris Planning Division immediately, and the coroner

shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b).

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

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

Findings

1. Changes or alterations have been required in, or incorporated into, the Perris gateway Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
2. The effects identified in the Draft EIR have been determined not to be significant.

Facts in Support of Findings: The potential impacts to human remains have been eliminated or substantially lessened to a level of less than significant by virtue of Project-specific mitigation measure CR 2.

3. Geology and Soils

Paleontological Resources: Rationale

As identified in Section 3 Part VII of Appendix A of the Draft EIR, the Project site is located within an area identified as highly sensitive for the discovery of paleontological resources. According to the City General Plan Conservation Element Figure CN-7 (City 2008), the Project site is located within an area identified as highly sensitive for the discovery of paleontological resources. In accordance with PVCCSP EIR mitigation measure MM Cultural 1, a Paleontological Resources Memorandum was prepared for the Project site. The memorandum confirmed that the Project site is located in an area with a high potential for the discovery of paleontological resources based on the presence of alluvial deposits but identified no documented fossil localities within one mile of the Project site. Based on the ground disturbance necessary to complete the Project, there is potential for the Project to result in significant impacts to unique paleontological resources within Pleistocene-aged alluvial deposits, either at the

surface or at depth. Because of the high paleontological sensitivity at the Project site and at the recommendation of the Paleontological Resources Memorandum, Project mitigation measures MM GR 1 and MM GR 2 shall be implemented to reduce potential impacts to less than significant levels. Project mitigation measure MM GR 1 implements PVCCSP EIR mitigation measure MM Cultural 5, as subsequently revised by the City of Perris.

Mitigation Measures

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

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

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

Project-Specific MM GR 2: Prior to the start of construction, a paleontological resources worker environmental awareness program training shall be presented to all earthmoving personnel to inform them of the possibility for buried resources and the procedures to follow in the event of fossil discoveries.

Findings

1. Changes or alterations have been required in, or incorporated into, the Perris Gateway Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
2. The effects identified in the Draft EIR have been determined not to be significant.

Facts in Support of Findings: The potential impacts from discovery of paleontological resources have been eliminated or substantially lessened to a level of less than significant by virtue of Project-specific mitigation measures GR1 and GR2.

4. Tribal Cultural Resources

Tribal Cultural Resources: Rationale

As identified in Section 3 Parts VII and XVIII of Appendix A of the Draft EIR, there are no known tribal cultural resources present within the Project site and the contacted Tribes did not request monitoring at the site. Therefore, no change in the significance of tribal cultural resources is anticipated to occur as a result of the Project. However, a qualified archaeologist would be retained to serve as the Project Archaeologist in accordance with Project mitigation measure MM CR 1, which implements PVCCSP EIR mitigation measures MM Cultural 2 through MM Cultural 4, as subsequently revised by the City of Perris.

In the unlikely event that human remains are discovered during construction, all activities in the vicinity of the remains would cease and the NAHC would be contacted pursuant to California Health & Safety Code Section 7050.5, California PRC Section 5097.98, and Project mitigation measure MM CR 2 which implements PVCCSP EIR mitigation measure MM Cultural 6, as subsequently revised by the City of Perris.

In accordance with the requirements of AB 52, the City, as the lead agency, will notify the tribes identified by the NAHC and provide the proposed mitigation to review. With completion of consultation pursuant to AB 52 and implementation of Project mitigation measures MM CR 1 and MM CR 2, potential impacts to tribal cultural resources would be less than significant.

Mitigation Measure

Refer to previously referenced Project-specific mitigation measures CR 1 and CR 2.

Findings

1. Changes or alterations have been required in, or incorporated into, the Perris Gateway Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
2. The effects identified in the Draft EIR have been determined not to be significant.

Facts in Support of Findings: The potential impacts to tribal cultural resources have been eliminated or substantially lessened to a level of less than significant by virtue Project-specific mitigation measures CR 1 and CR 2.

C. Potential Environmental Impacts Determined to be Significant and Unavoidable

Pursuant to Section 15091(a)(3) of the CEQA Guidelines, the City of Perris finds that, for each of the following significant effects identified in the Draft EIR, specific economic, legal, social,

technological, or other considerations make the mitigation measures or Project alternatives infeasible:

1. Air Quality

Criteria Pollutants: Rationale

As identified in Section 4.1 of the Draft EIR, the Project would exceed regional thresholds of significance established by the South Coast Air Quality Management District (AQMD) for emissions of volatile organic compounds (VOC), oxides of nitrogen (NO_x), carbon monoxide (CO), and coarse particulate matter, 10 microns or less in diameter (PM₁₀). Over 87 percent of operational-source VOC emissions would be generated from the use of consumer products and mobile activities, and mobile source emissions alone would exceed the regional significance threshold for VOC. Similarly, 90 percent of operational-source NO_x, CO, and PM₁₀ emissions would be generated from mobile sources. No Project-specific mitigation measures are currently available that would further reduce the Project's operational emissions to a less than significant level. Although the Project would be required to comply with the applicable PVCCSP EIR mitigation measures (MM Air 4-7, 14, 19-20), it should be noted that there is no way to definitively quantify these reductions. Neither the Project applicant nor the Lead Agency (City) can substantively or materially affect reductions in Project mobile-source emissions beyond the regulatory requirements and mitigation measures identified herein. Therefore, the proposed Project would result in a significant and unavoidable impact on criteria pollutant emissions.

Mitigation Measures

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

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

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

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

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

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

PVCCSP EIR MM Air 6: The developer of each implementing development project shall require, by contract specifications, the use of alternative fueled off-road construction equipment, the use of construction equipment that demonstrates early compliance with off-road equipment with the California Air Resources Board (CARB) in-use off-road diesel vehicle regulation (South Coast AQMD Rule 2449) and/or meets or exceeds Tier 3 standards with available CARB verified or USEPA certified technologies. Diesel equipment shall use water emulsified diesel

fuel such as PuriNO_x unless it is unavailable in Riverside County at the time of project construction activities. Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Perris' Building Division prior to issuance of a grading permit.

PVCCSP EIR MM Air 7: During construction, ozone (O₃) precursor emissions from mobile construction equipment shall be controlled by maintaining equipment engines in good condition and in proper tune per manufacturers' specifications to the satisfaction of the City of Perris' Building Division. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction. Compliance with this measure shall be subject to periodic inspections by the City of Perris' Building Division.

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

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

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

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

PVCCSP EIR MM Air 18: Prior to the approval of each implementing development project, the Riverside Transit Agency (RTA) shall be contacted to determine if the RTA has plans provision of bus routing within any street that is adjacent to the implementing development project that

would require bus stops at the project access points. If the RTA has future for the establishment of a bus route that will serve the implementing development project, road improvements adjacent to the Project sites shall be designed to accommodate future bus turnouts at locations established through consultation with the RTA. RTA shall be responsible for the construction and maintenance of the bus stop facilities. The area set aside for bus turnouts shall conform to RTA design standards, including the design of the contact between sidewalks and curb and gutter at bus stops and the use of Americans with Disabilities Act (ADA)-compliant paths to the major building entrances in the project.

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

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

Findings

1. Changes or alterations have been required in, or incorporated into, the Perris Gateway Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
2. Impacts associated with operational air quality emissions from implementation of the Perris Gateway Project have been reduced to the extent feasible. However, after implementation of mitigation measures contained in the Draft EIR, the impacts would constitute a significant and unavoidable impact.

Facts in Support of Findings: Even with implementation of the PVCCSP EIR operational mitigation measures, operational VOC, NO_x, CO, and PM₁₀ emissions would exceed the regional significance thresholds. Furthermore, as the City of Perris or the Project Applicant do not have regulatory authority to control tailpipe emissions, no feasible mitigation beyond the measures identified exist that would reduce VOC, NO_x, CO, and PM₁₀ emissions to levels that are less than significant; thus, Project operational emissions would result in significant and unavoidable air quality impacts.

Cumulative Impacts: Rationale

The proposed Project has the potential to result in cumulative impacts associated with on-going operations for emissions of VOC, NO_x, CO, and PM₁₀. It should be noted that because the South Coast Air Basin is in attainment for carbon monoxide, Project-level operational carbon monoxide would not be considered cumulatively significant. However, per South Coast AQMD guidance, Project operational-source VOC and NO_x (the precursors of ozone), and PM₁₀ emissions impacts would be cumulatively significant. Even with implementation of the PVCCSP

EIR operational mitigation measures, operational VOC, NO_x, and PM₁₀ emissions would exceed the regional significance thresholds. The operational emissions are primarily associated with vehicle emissions. The City of Perris and the Project Applicant do not have regulatory authority to control tailpipe emissions and no additional feasible mitigation measures beyond the measures identified herein exist that would reduce VOC, NO_x, and PM₁₀ emissions to levels below the regional thresholds established by the South Coast AQMD. Therefore, operation of the Project would result in a significant and unavoidable cumulatively considerable net increase of a criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard. Therefore, the proposed Project would have the potential to result in a cumulatively considerable significant impact with respect to operational activity.

Findings

1. Changes or alterations have been required in, or incorporated into, the Perris Gateway Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
2. Impacts associated with operational air quality emissions from implementation of the Perris Gateway Project have been reduced to the extent feasible. However, after implementation of mitigation measures contained in the Draft EIR, the cumulative impacts would constitute a significant and unavoidable impact.

Facts in Support of Findings: As discussed above, operation of the Project would result in a significant and unavoidable cumulatively considerable net increase of a criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard. Therefore, the proposed Project would have the potential to result in a cumulatively considerable significant impact with respect to operational activity.

2. Greenhouse Gas Emissions

Greenhouse Gas (GHG) Emissions: Rationale

As identified in Section 4.2 of the Draft EIR, the Project would exceed the 3,000 metric tons of carbon dioxide equivalent (MT CO₂e) per year threshold of significance and would therefore result in a significant impact with respect to greenhouse gas emissions. The proposed Project will implement the applicable PVCCSP EIR mitigation measures MM Air 4 through MM Air 7, MM Air 14, and MM Air 18 through MM Air 20. However, the vast majority of the emissions would be generated by mobile sources and neither the City nor the Project applicant have regulatory authority to control mobile source (tailpipe) emissions. No feasible mitigation measures beyond the PVCCSP EIR measures identified above exist that would reduce greenhouse gas emissions to levels that are less than significant. Impacts would be significant and unavoidable.

Mitigation Measures

Refer to previously referenced PVCCSP EIR MM Air 4 through MM Air 7, MM Air 14, and MM Air 18 through MM Air 20.

Findings

1. Changes or alterations have been required in, or incorporated into, the Perris Gateway Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
2. Impacts associated with greenhouse gas emissions from implementation of the Perris Gateway Project have been reduced to the extent feasible. However, after implementation of mitigation measures contained in the Draft EIR, the impacts would constitute a significant and unavoidable impact.

Facts in Support of Findings: As discussed above, the Project would exceed the threshold of significance. The proposed Project will implement the applicable PVCCSP EIR mitigation measures MM Air 4 through MM Air 7, MM Air 14, and MM Air 18 through MM Air 20. While it is likely that implementation of these measures will decrease Project emissions somewhat, the GHG emissions produced by the Project would remain a significant and unavoidable impact. Furthermore, as the City of Perris or the Project Applicant do not have regulatory authority to control tailpipe emissions, no feasible mitigation beyond the measures identified exist that would reduce GHG emissions to levels that are less than significant; thus, Project operational emissions would result in significant and unavoidable GHG emission impacts.

Cumulative Impacts: Rationale

Although the proposed Project is expected to emit greenhouse gases, given the global reach of climate change, the emission of greenhouse gases by a single project into the atmosphere is not necessarily an adverse environmental effect. Rather, it is the increased accumulation of greenhouse gas from more than one project and many sources in the atmosphere that may result in global climate change. The resultant consequences of climate change can cause adverse environmental effects on a cumulative basis. The fact that greenhouse gas emissions are cumulative was noted by the California Natural Resources Agency in its Public Notice for the SB 97's CEQA amendments regarding greenhouse gases. Because the proposed Project's greenhouse gas emissions would exceed both the threshold selected for this Project and the South Coast AQMD's recommended threshold, the contribution of the proposed Project to the significant cumulative impact of greenhouse gas emissions would be cumulatively considerable.

Findings

1. Changes or alterations have been required in, or incorporated into, the Perris Gateway Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
2. Impacts associated with greenhouse emissions from implementation of the Perris Gateway Project have been reduced to the extent feasible. However, after implementation of mitigation measures contained in the Draft EIR, the cumulative impacts would constitute a significant and unavoidable impact.

Facts in Support of Findings: As discussed above, the Project would exceed the threshold of significance. Because the proposed Project's GHG emissions would exceed both the threshold

selected for this Project and the South Coast AQMD’s recommended threshold, the cumulative impact of the proposed Project on GHG emissions would be significant and unavoidable. No additional mitigation identified is feasible or applicable to the proposed Project.

D. Alternatives to the Proposed Project

CEQA Guidelines (Section 15126.6) require that a discussion of project alternatives be part of any EIR. Any such identified alternatives must significantly meet project objectives, or they cannot be said to be true project alternatives. Further, CEQA Guidelines 15091(a)(3) and 15091(b) require an explanation and analysis of why project alternatives are infeasible. As a result, Chapter 5 of the Draft EIR discusses the following alternatives: No Project Alternative and Reduced Development Alternative.

1. No Project Alternative

Description

State CEQA Guidelines Section 15126.6(e) requires that a “no project” alternative be evaluated along with its impacts to allow decision makers to compare the impacts of approving the Project with the impacts of not approving the Project. The “no project” analysis is required to discuss the existing conditions at the time the Notice of Preparation is published, as well as what would be reasonably expected to occur in the foreseeable future if the Project were not approved, based on current plans and consistent with available infrastructure and community services.

While existing entitlements allow construction of up to 220,250 square feet of commercial development on a portion of the proposed Project site, the Project applicant has informed the City that development consistent with the speculative commercial uses analyzed in the prior EIR for the site is not economically feasible. The commercial development analyzed in the prior EIR for the site assumed general retail uses would be constructed within the two eastern parcels of the Project site, while the westernmost parcel was reserved for I-215 onramp improvements. Further, alternative development consistent with this analysis has not been proposed since the entitlements for the site were approved in 2016 and the Project applicant does not anticipate that similar future development would be proposed. Therefore, with consideration of reasonably foreseeable development if the proposed Project were not approved, the No Project Alternative is a no-build alternative. Under the No Project Alternative, site conditions would remain as they were at the time the Notice of Preparation was issued in August 2024 and no physical change to the vacant Project site would occur.

Finding and Rationale

The No Project Alternative would avoid the significant air quality and greenhouse gas emissions impacts associated with the proposed Project. However, the No Project Alternative would not meet any of the objectives of the proposed Project, and the benefits of the proposed Project would not be realized under the No Project Alternative. This alternative would leave the site vacant. Therefore, this alternative would not provide local serving commercial uses or increase employment opportunities within the City.

2. Reduced Development Alternative

Description

As the significant air quality and greenhouse gas emissions impacts of the Project are primarily a result of mobile sources, the Reduced Development Alternative considers a development scenario that would implement the uses proposed by the Project applicant at a lower intensity, such that associated vehicle trips would be reduced. The Reduced Development Alternative considers development of commercial uses including 80,478 square feet of self-storage use across 22 buildings, two 6,000-square-foot sit-down restaurants, six drive-through fast-food restaurants comprised of 18,400-square-feet of building area, 20 vehicle fueling positions within one gas station including 5,000 square feet of convenience store uses, and a 5,425-square-foot automated car wash building. This scenario represents the removal of one gas station with 12 vehicle fueling positions and its associated convenience store as compared to the proposed Project. The Reduced Development Alternative retains the self-storage facility, drive-through restaurants, sit-down restaurant uses, and car wash as proposed by the Project. Vehicle trips associated with the Reduced Development Alternative would be reduced by approximately 2,083 average daily trips, representing an approximately 14 percent reduction from the vehicle trips associated with the proposed Project.

Finding and Rationale

The Reduced Development Alternative would reduce the significant air quality and greenhouse gas emissions impacts associated with the proposed Project, but not to a less than significant level. The Reduced Development Alternative would meet the Project objectives but to a lesser degree than the proposed Project because fewer local serving commercial uses and employment opportunities would be created.

E. Cumulative Impacts

Cumulative impacts were analyzed in Section 4.1 and 4.2 of the Draft EIR, which concludes that even with the adoption of each mitigation measure identified in the Draft EIR, the Project could result in significant and unavoidable cumulative impacts with respect to the following issues:

- Air Quality
- Greenhouse Gas Emissions

Findings and Rationale

Air Quality

The South Coast AQMD has published a report on how to address cumulative impacts from air pollution, and projects that exceed the project-specific significance thresholds are considered by the South Coast AQMD to result in cumulatively considerable impacts. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant. The California Ambient Air Quality Standards designate the South Coast Air Basin

as nonattainment for ozone, PM₁₀, and PM_{2.5} while the National Ambient Air Quality Standards designate the South Coast Air Basin as nonattainment for ozone and PM_{2.5}.

The Project-specific evaluation of emissions presented demonstrates that proposed Project construction-source air pollutant emissions would not result in exceedances of regional thresholds. Therefore, proposed Project construction-source emissions would be considered less than significant on a project-specific and cumulative basis.

However, Project-level operational-source VOC, NO_x, carbon monoxide, and PM₁₀ emissions impacts would be significant and unavoidable. It should be noted that because the South Coast Air Basin is in attainment for carbon monoxide, Project-level operational carbon monoxide would not be considered cumulatively significant. However, per South Coast AQMD guidance, Project operational-source VOC and NO_x (the precursors of ozone), and PM₁₀ emissions impacts would be cumulatively significant.

Greenhouse Gas Emissions

Individual projects would result in impacts that are cumulatively considerable when the individual project, along with all other past, present, and probably future projects, would contribute to the potential for global climate change. While individual projects are unlikely to measurably affect global climate change, each of these projects incrementally contributes toward the potential for global climate change on a cumulative basis, in concert with all other past, present, and probable future projects.

Despite the global nature of greenhouse gas impacts, it is important to note that the scope of the City's jurisdictional authority is limited to certain types of emissions generated within the City's physical boundaries. The City's authority does not include the regulation of the majority of actions, including for example, transportation policy, fuel consumption, and energy generation, which the state has determined are necessary to meet all of AB 32's greenhouse gas reduction goals. Further, some of the greenhouse gas emissions associated with the Project can be reduced only by measures to be implemented by other governmental agencies which are outside the City's jurisdiction. Greenhouse gas emissions are clearly significant on a global basis, and when greenhouse gas emissions are outside of the lead agency's jurisdiction and control, consistent with Public Resources Code Section 21081(a)(2), a project has cumulatively considerable significant and unavoidable greenhouse gas impacts if other agencies do not take necessary action. These other agencies can and should adopt requirements to ensure cumulative greenhouse gas reductions.

Greenhouse gas emissions modeling was used to predict the amount of greenhouse gases the Project would generate during construction and operation. The total greenhouse gas emissions were above the threshold of 3,000 MTCO_{2e} per year used to evaluate this Project's direct impact.

Although the proposed Project is expected to emit greenhouse gases, given the global reach of climate change, the emission of greenhouse gases by a single project into the atmosphere is not necessarily an adverse environmental effect. Rather, it is the increased accumulation of greenhouse gas from more than one project and many sources in the atmosphere that may result

in global climate change. The resultant consequences of climate change can cause adverse environmental effects on a cumulative basis. The fact that greenhouse gas emissions are cumulative was noted by the California Natural Resources Agency in its Public Notice for the SB 97's CEQA amendments regarding greenhouse gases. Because the proposed Project's greenhouse gas emissions would exceed both the threshold selected for this Project and the South Coast AQMD's recommended threshold, the contribution of the proposed Project to the significant cumulative impact of greenhouse gas emissions would be cumulatively considerable.

F. Environmental Impact Report Recirculation

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR but before certification of the Final EIR. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent declines to implement. CEQA Guidelines provide the following examples of significant new information under this standard (CEQA Guidelines, Section 15088.5[a]).

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
- The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded (*Mountain Lion Coalition v. Fish and Game Com.* [1989] 214 Cal.App.3d 1043).

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR (CEQA Guidelines, Section 15088.5, subd. (b)).

Findings and Rationale

Because none of the criteria outlined above have been met, the EIR is not changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project and, therefore, recirculation of the EIR is not required.

VI. STATEMENT OF OVERRIDING CONSIDERATIONS

As set forth in the preceding sections, City approval of the proposed Project would potentially result in significant environmental impacts to Air Quality and Greenhouse Gas Emissions. No feasible mitigation measures have been identified that could reduce the potential level of impact to less than significant. Consequently, the EIR reaches the conclusion that impacts would remain potentially significant and unavoidable.

Whenever a lead agency adopts a project that will result in a significant and unavoidable impact, the agency must, pursuant to PRC Section 21002 and 21081(b) and CEQA Guidelines Section 15093, state in writing the specific reasons to support its action based on the EIR and/or other information in the administrative record.

Pursuant to PRC Section 21081(b) and CEQA Guidelines Section 15093, the City has balanced the benefits of the Project against its unavoidable adverse impacts to Air Quality and Greenhouse Gas Emissions. The City, having considered all of the foregoing, finds that there are specific overriding economic, legal, social, technological, and/or other benefits associated with the proposed Project that outweigh unavoidable direct and/or cumulative impacts related to Air Quality and Greenhouse Gas Emissions.

Based on a comparison of the overall environmental impacts for the described alternatives, the No Project Alternative is identified as the environmentally superior alternative. This alternative would avoid the significant impacts that would occur with the proposed Project. However, the No Project Alternative does not meet any of the Project objectives. In accordance with CEQA Guidelines Section 15126.6(e)(2), if the environmentally superior alternative is the “No Project” alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

The Reduced Development Alternative would involve a development scenario that would implement the uses proposed by the Project applicant at a lower intensity, such that associated vehicle trips would be reduced. This alternative would meet the Project objectives, although to a lesser degree than the proposed Project given the reduced commercial uses and employment opportunities that would be provided in the City. This alternative would reduce the pollutant and greenhouse gas emissions associated with the Project but would not reduce the significant air quality and greenhouse gas impacts of the Project to a less than significant level. No increase in the severity of impacts would occur under the Reduced Density Alternative.

The City, (i) having independently reviewed the information in the Final EIR and the record of proceedings; (ii) having made a reasonable and good faith effort to eliminate or substantially lessen the significant environmental impacts resulting from the Project to the extent feasible by adopting the mitigation measures identified in the Final EIR; and (iii) having balanced the benefits of the Project against the significant environmental impacts, chooses to approve the Project, despite its significant environmental impacts, because, in its view, specific economic, legal, social, technological, and other benefits of the Project render the significant environmental impacts acceptable.

The following statement identifies why, in the City’s judgment, the benefits of the Project outweigh the unavoidable significant impacts. Each of the benefits described below serves as an independent basis that justifies approval of the Project and for overriding all significant and unavoidable impacts. Any one of the reasons set forth below is sufficient to justify approval of the Project. Therefore, the City expressly finds in accordance with PRC Section 21081, the following benefits outweigh the unavoidable adverse environmental impacts of the Project.

A. Findings for Statement of Overriding Considerations

1. Develop and operate an attractive commercial project along Ramona Expressway that meets local demand for more social gathering places, services, and eateries in a currently underserved area of the PVCC area.

The Project would provide *social benefits* to the City and its residents by increasing service opportunities in an underserved area of the PVCC, including food service. The proposed project proposes the construction and operation of a self-storage facility, two sit-down restaurants, six fast-food restaurants, two gas stations including convenience stores, and a car wash on 20.28 total acres. This amounts to 80,478 square feet of self-storage use across 22 buildings, two 6,000-square-foot sit-down restaurants, six drive-through fast-food restaurants comprised of 18,400-square-foot building area, 32 vehicle fueling positions across two gas stations including 10,039 square feet of convenience store uses, and a 5,425-square-foot automated car wash building.

2. Provide additional job opportunities in a housing-rich area to improve the local jobs to housing balance.

The Project would provide *economic benefits* to the City and its residents by increasing employment opportunities in a housing-rich area. New job opportunities would include short-term construction-related jobs as well as long-term operational-related jobs. The Project would also provide *social benefits* including employment stability and sources of income through construction-related and operation-related employment opportunities.

3. Provide necessary infrastructure and utilities to adequately serve the proposed development.

As part of Project construction, utility infrastructure would be installed within and adjacent to the site. In addition to onsite construction activities, the Project would involve site adjacent roadway and driveway access improvements along Ramona Expressway and Webster Avenue. Utility infrastructure would be installed onsite and would connect to existing utility lines in the adjacent roadways. Specific service connections would include connections to the following existing utilities: a 12-inch water main, 16-inch sewer main, natural gas transmission pipelines, local service pipelines, and power supply east of Webster Avenue. The installation of powerlines, electric transformers and meters, a storm drain manhole, and a 36-inch reinforced concrete storm drainpipe along Ramona Expressway are also components of the proposed project that would provide infrastructure improvements.

4. Encourage land uses that will generate tax revenue for the City, including, but not limited to, increased sales tax, to support the City's ongoing municipal operations.

The Project would provide *economic benefits* by generating sales tax revenue for the City. As the Project would include a variety of different commercial uses that are expected to attract travelers along the I-215, its revenue would be greater than if it were just serving residents of the surrounding area.

B. Conclusion

For the foregoing reasons, the City finds that the Project's adverse, unavoidable environmental impacts are outweighed by the above-referenced benefits, any one of which individually would be sufficient to outweigh the adverse environmental effects of the Project. Therefore, the City has adopted these Findings of Fact and Statement of Overriding Considerations.

VII. REFERENCES

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