

**COMMENTS AND RESPONSES TO COMMENTS
FOR THE
MITIGATED NEGATIVE DECLARATION
AND INITIAL STUDY**

**MORENO VALLEY FESTIVAL SPECIFIC PLAN
AMENDMENT
MORENO VALLEY, CALIFORNIA**



LEAD AGENCY:

**CITY OF MORENO VALLEY
COMMUNITY DEVELOPMENT DEPARTMENT
14177 FREDERICK STREET
P. O. Box 88005
MORENO VALLEY, CALIFORNIA 92552**

REPORT PREPARED BY:

**BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING
2211 HACIENDA BOULEVARD, SUITE 107
HACIENDA HEIGHTS, CALIFORNIA 91745**

APRIL 4, 2018

MORV 003

THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.

TABLE OF CONTENTS

Section	Page
1. Comments and Response to Comments.....	5

THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.

1. COMMENTS AND RESPONSES TO COMMENTS

The proposed project involves the adoption and subsequent implementation of the Moreno Valley Festival Specific Plan Amendment (also referred to hereinafter as the “Plan Amendment”). The adopted Specific Plan that is subject to the Amendment, the Moreno Valley Festival Specific Plan/EIR (SP-205), was approved and certified by the City Council of Moreno Valley on October 27 1987. The purpose of this amendment is to modify the existing permitted uses to allow for retail, retail/mix of uses, and mix of uses that shall include commercial, retail, Business Park, office, medical, and related uses). The plan will also facilitate the extension of Davis Street in a northerly direction. This street will ultimately reconnect with the segment of Davis Street that extends north of Ironwood Avenue. .

The City circulated the Mitigated Negative Declaration and Initial Study for a 30-day review period. Comment letters to date, were received from the following agencies at the conclusion of the review period:

Letter Dated March 20, 2018
Lijin Sun, J.D, Program Supervisor, CEQA IGR
Planning, Rule Development and Area Sources
South Coast Air Quality Management District

Comment Letter Dated March 20, 2018
Lijin Sun, J.D, Program Supervisor, CEQA IGR
Planning, Rule Development and Area Sources
South Coast Air Quality Management District

Comment 1.

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final MND.

Response 1.

This comment has been noted for the record.

Comment 2.

The Lead Agency proposes to amend the Moreno Valley Festival Specific. Plan, which was adopted in 1987 (Proposed Project). The Proposed Project will modify the existing permitted uses to allow for retail, retail/mix of uses, and mix of uses that shall include commercial, retail, Business Park, office, medical, and related uses. The potential build-out scenario for the Proposed Project would include 348,000 square feet of Business Park and 325,000 square feet of retail/mix of uses. Based on a review of aerial photographs and Exhibit 2-4 and Exhibit 2-5 in the MND, SCAQMD staff found that residential uses are located immediately west of the Proposed Project Planning Area III. Construction is expected to take seven years to complete.

Response 2.

This comment has been noted for the record.

Comment 3.

In the Air Quality Analysis Section, the Lead Agency quantified the Proposed Project's construction and operation emissions and compared them to SCAQMD's regional air quality CEQA significance thresholds. The Proposed Project's construction emissions were calculated based on a seven-year construction timeline, assuming simultaneous development of all seven planning areas with the maximum case build-out. As a result, the lead agency found that the Proposed Project's air quality impacts would be less than significant.

Response 3.

The proposed development is conceptual in nature and the timeline for development is not yet known. Individual projects may be proposed upon approval of the Specific Plan amendment, or they may be proposed several years in the future. Therefore, construction timeline of seven years was used. This construction timeline would include the development of all seven planning areas.

Comment 4.

As stated above, the Proposed Project is located next to sensitive receptors (e.g., residents): To ensure that any nearby sensitive receptors are not adversely affected by the construction activities that are occurring in close proximity, SCAQMD staff recommends that the Lead Agency quantify the Proposed Project's localized emissions and disclose the localized air quality impacts in the Final MND. SCAQMD guidance for performing a localized air quality analysis is available on SCAQMD website.

Response 4.

The project's localized emissions were not calculated because the planning area exceeds the five acre threshold. The use of the "look-up tables" is typically used for projects proposed on less than five acres of land area. Nevertheless, the LST analysis that was not included in the IS/MND is provided below. As indicated in the Table, the project would not exceed the thresholds of significance established by the SCAQMD. It is important to note that the LST table presented below includes construction emissions for the entire 63-acre planning area. The distance that was used was 25 meters.

**Table 1
 Local Significance Thresholds Exceedance
 SRA 24 for 5-Acres of Disturbance**

Emissions	Emissions (lbs/day)	Type	Allowable Emissions Threshold (lbs/day) and a Specified Distance from Receptor (in meters)				
			25	50	100	200	500
NO _x	54.58	Construction	270	302	378	488	780
CO	34.26	Construction	1,577	2,178	3,437	6,860	22,530
PM ₁₀	9.82*	Construction	13	40	59	96	207
PM _{2.5}	6.29*	Construction	8	10	16	31	105

Source: CalEEMod Version 2016.3.2.

*= Note: These figures take into account the water of the site up to three times per day, which is a standard condition required by the SCAQMD.

Comment 5.

When specific development is reasonably foreseeable as a result of the goals, policies, and guidelines in the Proposed Project, the Lead Agency should identify any potential adverse air quality impacts and sources of air pollution that could occur using its best efforts to find out and a good-faith effort at full disclosure in a CEQA document. In the Air Quality Analysis, the Lead Agency stated that "the likelihood of all seven planning areas undergoing construction at once is slim." Since implementation of the Proposed Project is expected to occur over a period of seven years, and an overlapping construction and operation scenario is reasonably foreseeable, unless overlapping construction and operation is expressly prohibited in all applicable bid document and/or development agreement, the Lead Agency should analyze a scenario where construction activities overlap with operational activities in the Final MND.

To properly analyze a worst-case impact scenario that is reasonably foreseeable at the time the MND is prepared, SCAQMD staff recommends that the Lead Agency identify the overlapping years, combine construction emissions (including emissions from demolition) with operational emissions, and compare the combined emissions to SCAQMD's air quality CEQA operational thresholds of significance to determine the level of significance in the Final MND. In the event that the Lead Agency, after revising the Air Quality Analysis, finds that the Proposed Project's air quality impacts would be significant, mitigation measures will be required. For more information on suggested potential mitigation measures as guidance to the Lead Agency, please visit SCAQMD's CEQA Air Quality Handbook website.

Response 5.

Table 2 demonstrates the project's operational emissions with the construction emissions included. For Table 2, it was assumed that the commercial portion would be finished and operational before the business park since the project Applicant intends to utilize and refurbish the existing commercial development located on-site.

**Table 2
 Estimated Simultaneous Construction/Operation Emissions in lbs/day**

Emission Source	ROG	NO_x	CO	SO₂	PM₁₀	PM_{2.5}
Existing Commercial (operational)	9.86	23.64	55.53	0.18	13.81	3.82
Business Park Construction	29.96	28.39	25.30	0.05	11.14	5.22
Total Combined Operational and Construction Emissions	39.82	52.03	80.83	0.23	24.95	9.04
Daily Thresholds	55	55	55o	15o	15o	55

Source: CalEEMod V.2016.3.2

Table 3 depicts the project's operational emissions with the business park and the existing commercial component fully operational. These emissions were combined with the construction emissions for the remaining commercial.

**Table 3
 Estimated Simultaneous Construction/Operation Emissions in lbs/day**

Emission Source	ROG	NO_x	CO	SO₂	PM₁₀	PM_{2.5}
Existing Commercial and Business Park (operational)	21.07	39.29	87.67	0.28	21.62	5.98
Construction of Remaining Commercial	11.80	14.82	12.85	0.02	1.18	0.77
Total Combined Operational and Construction Emissions	32.87	54.11	100.52	0.30	22.80	6.75
Daily Thresholds	55	55	55o	15o	15o	55

Source: CalEEMod V.2016.3.2

As indicated in Table 3, the combined construction and operational emissions would not exceed the operational thresholds.

Comment 6.

SCAQMD Rule 1403 -Asbestos Emissions from Demolition/Renovation Activities

Since the Proposed Project would include demolition, asbestos may be encountered during demolition. As such, SCAQMD staff recommends that the Lead Agency include a discussion to demonstrate compliance with SCAQMD Rule 1403 in the Final MND.

Response 6.

The buildings that presently occupy the planning area were constructed after 1978. Therefore, the likelihood of encountering lead based paint or asbestos containing materials is slim to none.

Comment 7.

In the event that Jiffy Lube Oil Change Center that is located in Planning Area IV is planned for demolition, disturbing soils may contain petroleum hydrocarbons that are subject to the requirements of SCAQMD Rule 1166- Volatile Organic Compound Emissions from Decontamination of Soil. As such, the Lead Agency should include a discussion to demonstrate compliance with Rule 1166 in the Final MND. Furthermore, the Final MND should discuss how the Proposed Project will comply with SCAQMD Rule 402 -Public Nuisance and SCAQMD Rule 403 -Fugitive Dust Rule, if volatile organic compounds and/or odors are emitted during soil disturbance activities.

Response 7.

The comment has been noted for the record. The aforementioned rules are referred to as “standard conditions,” which are mandatory regulations that are applicable for all projects located in the SCAB. Page 51 on the MND includes this discussion regarding Rule 403:

“The Planning Area is located in a non-attainment area for ozone and particulates. All construction undertaken in the Specific Plan area will be required to adhere to all SCAQMD regulations related to fugitive dust generation and other construction-related emissions. According to SCAQMD Regulation 403, all unpaved demolition and construction areas shall be regularly watered up to three times per day during excavation, grading, and construction as required (depending on temperature, soil moisture, wind, etc.). Watering could reduce fugitive dust by as much as 55 percent. Rule 403 also requires that temporary dust covers be used on any piles of excavated or imported earth to reduce wind-blown dust. In addition, all clearing, earthmoving, or excavation activities must be discontinued during periods of high winds (i.e. greater than 15 mph), so as to prevent excessive amounts of fugitive dust. Finally, the contractors must comply with other SCAQMD regulations governing equipment idling and emissions controls.”

The project contractors must be familiar with these regulations.



**South Coast
Air Quality Management District**

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

RECEIVED

MAR 22 2018

CITY OF MORENO VALLEY
Planning Division

SENT VIA E-MAIL AND USPS:

chriso@moval.org

Chris Ormsby, Senior Planner

City of Moreno Valley Community Development Department

14177 Frederick Street

Moreno Valley, California 92553

March 20, 2018

**Mitigated Negative Declaration (MND) for the Proposed
Moreno Valley Festival Specific Plan Amendment**

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final MND.

SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to amend the Moreno Valley Festival Specific Plan, which was adopted in 1987 (Proposed Project). The Proposed Project will modify the existing permitted uses to allow for a retail, retail/mix of uses, and mix of uses that shall include commercial, retail, business-park, office, medical, and related uses. The potential build-out scenario for the Proposed Project would include 348,000 square feet of business-park and 325,000 square feet of retail/mix of uses. Based on a review of aerial photographs and Exhibit 2-4 and Exhibit 2-5 in the MND, SCAQMD staff found that residential uses are located immediately west of the Proposed Project Planning Area III. Construction is expected to take seven years to complete.

SCAQMD Staff's Summary of Air Quality Analysis

In the Air Quality Analysis Section, the Lead Agency quantified the Proposed Project's construction and operation emissions and compared them to SCAQMD's regional air quality CEQA significance thresholds. The Proposed Project's construction emissions were calculated based on a seven-year construction timeline, assuming simultaneous development of all seven planning areas with the maximum case build-out¹. As a result, the Lead Agency found that the Proposed Project's air quality impacts would be less than significant.

SCAQMD Staff's Comments

Localized Air Quality Analysis during Construction

As stated above, the Proposed Project is located next to sensitive receptors (e.g., residents). To ensure that any nearby sensitive receptors are not adversely affected by the construction activities that are occurring in close proximity, SCAQMD staff recommends that the Lead Agency quantify the Proposed Project's localized emissions and disclose the localized air quality impacts in the Final MND. SCAQMD guidance for performing a localized air quality analysis is available on SCAQMD website².

¹ MND, Page 51.

² South Coast Air Quality Management District, Localized Significance Thresholds. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

Chris Ormsby

2

March 20, 2018

Overlapping Construction and Operational Impacts

When specific development is reasonably foreseeable as a result of the goals, policies, and guidelines in the Proposed Project, the Lead Agency should identify any potential adverse air quality impacts and sources of air pollution that could occur using its best efforts to find out and a good-faith effort at full disclosure in a CEQA document. In the Air Quality Analysis, the Lead Agency stated that “the likelihood of all seven planning areas undergoing construction at once is slim³.” Since implementation of the Proposed Project is expected to occur over a period of seven years, and an overlapping construction and operation scenario is reasonably foreseeable, unless overlapping construction and operation is expressly prohibited in applicable bid document and/or development agreement, the Lead Agency should analyze a scenario where construction activities overlap with operational activities in the Final MND.

To properly analyze a worst-case impact scenario that is reasonably foreseeable at the time the MND is prepared, SCAQMD staff recommends that the Lead Agency identify the overlapping years, combine construction emissions (including emissions from demolition) with operational emissions, and compare the combined emissions to SCAQMD’s air quality CEQA *operational* thresholds of significance to determine the level of significance in the Final MND. In the event that the Lead Agency, after revising the Air Quality Analysis, finds that the Proposed Project’s air quality impacts would be significant, mitigation measures will be required. For more information on suggested potential mitigation measures as guidance to the Lead Agency, please visit SCAQMD’s CEQA Air Quality Handbook website⁴.

SCAQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities

Since the Proposed Project would include demolition, asbestos may be encountered during demolition. As such, SCAQMD staff recommends that the Lead Agency include a discussion to demonstrate compliance with SCAQMD Rule 1403 in the Final MND.

SCAQMD Rule 1166, Rule 402, and Rule 403

In the event that Jiffy Lube Oil Change Center that is located in Planning Area IV is planned for demolition, disturbing soils may contain petroleum hydrocarbons that are subject to the requirements of SCAQMD Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil. As such, the Lead Agency should include a discussion to demonstrate compliance with Rule 1166 in the Final MND. Furthermore, the Final MND should discuss how the Proposed Project will comply with SCAQMD Rule 402 – Public Nuisance and SCAQMD Rule 403 – Fugitive Dust Rule, if volatile organic compounds and/or odors are emitted during soil disturbance activities.

Conclusion

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process. Please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, response should provide sufficient details giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful or useful to decision makers and the public who are interested in the Proposed Project.

³ MND, Page 51.

⁴ South Coast Air Quality Management District. Accessed at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>.

Chris Ormsby

3

March 20, 2018

SCAQMD staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact me at lsun@aqmd.gov if you have any questions regarding the enclosed comments.

Sincerely,

Lijin Sun

Lijin Sun, J.D.
Program Supervisor, CEQA IGR
Planning, Rule Development & Area Sources

LS
RVC180220-02
Control Number