PLANNING COMMISSION AGENDA

November 29, 2012

PLANNING COMMISSION MEETING – 7:00 P.M.

CITY OF MORENO VALLEY
City Hall Council Chambers
14177 Frederick Street
Moreno Valley, California 92553

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC ADVISED OF THE PROCEDURES TO BE FOLLOWED IN THE MEETING

(ON DISPLAY AT THE REAR OF THE ROOM)

COMMENTS BY ANY MEMBER OF THE PUBLIC ON ANY MATTER WHICH IS NOT LISTED ON THE AGENDA AND WHICH IS WITHIN THE SUBJECT MATTER JURISDICTION OF THE COMMISSION

The City of Moreno Valley complies with the Americans with Disabilities Act of 1990. If you need special assistance to participate in this meeting, please contact Mel Alonzo, ADA Coordinator at (951) 413-3027 at least 48 hours prior to the meeting. The 48-hour notification will enable the City to make arrangements to ensure accessibility to this meeting.

NON-PUBLIC HEARING ITEMS

PUBLIC HEARING ITEMS

1. Case Description: PA11-0025 - Plot Plan for 125 unit apartment Project
PA11-0026 - Tentative Tract Map No. 36401
PA11-0027 - Conditional Use Permit for a Planned Unit Development
P12-114 - Variance

Applicant: Continental East Fund III, LLC

Owner: Continental East Fund III, LLC

Representative: Continental East Fund III, LLC

Location: Northeast corner of Lasselle Street and Krameria Street in the Moreno Valley Ranch Specific Plan (SP 193)

Proposal: The Continental Villages project proposes to subdivide the 19.4 acre project site into 41 lots and 9 common areas lots (PA11-0026) in order to build three types of residential units. Conditional Use Permit PA11-0027 for lots 1-40 proposes 36 detached single-family units on lots 1-36 with an additional 56 clustered units on lots 37-40. Plot Plan PA11-0025 proposes a 125 unit multiple family apartment project with a recreation building and tot lot on the 7.25 acres of Lot 41 parcel. A variance is proposed to allow parking to encroach into street side setbacks because of unique site constraints (parcel shape and topography). This project will replace the 227 unit condominium project previously approved by the Planning Commission for this site in April 2005 (PA04-0151 and PA04-0152).

Case Planner: Jeff Bradshaw

Recommendation: **APPROVE** Resolution No. 2012-28 and thereby:

1. **ADOPT** a Negative Declaration for PA11-0025 (Plot Plan), PA11-0026 (Tentative Tract Map 36401), PA11-0027 (Conditional Use Permit), and P12-114 (Variance application), in that this project will not result in significant environmental impacts.

2. **APPROVE** Variance application P12-114 to allow parking to encroach into street side setbacks because of unique site constraints (parcel shape and topography) for Plot Plan PA11-0025.

3. **APPROVE** Plot Plan PA11-0025, subject to the attached conditions of approval included as Exhibit A.

4. **APPROVE** Tentative Tract Map No. 36401 (PA11-0026), subject to the attached conditions of approval included as Exhibit B.

5. **APPROVE** Conditional Use Permit PA11-0027, subject to the attached conditions of approval included as Exhibit C.

2. Case Description: P12-057 - Environmental Impact Report
PA12-0019 - Plot Plan
PA12-0020 - Plot Plan
PA12-0021 - Plot Plan
PA12-0022 - Zone Change

Applicant: Ridge Moreno Valley, LLC

Owner: Ridge Moreno Valley, LLC

Representative: Inland Empire Development Services

Location: Near or at the northeast corner of Frederick Street and Cactus Avenue

Proposal: PA12-0019 for either a 164,720 SF warehouse building or an enclosed truck storage area on 7.6 acres at the northeast corner of Cactus Ave. and Frederick St. (APN 297-170-027). PA12-0020 proposes adding 507,720 SF to an existing 779,016 SF warehouse building for a total of 1,286,736 SF on an 18.6 acre site located at the northwest of Cactus Ave. and Graham St. This project requires the vacation of existing Joy Street between Brodiaea Ave. and Cactus Ave. (APN 297-170-067, -075, and -076). PA12-0021 proposes a new 607,920 SF warehouse facility on approximately 30 acres located at the northwest corner of Graham St. and Brodiaea Ave. This project requires the vacation of existing Joy Street north of Brodiaea Ave. (APN 297-170-064, -065, and -082). PA12-0022 proposes a Zone Change from BPX to LI for the 7.6 acres located at the northeast corner of Cactus Ave. and Frederick St. (APN 297-170-027). Approval of this project will require certification of an EIR.

Case Planner: Jeff Bradshaw

Recommendation:

1. **APPROVE** Resolution No. 2012-29 and thereby **RECOMMEND** that the City Council **CERTIFY** that the Environmental Impact Report (EIR) for the RPT Centerpointe West Project has been completed in compliance with the California Environmental Quality Act.

2. **APPROVE** Resolution No. 2012-30 and thereby **RECOMMEND** that the City Council **APPROVE** Zone Change application PA12-0022, Plot Plan PA12-0019, Plot Plan PA12-0020, and Plot Plan PA12-0021, subject to the attached zone change map and conditions of approval included as Exhibits A, B, C and D.

OTHER BUSINESS

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

PLANNING COMMISSION STAFF REPORT

Case:	PA11-0025 – Plot Plan PA11-0026 – Tentative Tract Map No. 36401 PA11-0027 – Conditional Use Permit P12-114 – Variance
Date:	November 29, 2012
Applicant:	Continental East Fund III, LLC
Representative:	Continental East Fund III, LLC
Location:	Moreno Valley Ranch Specific Plan, Planning Area #21, east side of Lasselle Street between Cahuilla Drive and Krameria Avenue
Proposal:	The Continental Villages project proposes to subdivide the 19.4 acre project site into 93 lots and 9 common areas lots (PA11-0026) in order to build three types of residential product for a total of 217 dwelling units. Conditional Use Permit PA11-0027 proposes 36 detached single-family units on lots 1-36 with an additional 56 clustered units on lots 37-92. Plot Plan PA11-0025 proposes a 125 unit multiple family apartment project with a recreation building and tot lot on the 7.25 acres of Lot 93. Variance P12-114 is proposed to allow parking to encroach into street side setbacks because of unique site constraints (parcel shape and topography). This project will replace the 227 unit condominium project previously approved by the Planning Commission for this site in April 2005 (PA04-0151 and PA04-0152).
Recommendation:	Approval

SUMMARY

This project proposes a Plot Plan for a 125 unit apartment project and Tentative Tract Map 36401 to subdivide the remainder of the site into 36 detached single-family residences and 56 clustered units for a total of 217 residential units. A Variance is required to allow for some required parking to encroach into setback areas.

PROJECT DESCRIPTION

Project

The Continental Villages project proposes to subdivide the 19.4 acre project site into 93 lots and 9 common areas lots (PA11-0026) in order to build three types of residential product. Conditional Use Permit PA11-0027 proposes 36 detached single-family units on lots 1-36 with an additional 56 clustered units on lots 37-92. Plot Plan PA11-0025 proposes a 125 unit multiple family apartment project with a recreation building and tot lot on the 7.25 acres of Lot 93. Variance P12-114 is proposed to allow parking to encroach into street side setbacks because of unique site constraints (parcel shape and topography).

This project will replace the 227 unit condominium project previously approved by the Planning Commission for this site in April 2005 (PA04-0151 and PA04-0152).

Site

The project site is located within Planning Area #21 of the Moreno Valley Ranch Specific Plan and is zoned High Density Residential (HR) which allows up to 20 dwelling units per acre. The proposed project has a density of 11.2 dwelling units per acre which is comparable to the density of the previously approved condominium project (PA04-0151 and PA04-0152) for this site.

The 19.4-gross acre site is located on the east side of Lasselle Street between Cahuilla Drive and Krameria Avenue within Assessor's Parcel Number 308-040-050. The project site is currently vacant with generally flat topography and an irregular 'boot-shaped' configuration.

There is a decrease in elevation from east to west towards Lasselle Street with a 19 to 25-foot grade difference between this site and the adjacent school site to the east. The project site has been disturbed through permitted mass grading in the past and through a more recently approved stockpile plan.

Tentative Tract Map – PA11-0026

Tentative Tract Map No. 36401 as proposed will subdivide the 19.4-gross acres of Assessor's Parcel Number 308-040-002 into 93 numbered lots with lettered lots for private streets, landscaped parkways, commons landscape areas and common recreation areas.

The distribution of numbered lots is as follows:

- Lots 1-36 – detached single-family residences
- Lots 37-92 – detached clustered units
- Lot 93 – 125 unit apartment units

The current design for tentative tract map includes 2:1 slopes along the project site's Lasselle Street and Krameria Avenue frontages. There are large 2:1 slopes along the

rear of the project adjacent to the school site. All private slopes over 3-feet in height will require landscape and irrigation for erosion control.

Landscape easements have been provided along Lasselle Street, Cahuilla Drive and Krameria Avenue in addition to standard right-of-way. The parkway areas behind the sidewalk along each of these streets will be maintained by the project's home owner's association.

Plot Plan – PA11-0025

Plot Plan PA11-0025 proposes to develop a 125 apartment project on the 6.95 acres of Lot 93 of Tentative Tract Map No. 36401. This portion of the project is located at the southeast corner of Lasselle Street and Cahuilla Drive adjacent to the Moreno Valley College with approximately 900 feet of Lasselle Street frontage.

The apartment project includes a total of seven two-story 16-plexes, and one single unit carriage building and six double unit carriage buildings located above garage parking. The apartments include a unit mix of one and two bedroom residences ranging in size from 607 square feet to 1,186 square feet and designed in the Spanish Colonial style.

The site design includes an even distribution of open visitor parking and trash enclosures, common landscape planters and a clubhouse with a pool and recreation area. The clubhouse is consistent with project architecture in colors, materials and level of detail.

The apartment project is not proposed to be gated, and shares driveway access with the other parts of Continental Villages on Lasselle Street and has a secondary driveway on Cahuilla Drive.

Planned Unit Development – PA11-0027

Municipal Code Section 9.03.060 identifies the stated purpose of a Planned Unit Development as allowing for greater innovation in housing development and diversity of housing choices than would otherwise be possible according to the strict application of the site development regulations contained in the Municipal Code. Planned Unit Developments require approval of a conditional use permit.

Conditional Use Permit PA11-0027 is a Planned Unit Development (PUD) that proposes unique development standards for the construction of two single-family residential product types in a multiple family zone. A home owners association(s) will be required to address maintenance obligations for the common areas and amenties located within lots 1-92.

Small Lot Subdivision – Lots 1-36

This portion of the project is located adjacent to Lasselle Elementary School and is approximately 800 feet east of Lasselle Street with primary driveway access from Krameria Street. Secondary access is available via internal private streets and shared

driveway access from Lasselle Street or a Krameria Street driveway further to the west.

Lots 1-36 are proposed for development of detached two-story single-family residences of Spanish Colonial or Spanish Monterey style which is consistent with the design guidelines of the Moreno Valley Ranch Specific Plan (SP 193) and the existing tract homes located in the vicinity.

The single family homes include the following plans:

- Plan 1 – Two-story, 1,560 square feet
- Plan 2 – Two-story, 1,820 square feet
- Plan 3 – Two Story, 2,090 square feet

Common amenities include homeowner association maintained front yards, a tot lot, parkway landscape, private streets and visitor parking. The home sites include private rear and side yards with some slopes and interior partition vinyl fencing.

The project site is currently zoned High Density Residential (HR) under SP 193. The PUD proposes the following unique development standards:

Small Lot Single-family Development Standards – Lots 1-36	
Minimum Lot Size	3,600 SF
Minimum Lot Width	45 feet
Minimum Lot Depth	80 feet
Minimum Front Yard Setback	18 feet
Minimum Side Yard Setback	
Interior Side Yard	5 feet
Street Side Yard	10 feet
Minimum Rear Yard Setback	15 feet (Min. 10' yard area must be clear of slopes)
Maximum Lot Coverage	45%
Maximum Building Height	35 feet
Minimum Dwelling Size	1,250 SF
Minimum Building Separation	10 feet
Maximum Floor Area Ratio	0.75

The creation of a homeowners association will be required for this development to address common area maintenance obligations and limitations on accessory structures such as storage buildings, patio covers and decks.

Clustered Units – Lots 37-92

This portion of the project is located at the northeast corner of Lasselle Street and Krameria Street. Primary driveway access is from Krameria Street with secondary access available via internal private streets and shared driveway access from Lasselle Street or a second Krameria Street driveway further to the east. A portion of this project backs to adjacent to Lasselle Elementary School.

Lots 37-92 are proposed for development of detached single-family condominium units clustered around common court yards. The architecture of the two-story units is of Spanish Colonial or Spanish Monterey style which is consistent with the design guidelines of the Moreno Valley Ranch Specific Plan (SP 193) and the existing tract homes located in the vicinity.

The clustered single-family homes include the following plans:

- Plan 1 – Two-story, 1,600 square feet
- Plan 2 – Two-story, 1,775 square feet
- Plan 3 – Two Story, 2,090 square feet

Common amenities include homeowner association maintained front yards, two tot lots, parkway landscape, private streets and visitor parking. The home sites include private rear yards and interior partition vinyl fencing.

The project is site is currently zoned High Density Residential (HR) under the SP 193. The PUD proposes the following unique development standards:

Clustered Unit Development Standards – Lots 37-92	
Minimum Front Yard Setback	10 feet
Minimum Side Yard Setback	
Interior Side Yard	4 feet (Must be clear of slopes)
Street Side Yard	10 feet (Must be clear of slopes)
Minimum Rear Yard	5 feet (Must be clear of slopes)
Maximum Lot Coverage	45%
Maximum Building Height	35 feet
Minimum Dwelling Size	1,000 SF
Minimum Building Separation	8 feet
Floor Area Ratio	0.75

The creation of a homeowners association will be required for this development to address common area maintenance obligations and limitations on accessory structures such as storage buildings, patio covers and decks.

Variance – P12-114

A variance is proposed to allow for parking spaces along the Lasselle Street frontage within the proposed apartment complex (PA11-0025) to encroach into required setbacks areas.

Municipal Code Section 9.02.100 states that variances are intended to provide for equity in use of property, and to prevent unnecessary hardships that might result from a strict or literal interpretation and enforcement of certain regulations prescribed by this title.

The project site is constrained by unique a parcel shape and sloping topography. The variance would allow for a portion of the apartment's required visitor parking to encroach into the Lasselle Street landscape setback. Per the requirements of MC

9.02.100, the required findings have been prepared in support of the variance. The findings are attached to this report in Planning Commission Resolution #2012-29.

Surrounding Area

The Moreno Valley Ranch Specific Plan boundaries are roughly from Kitching Street east to the Lake Perris State Recreation Area and Redlands Boulevard and from Cactus Avenue south to the Lake Perris State Recreation Area. The subject site is located in the southwest portion of the specific plan.

The area surrounding the proposed condominium project has been developed predominately with single-family residences in the Low and Medium-low Density Residential zones. Also adjacent to the project site are the Riverside Community College Moreno Valley Campus and Fire Station #91, which are located within the Community Facilities (CF) zone, and Lasselle Elementary School.

Additional land uses in the vicinity include the Lake Perris State Recreation Area to the east, two shopping centers to the north at Iris and Lasselle and Rancho Verde High School to the south on Lasselle.

Overall, the proposed project is compatible with the Moreno Valley Ranch Specific Plan, the City's General Plan and existing land uses.

Access/Parking

Access to the project site is via Lasselle Street to Cahuilla Drive or Krameria Avenue. Private roads provide interior circulation throughout the project. Required access to the project has been provided with a total of four driveways (one on Lasselle, two on Krameria and one on Cahuilla). Reciprocal access easements are required of the project to allow shared use of the Lasselle Street driveway.

The Moreno Valley Ranch Specific Plan includes off-street parking requirements for development within the High Density Residential (HR) zone. The project includes garage parking for the residents and open space parking for guests. As designed and conditioned, the project satisfies all parking requirements of the Moreno Valley Ranch Specific Plan.

Design/Landscaping

The proposed architectural styles are consistent with the design guidelines of the Moreno Valley Ranch Specific Plan with all buildings designed in the Spanish Colonial or Monterey Spanish styles.

This project has been reviewed and the design of the proposed plot plan, conditional use permit and tentative tract map conforms to all development standards of the HR zone as required within the Moreno Valley Ranch Specific plan and the City's Municipal Code.

Water quality (first flush) for the project has been addressed by use of an underground filtration system. Maintenance of the system will be handled by a homeowner's association.

The developer must create a homeowner's association (HOA) prior to recordation of the final map. The intent of the HOA would to be to accept ownership and maintenance of the filtration system along with all common open space and common amenities associated with the project.

The walls and fences for this tract are conditioned to be consistent with the provisions for walls and fences within the Moreno Valley Ranch Specific Plan.

Decorative wrought iron or tubular steel fences with stucco treated pilasters are required for any perimeter fences/walls in the front or street side setback areas or areas visible from the public right-of-way for Plot Plan PA11-0025.

Decorative block is required for all retaining walls, corner wall treatments and the perimeter walls along Lasselle Street and Krameria Street for Conditional Use Permit PA11-0027. The same decorative block for the perimeter walls and pilasters for the apartments site and will be used for the perimeter walls for the single-family sites. Interior partitioning for the detached single-family homes and clustered units will be vinyl fencing.

REVIEW PROCESS

In the review of this project, consideration was given to the potential impact to surrounding land uses by the proposed project.

Upon review by the Project Review Staff Committee (PRSC) in August 2011, modifications were required to the plot plan, conditional use permit and the tentative tract map. Comments from staff included the preparation of studies by a qualified consultant(s) to address potential riparian and wetlands area, as wells as an assessment for burrowing owl. The applicant was also required to make revisions to the each of the project exhibits to address design requirements of the Moreno Valley Ranch Specific Plan.

Revised plans were submitted in January, April, July and September 2012. Upon review of the studies and the revised exhibits, a determination was made in September that the project map was ready to be scheduled for a Planning Commission public hearing.

ENVIRONMENTAL

The project site is in an area that the Riverside County Integrated Plan (RCIP) has identified as having the potential for burrowing owl habitat. There is also an open drainage wash that runs north to south across much of the site, parallel to Lasselle Street. The drainage area occurred as a result of past mass grading on the site. The drainage terminates in a low-lying area that over time has developed into a wetlands area. Vegetation within the wetlands includes mixed willows and mulefat scrub.

A Wetland Review and Rare Plant Evaluation was prepared for the project site in February 2011 by VHBC, Inc. The evaluation determined that wetlands are present on-site but no signs of rare plants were observed. Live rare plants were absent and habitat for these rare plants was absent since the site has been heavily disturbed. Preparation of a jurisdictional delineation was recommended.

A jurisdictional delineation report was prepared for the project site in February 2011 by Gonzales Environmental Consulting, LLC. This report addressed the proposed project which has an unnamed drainage on the project site. The area to be disturbed is characterized as emergent wetland, southern willow scrub, and disturbed. The study found 0.04 acre of state jurisdictional emergent wetlands, 0.04 acre of southern willow scrub, and 0.08 acre of unvegetated streambed. The area has no connectivity off of the project site or to over traditional navigable waters therefore federal jurisdiction is not present on the project site.

A California Department of Fish and Game Streambed Alteration Agreement (1600), and California Regional Water Quality Control Board Waste Discharge Requirement (WDR), will be required prior to any disturbance of the delineated areas. The project has been conditioned to obtain permits or waivers from the agencies listed above.

A burrowing owl survey was prepared in February 2012 with surveys occurring between January 28, 2012 and February 1, 2012. No burrowing owls were observed on site during the protocol surveys. No viable nesting habitat is present with the 19 acre site. The site has been disturbed repeatedly through prior mass grading and seasonal weed abatement. The project has been conditioned to provide a pre-construction focused owl survey 30-days prior to any construction on the site.

A copy of the Initial Study was forwarded to both the Regional Water Quality Control Board and the California Department of Fish and Game for their review and comment prior to the public hearing for the project. As of the date of report preparation, there has been no contact from either agency.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper.

The project applicant circulated notice of a community outreach meetings to all residents within 300 feet of the project site and through the home owners associations. The meetings took place on November 16, 2011 at Moreno Valley Ranch West HOA Board Meeting at Victoriano Elementary School. A second meeting was held on August 20, 2012 at the Moreno Valley Ranch HOA Board Meeting.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2012-28 and thereby:

1. **ADOPT** a Negative Declaration for PA11-0025 (Plot Plan), Tentative Tract Map 36401 (PA11-0026), PA11-0027 (Conditional Use Permit), and Variance application P12-114, in that this project will not result in significant environmental impacts;

2. **APPROVE** Variance application P12-114 to allow parking to encroach into street side setbacks because of unique site constraints (parcel shape and topography) for Plot Plan PA11-0025;

3. **APPROVE** Plot Plan PA11-0025, subject to the attached conditions of approval included as Exhibit A;

4. **APPROVE** Tentative Tract Map No. 36401 (PA11-0026), subject to the attached conditions of approval included as Exhibit B; and

5. **APPROVE** Conditional Use Permit PA11-0027, subject to the attached conditions of approval included as Exhibit C.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2012-28 with Conditions of Approval
3. Negative Declaration
4. Initial Study
5. Community Outreach Flyers
6. Aerial Map
7. Plot Plan – Apartment Project Plans
8. PUD – Small Lot Detached Single-family Plans
9. PUD – Clustered Single-family Unit Plans
10. Tentative Tract Map 36401
11. Conceptual Grading Plan

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Notice of PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the Planning Commission of the City of Moreno Valley on the following item(s):

CASE: PA11-0025 (Plot Plan)
PA11-0026 (Tentative Tract Map No. 36401)
PA11-0027 (Conditional Use Permit)
P12-114 (Variance)

APPLICANT: Continental East Fund III, LLC

OWNER: Continental East Fund III, LLC

REPRESENTATIVE: Charlene Kussner

LOCATION: Northeast corner of Lasselle Street and Krameria Street (APN: 308-040-050)

PROPOSAL: The Continental Villages project proposes to subdivide the 19.4 acre project site into 41 lots and 9 common areas lots (PA11-0026) in order to build three types of residential units. Conditional Use Permit PA11-0027 for lots 1-40 proposes 36 detached single-family units on lots 1-36 with an additional 56 clustered units on lots 37-40. Plot Plan PA11-0025 proposes a 125 unit multiple family apartment project with a recreation building and tot lot on the 7.25 acres of Lot 41 parcel. A variance is proposed to allow parking to encroach into street side setbacks because of unique site constraints (parcel shape and topography). This project will replace the 227 unit condominium project previously approved by the Planning Commission for this site in April 2005 (PA04-0151 and PA04-0152).

ENVIRONMENTAL DETERMINATION: Negative Declaration

COUNCIL DISTRICT: 4

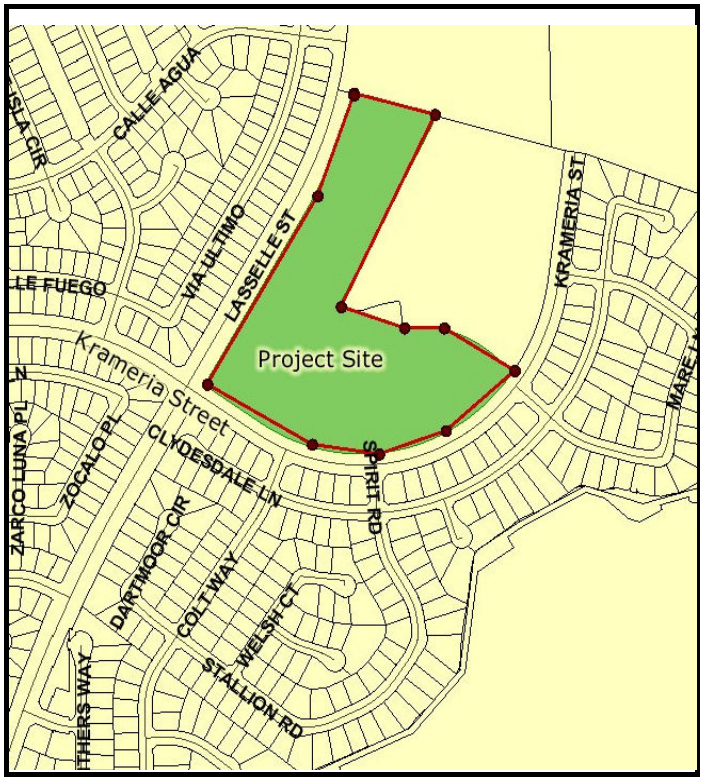
STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday), or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The Planning Commission, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing.



LOCATION N ↑

PLANNING COMMISSION HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: November 29, 2012 at 7 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

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PLANNING COMMISSION RESOLUTION NO. 2012-28

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING THE CONTINENTAL VILLAGES PROJECT WHICH INCLUDES VARIANCE APPLICATION P12-114, PLOT PLAN PA11-0025, TENTATIVE TRACT MAP 36401 (PA11-0026) AND CONDITIONAL USE PERMIT PA11-0027 FOR THE SUBDIVISON OF 19.4 ACRES LOCATED AT THE NORTHEAST CORNER OF LASSELLE STREET AND KRAMERIA STREET FOR THE DEVELOPMENT OF 217 DWELLING UNITS IN THREE RESIDENTIAL PRODUCT TYPES (APN 308-040-050).

Section 1:

WHEREAS, Continental East Fund III, LLC, Inc., has filed an application for the approval of P12-114, a Variance to allow for parking spaces along the Lasselle Street frontage within Plot Plan PA11-0025 to encroach into required setbacks areas, as described in the title of this Resolution.

WHEREAS, on November 29, 2012, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on February 29, 2012, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

ATTACHMENT 2

1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship not otherwise shared by others within the surrounding area or vicinity.

   FACT: The project site has an irregular 'boot-shaped' configuration with topography that varies from level to steeply sloping. There is a decrease in elevation from east to west towards Lasselle Street with a 19 to 25-foot grade difference between this site and the adjacent school site to the east. The parcel shape and topography are unique and pose challenges when designing a project to meet required setback, building separation and parking requirements. Strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship not otherwise shared by others within the surrounding area or vicinity

2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the vicinity and under the same zoning classification.

   FACT: The project site has an irregular 'boot-shaped' configuration with topography that varies from level to steeply sloping. There is a decrease in elevation from east to west towards Lasselle Street with a 19 to 25-foot grade difference between this site and the adjacent school site to the east. The parcel shape and topography are unique and pose challenges when designing a project to meet required setback, building separation and parking requirements. There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other properties in the vicinity and under the same zoning classification.

3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the vicinity and under the same zoning classification.

   FACT: Due to site constraints (unique parcel shape and topography), required parking encroaches into the front setback area. Strict enforcement of the required 30 foot front yard setback would deprive the applicant of privileges enjoyed by other property owners in the vicinity or under the same zoning classification.

4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and under the same zoning classification.

FACT: Approval of the variance would not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and under the same zoning classification. There are no other properties in the vicinity of the project or under the same zoning classification which also share the same site constraints (unique parcel shape and topography).

5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity; and

FACT: The granting of a variance would allow for required parking to encroach into the front yard setback. Visual impacts will be from the parking can be screened by the landscaped parkway area between the curb and project's perimeter fence and walls. The project as proposed will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

6. That the granting of a variance is consistent with the objectives and policies of the general plan and the intent of this title.

FACT: The granting of the variance is consistent with the objectives and policies of the General Plan and the intent of the Municipal Code. The applicant has attempted to meet Specific Plan density requirements for the project site. If parking is not allowed to partially encroach into the setback area, this will result in a loss in parking and a corollary reduction in density. The variance will provide for equity in the use of the project site property, and will prevent unnecessary hardships that might result from a strict or literal interpretation and enforcement of certain regulations.

Section 2:

WHEREAS, Continental East Fund III, LLC, Inc., has filed an application for the approval of Plot Plan PA11-0025, as described in the title of this Resolution.

WHEREAS, on November 29, 2012, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on February 29, 2012, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The General Plan encourages a range of housing types with common amenities and open space. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan and does not conflict with the goals, objectives, policies, and programs established within the Plan.

2. **Conformance with Zoning Regulations –** The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is currently zoned High Density Residential. The proposed use will comply with all applicable zoning regulations and the requirements of the Moreno Valley Ranch Specific Plan (SP 193). The project is also designed in accordance with applicable provisions of the City's Municipal Code.

3. **Health, Safety and Welfare –** The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed plot plan as designed and conditioned will not adversely affect the public health, safety or general welfare. A Negative Declaration has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. **Location, Design and Operation –** The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

FACT: The design of proposed apartment project is consistent with the Design Guidelines of the Moreno Valley Specific Plan. The proposed apartments are a permitted use in the HR zone. The operation of the proposed project will be consistent with the HR zone. The project as designed and conditioned will be compatible with existing and planned land uses in the vicinity.

Section 3:

WHEREAS, Continental East Fund III, LLC, Inc., has filed an application for the approval of Tentative Tract Map 36401 (PA11-0026), as described in the title of this Resolution.

WHEREAS, on November 29, 2012, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on February 29, 2012, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General and Specific Plans –** That the proposed land division is consistent with applicable general and specific plans.

FACT: The proposed tentative tract map is consistent with the General Plan designation of Residential 20 for the project site. The proposed tract map will subdivide 19.4 acre project site into 93 lots for development of a 125 unit apartment project, 36 single family lots and 56 detached condominium units. The proposed land

division is consistent with existing goals, objectives, policies and programs of the general plan.

2. **Design Conformance with General and Specific Plans –** That the design or improvement of the proposed land division is consistent with applicable general and specific plans.

   FACT: The tentative tract map as designed and conditioned will provide improvements that are consistent with the requirements of the project site's General Plan land use designation of Residential 20.

3. **Physically Suitable for Proposed Development –** That the site of the proposed land division is physically suitable for the type of development.

   FACT: The project site is comprised of an irregular shaped parcel with topography that varies from level to steeply sloping. The project is located in the Moreno Valley Ranch Specific Plan (SP 193), at the northeast corner of Lasselle Street and Krameria Street. The site has been mass graded in the past under separate permit. Overall, the project site is well suited for future development of multiple residential land uses.

4. **Physically Suitable for Proposed Density –** That the site of the proposed land division is physically suitable for the proposed density of the development.

   FACT: The project site is comprised of an irregular shaped parcel with topography that varies from level to steeply sloping. The tract map is designed in accordance with the provisions of the City's Municipal Code and SP 193. The project site is physically suitable for the subdivision.

5. **Protection of Fish or Wildlife Habitat –** That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

   FACT: A Negative Declaration has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA). The project as conditioned and designed, would result in less than significant impacts to Fish and Wildlife resources. The project has also been determined to be consistent with the Multiple Species Habitat Conservation Plan (MSHCP). The removal of any wetlands will require permits from the California Department of Fish & Game.

6. **Health, Safety and Welfare –** That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems.

   FACT: As conditioned, the proposed parcel map would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the project site. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

7. **Easements –** That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

   FACT: The tentative tract map has been designed to accommodate and not conflict with existing easements on the subject site including utility and storm drain easements.

8. **Consistent with Applicable City Ordinances –** That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city.

   FACT: The tentative tract map is designed in accordance with the provisions of the City's Municipal Code.

9. **Passive or Natural Heating and Cooling –** That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

   FACT: The design of this tract map, to the extent feasible, allows solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

10. **Regional Housing –** That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

    FACT: The project does not exceed the planned density, the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, future residents will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

Section 4:

WHEREAS, Continental East Fund III, LLC, Inc., has filed an application for the approval of Conditional Use Permit PA11-0027 for a Planned Unit Development, as described in the title of this Resolution.

WHEREAS, on November 29, 2012, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on February 29, 2012, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The General Plan encourages a range of housing types with common amenities and open space. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan and does not conflict with the goals, objectives, policies, and programs established within the Plan.

2. **Conformance with Zoning Regulations –** The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is currently zoned High Density Residential. The proposed use will comply with all applicable zoning regulations

and the requirements of the Moreno Valley Ranch Specific Plan (SP 193). In accordance with the City's Municipal, this Planned Unit Development proposes unique development standards related to minimum lots size, setbacks, lot coverage and building separation. The criteria proposed is consistent with the Municipal Code Section 9.03.060.

3. **Health, Safety and Welfare –** The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The proposed Planned Unit Development as designed and conditioned will not adversely affect the public health, safety or general welfare. A Negative Declaration has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. **Location, Design and Operation –** The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

FACT: The design of proposed Planned Unit Development project is consistent with the Design Guidelines of the Moreno Valley Specific Plan. The proposed project is a permitted use in the HR zone. The operation of the proposed project will be consistent with the HR zone. The project as designed and conditioned will be compatible with existing and planned land uses in the vicinity.

Section 5:

A. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in

Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA11-0025, PA11-0026, and PA11-0027, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2012-28 and will thereby:

1. **ADOPT** a Negative Declaration for PA11-0025 (Plot Plan), Tentative Tract Map 36401 (PA11-0026), PA11-0027 (Conditional Use Permit), and Variance application P12-114, in that this project will not result in significant environmental impacts;

2. **APPROVE** Variance application P12-114 to allow parking to encroach into street side setbacks because of unique site constraints (parcel shape and topography) for Plot Plan PA11-0025;

3. **APPROVE** Plot Plan PA11-0025, subject to the attached conditions of approval included as Exhibit A;

4. **APPROVE** Tentative Tract Map No. 36401 (PA11-0026), subject to the attached conditions of approval included as Exhibit B; and

5. **APPROVE** Conditional Use Permit PA11-0027, subject to the attached conditions of approval included as Exhibit C.

APPROVED this 29th day of November, 2012.

_____
Meli Van Natta
Chair, Planning Commission

ATTEST:

_____
John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

_____
City Attorney

Attached: Conditions of Approval

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA11-0025
PLOT PLAN FOR A 125 UNIT APARTMENT PROJECT
ASSESSOR'S PARCEL NUMBER: 308-040-050

APPROVAL DATE:
EXPIRATION DATE:

_x_ **Planning (P), including Building (B), School District (S), Post Office (PO)**
_x_ **Fire Prevention Bureau (F)**
_x_ **Land Development Division (LD)**
_x_ **Public Works – Special Districts Division (SD)**
_x_ **Public Works – Transportation Engineering Division (TE)**
_x_ **Public Works – Moreno Valley Utilities (MVU)**
___ **Parks & Community Services (PCS)**
_x_ **Police (PD)**
___ **Other (Specify or Delete)**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

For questions regarding any Planning condition of approval, please contact the Planning Division at (951) 413-3206.

P1. Plot Plan PA11-0025 has been approved for the development of a 125 unit apartment project to be built on the 6.95 acres of lot 93 of Tentative Tract Map No. 36401 (PA11-0026) within Planning Area 21 of the Moreno Valley Ranch Specific Plan (SP 193).

P2. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P3. Enhanced landscape shall be provided in the planter areas near each driveway and near the clubhouse.

P4. Approval of this plot plan is subject to approval of Tentative Tract Map No. 36401 (PA11-0026).

EXHIBIT A

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Ma	

P5. If the proposed project requires blasting, it shall be used only as a last resort. In such cases, it shall be approved by the Fire Marshall, and the developer shall comply with the current City ordinance governing blasting. (Ord)

P6. A diagram of the complex showing the location of the viewer and the building designations shall be positioned at each entrance to the development.

P7. Based upon the total number of dwelling units (125 DU's) and the unit mix, a minimum of 125-covered parking spaces shall be provided along with a minimum of 105 open parking spaces for a total of 230 parking spaces.

P8. Trash enclosures shall be located to provide a maximum walking distance of 250-feet from the units they serve. There shall be at least one trash enclosure for every 48 residential units for double bin enclosures. A minimum 3-foot landscape planter is required on at least three sides of all trash enclosures. The enclosures shall be designed to be compatible with the project's architecture as described in the Municipal Code. (MC 9.16.140, 9.17)

P9. Mailboxes shall be located at various places on the site and treated to match the building's architecture, avoiding the institutional and monumental "gang box" appearance, while conforming to Post Office guidelines. (MC 9.16.140)

P10. The parkway design along the project site's Lasselle Street frontage shall match the existing parkway situated along the east side of Lasselle and south of Krameria. It shall include curb, planter area for street trees, sidewalk and more parkway landscape. Project perimeter fencing shall be placed at the back of respective parkway easements along Lasselle Street, Cahuilla Drive, and Krameria Avenue.

P11. The owner or owner's representative shall establish and maintain a relationship with the City of Moreno Valley and cooperate with the Problem Oriented Policing (POP) program, or its successors.

GENERAL CONDITIONS

P12. This approval shall comply with all applicable requirements of the Moreno Valley Ranch Specific Plan and the City of Moreno Valley Municipal Code.

P13. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P14. This project is located within Specific Plan 193. The provisions of the specific plan, the design manual, their subsequent amendments, and the Conditions of Approval shall prevail unless modified herein. (MC 9.13)

P15. The site shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)

P16. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P17. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P18. Any signs indicated on the submitted plans are not included with this approval. Any signs**, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag),** proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Planning Division. **No signs are permitted in the public right of way.** (MC 9.12)

Prior to Issuance of Grading Permits

P19. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P20. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered**, no further disturbance shall occur until** the County Coroner **has made necessary findings as to origin**. If **the County Coroner** determine**s** that the remains are potentially Native American, the California

Native American Heritage Commission **shall be contacted within a reasonable timeframe to identify the "most likely descendant." The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98).** (GP Objective 23.3, CEQA).

P21. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be shown on the plan, be a minimum size of 24 inch box, and meet a ratio of three replacement trees for each mature tree removed or as approved by the **Planning Official**. (GP Objective 4.4, 4.5, DG)

P22. (GP) Prior to approval of any grading permit~~s~~, plans for any security gate system shall be submitted to the Planning Division for review and approval.

P23. (GP) Prior to the issuance of any grading permit~~s~~ and prior to any physical disturbance of any natural drainage course, for any area determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the Regional Water Quality Control Board. Written verification of such a permit or waiver shall be provided to the Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)

P24. (GP) Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan.

P25. (GP) Decorative pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses, parking and the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)

P26. (GP) Prior to the issuance of building permits, the site plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project.

P27. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:

A. A maximum 6 foot high tubular steel fence with decorative block

B. pilasters and a cap shall be required along the Lasselle Street and Cahuilla Drive frontage and the top of slope at the rear property line along the adjacent school site.

C. A 3 foot high decorative wall, solid hedge or berm shall be placed in any setback areas between a public right of way and a parking lot for screening.

D. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.

PRIOR TO BUILDING PERMITS

P28. (BP) Prior to issuance of building permits, the Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping. (GP Objective 43.30, DG)

P29. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P30. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P31. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation

Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P32. (BP) Prior to issuance of building permits, for multi-family projects that will be built in phases, a phasing plan application shall be submitted to the Planning Division for approval if occupancy is proposed to be phased.

P33. (BP) Prior to issuance of building permits, Tentative Tract Map No. 36401 must be recorded.

P34. (BP) Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and shall include:

- **A. A three (3) foot high decorative wall, solid hedge or berm for screening shall be placed in any setback areas between a public right of way and a parking lot.**
- **B. Finger and end planters with required step outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.**
- **C. Diamond planters shall be provided every 3 parking stalls.**
- **D. Drought tolerant landscape shall be used. Sod shall be limited to gathering areas.**
- **E. Street trees shall be provided every 40 feet on center in the right of way.**
- **F. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of the perimeter of a parking lot and per thirty linear feet of a building dimension for the portions of the building visible from a parking lot or right of way. Trees may be massed for pleasing aesthetic effects.**
- **G. Enhanced landscaping shall be provided at all driveway entries and street corner locations**
- **H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.**
- **I. Landscaping shall be provided on three sides of any trash enclosure.**
- **J. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the building or phase in question.**

P35. (BP) Prior to the issuance of building permits, landscape and irrigation plans for areas maintained by the Homeowner's Association shall be submitted to the Planning Division. All landscape plans shall be approved prior to the release of any building permits for the site. The plans shall be prepared in accordance with the City's Landscape Development Guidelines. Landscaping is required for the sides and or slopes of all water quality basin and drainage areas, while a hydroseed mix with irrigation is acceptable for the bottom of the basin areas. All detention basins shall include trees, shrubs and

groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Planning Official is required to secure all water quality and detention basins.

P36. (BP) Prior to the issuance of building permits, the master site plan shall include landscape for trash enclosures to include landscape on three sides, while elevation plans for trash enclosures shall be provided that include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed buildings on the site, subject to the approval of the Planning Division.

P37. (BP) Prior to the issuance of building permits, the plot plan shall include decorative concrete pavers for all driveway ingress/egress locations for the project.

P38. (BP) Prior to issuance of building permits the rear elevation for Carriage Building 1 shall be revised to add more architectural detail.

PRIOR TO CERTIFICATE OF OCCUPANCY

P39. (CO) Prior to issuance of Certificates of Occupancy or building final, the required landscaping and irrigation shall be installed. (MC 9.03.040)

P40. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

P41. (BP/CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be inspected by the Planning Division. All on-site and common area landscaping shall be installed in accordance with the City's Landscape Standards and the approved project landscape plans and all site clean-up shall be completed.

All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the building or phase in question.

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as city ordinances. All new projects shall provide a soils report as well. Plans shall be submitted to the Building and Safety Division as a separate submittal. The 2010 edition of the California Codes became effective for all permits issued after January 1, 2011.

B2. Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building and Safety Division for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building and Safety Division at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B3. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **The following statements need to be placement on the Final Map prior to recording:**
    a. **"This project is located within the Very High Fire Hazard Severity Zone and shall comply with all special construction features as required in Chapter 7A of the California Building Code."**
    b. **"All single family and multi family dwellings including attached and detached garages, pool houses, and other enclosed accessory structures shall be equipped with automatic fire sprinklers."**

2. **There shall be a "Parking Enforcement Plan" submitted. The plan will detail the enforcement of parking provisions and fire lanes by the HOA. This plan will then be required to be submitted and incorporated into the CC&R's. This condition shall be completed prior to approval of the Final Map.**
3. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal. **This project falls in the Very High Fire Severity Zone and shall comply with the 2010 edition of the following codes: California Fire Code Chapter 49, California Building Code Chapter 7A, California Residential Code Section R327, California Reference Standard Code Chapter 12-7A**

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering _1500__ GPM for_2_ hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B) .

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super fire hydrants (6" x 4" x 2 ½" x 2 ½") and super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 507.5.7 & MVMC 8.36.060 Section K)

F4. Single Family Dwellings. Schedule "A" fire prevention approved standard fire hydrants (6" x 4" x 2 ½") located at each intersection of all residential streets and spaced no more than 500 feet apart in any direction, more than 250 feet from any portion of the building as measured along approved emergency vehicular travel

F5. ways. Minimum fire flow shall be __1500_GPM for _2_ hours duration of 20 PSI. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, serving one and two-family residential developments, standard fire hydrants shall be provided at spacing not to exceed 1000 feet along the tract boundary for transportation hazards. (CFC 507.3 MVMC 8.36.060).

F6. Maximum cul-de-sac or dead end road length shall not exceed 660 feet. The Fire Chief, based on City street standards, shall determine minimum turning radius for fire apparatus based upon fire apparatus manufacture specifications. (CFC 503.2)

F7. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.2 and 503.2.5)

F8. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F9. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F10. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty–four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])

F11. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])

F12. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)

F13. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3)

F14. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)

F15. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F16. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507.5)

F17. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, all residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be located consistently on each dwelling throughout the development. The numerals shall be no less than four (4) inches in height and shall be low voltage lighted fixtures. (CFC 505.1)

F19. Prior to Certificate of Occupancy or Building Final, all structures shall have fire retardant roofing materials (Class A roofs) as described in CBC Chapter 7A and CFC Chapter 49.

F20. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F21. Prior to issuance of Certificate of Occupancy or Building Final, all multi-family residences shall display the address in a visible location on the street side of the building and visible from public sidewalks. The building numerals shall be a minimum of twelve (12) inches in height and individual dwelling units shall not be less than four (4) inches in height on a contrasting background. The address shall be illuminated as approved by the Fire Prevention Bureau. (CFC 505.1 and MVMC 9.08.100 Section G)

F22. Prior to issuance of a Certificate of Occupancy or Building Final, a directory display monument sign shall be required for apartment, condominium, townhouse or mobile home parks. Each complex shall have an illuminated diagrammatic layout of the complex which indicates the name of the complex, all streets, building identification, unit numbers, and fire hydrant locations within the complex. Location of the sign and design specifications shall be submitted to, and approved by, the Community Development Department – Planning Division and the Fire Prevention Bureau prior to installation. (MVMC 9.12.060)

F23. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F24. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)

F25. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F26. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)

F27. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F28. Prior to issuance of Building Permits, fuel modification plans shall be submitted to the Fire Prevention Bureau for review and approval for all open space areas adjacent to the wildland vegetation interface. (CFC Chapter 49)

F29. Prior to issuance of Building Permits, plans for structural protection from vegetation fires shall be submitted to the Fire Prevention Bureau for review and approval. Measures shall include, but are not limited to: noncombustible barriers (cement or block walls), fuel modification zones, etc. (CFC Chapter 49)

F30. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)

F31. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060)

F32. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F33. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F34. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 105)

F35. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 105)

F36. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 105)

F37. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.8)

F38. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Chapter 1)

F39. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F40. Prior to Certificate of Occupancy all locations where medians are constructed and prohibit vehicular ingress/egress into or away from the site, provisions must be made to construct a median-crossover at all locations determined by the Fire Marshal and the City Engineer. Prior to the construction, design plans will be submitted for review and approval by the City Engineer and all applicable inspections conducted by Land Development Division.

F41. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

COMMUNITY & ECONOMIC DEVELOPMENT – LAND DEVELOPMENT DIVISION

The following are the Community & Economic Development Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Community & Economic Development Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5)

LD3. (G) It is understood that the tentative map/plot plan/conditional use permit correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Community and Economic Development Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) For single family residential subdivisions, all lots shall drain toward the street unless otherwise approved by the City Engineer. Residential lot drainage to the street shall be by side yard swales and include yard drain pipes and inlet grates (or stubbed and capped if area is not yet landscaped) that convey flows to the street in accordance to City Standard No. 303 independent of adjacent lots. No over the sidewalk drainage shall be allowed, all drainage shall be directed to a driveway or drainage devices located outside the right-of-way. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Community and Economic Development Department.

LD9. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

Prior to Grading Plan Approval or Grading Permit

LD10. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD11. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Community and Economic Development Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Community and Economic Development Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD12. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD13. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD14. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Community and Economic Development Department.

LD15. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Community and Economic Development Department.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD18. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept

at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD19. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD20. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD21. (GP) Prior to issuance of a grading permit, if the project does not involve the subdivision of land and if the developer chooses to construct the project in construction phases, a Construction Phasing Plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer.

LD22. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD23. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD24. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD25. (MA) Prior to approval of the map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project.

LD26. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD27. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD28. (MR) Prior to recordation of the map, if the developer chooses to construct the project in construction phases, a Construction Phasing Plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer. This approval must be obtained prior to the Developer submitting a Phasing Plan to the California State Department of Real Estate.

LD29. (MR) Prior to recordation of the map, if applicable, the developer shall have all street names approved by the City Engineer. (MC 9.14.090)

LD30. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. Following are the requirements:

a. Establish a Home Owners Association (HOA) to finance the maintenance of the "Water Quality Ponds/Bio-swales". Any lots which are identified as "Water Quality Ponds/Bio-Swales" shall be owned in fee by the HOA.
b. Dedicate a maintenance easement to the City of Moreno Valley.
c. Execute a maintenance agreement between the City of Moreno Valley and the HOA. The maintenance agreement must be approved by City Council.
d. Establish a trust fund per the terms of the maintenance agreement.
e. Provide a certificate of insurance per the terms of the maintenance agreement.
f. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Residential NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process, or
    ii. Establish an endowment to cover future maintenance costs for the Residential NPDES Regulatory Rate Schedule.
g. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. The final option selected shall be in place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)

LD31. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Community and Economic Development Department.

LD32. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD33. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD34. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD35. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD36. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees per City Standard No. 706A, or as approved by the City Engineer. (MC 9.14.020)

e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.

LD37. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD38. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD39. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD40. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD41. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Community and Economic Development Department – Land Development Division. (MC 9.14.110)

LD42. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD43. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD44. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Community and Economic Development Department.

LD45. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

LD46. (BP) Prior to issuance of building permits, if the project involves a residential subdivision, the map shall be recorded (excluding model homes). (MC 9.14.090)

LD47. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

Prior to Certificate of Occupancy

LD48. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD49. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD50. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD51. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD52. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

Prior to Acceptance of Streets into the City Maintained Road System

LD53. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

SPECIAL CONDITIONS

LD54. Prior to approval of any grading plan, the additional right-of-way required at project entrances shall be shown on the grading plans and shall be consistent with that shown on the final map.

LD55. Prior to approval of any grading plan, proposed onsite private street grades shall be designed at 1%. Special approval is required from the City Engineer to construct at the absolute minimum street grade of 0.67%. Clustered unit parking common areas shall also be designed at 1% minimum.

LD56. Prior to approval of any grading plan, the plans shall clearly show that any slope near the public right-of-way has a minimum set-back area at 2% maximum of 2 feet before the start of the top of toe of slope.

LD57. Prior to rough grading plan approval, the grading plan shall clearly demonstrate that drainage is properly collected and conveyed. The plan shall show all necessary on-site drainage improvements to properly collect and convey drainage entering, within, and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site. A storm drain pipe within a private storm drain easement used to convey the runoff from the adjacent elementary school to Krameria Avenue shall be shown on all grading plans.

LD58. Prior to rough grading plan approval, proposed crib wall design shall be certified by a structural engineer, as required by the City Engineer, for the proposed wall near the north property line of the multi-family residential project.

LD59. Prior to precise grading plan approval, the plan shall clearly show the extent of all existing easements on the property including a storm drain easement as shown across Lots 43 and 44 of the tentative tract map plotted on July 5, 2012. All building structures shall be constructed outside of existing easements. The existing storm drain easement shall be vacated prior to issuance of a building permit on Lots 43 and 44.

LD60. Prior to precise grading plan approval for the multi-family residential portion of the project, the plan shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD61. Prior to final map approval, the map shall show proposed private storm drain easements, additional right-of-way dedications at project entrances, and an access easement to the adjacent school site at the end of Street "G" as shown on the tentative tract map plotted on July 5, 2012.

LD62. Prior to final map approval, the developer shall submit for review and approval either a reciprocal access agreement for the shared use of the proposed driveway on Lasselle Street between the multi-family parcel and the clustered units parcel or alternatively, covenants, conditions, and restrictions (CCRs) that provide for the shared use of the driveway.

LD63. Prior to final map approval, the developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer. Public improvements shall be constructed per City standards.

a. Lasselle Street, Arterial, City Standard 104A Modified per Moreno Valley Ranch Specific Plan (100-foot RW / 76-foot CC) shall be constructed to include missing improvements and replacement of damaged or non-standard improvements along project frontage. Improvements shall consist of, but not be limited to, sidewalk, pedestrian ramps, emergency vehicle median access, driveway approach, and undergrounding of overhead utilities less than 115,000 volts along project frontage. Improvements between Krameria Avenue and the project entrance shall consist of pavement, base, curb, gutter, sidewalk, relocation of a street light, and relocation of a power pole.

b. Krameria Avenue, Minor Arterial, City Standard 105A (88-foot RW / 64-foot CC) shall be constructed to include missing improvements and replacement of damaged or non-standard improvements along project frontage. Improvements shall consist of, but not be limited to, sidewalk, driveway approaches, drainage structures, pedestrian ramps, dry and wet utilities, relocation of existing street light at conflict with proposed project entrance location, removal of existing driveway approach opposite Quarter Horse Road including replacement with curb and gutter, and abandonment of an existing storm drain lateral.

c. Cahuilla Drive, Residential Collector, City Standard 107 (66-foot RW / 44-foot CC) shall be constructed to include missing improvements and replacement of damaged or non-standard improvements along project frontage. Improvements shall consist of, but not be limited to, driveway approaches, pedestrian access ramps, and dry and wet utilities.

d. Project entrances at Krameria Avenue across the street from Colt Way and at Cahuilla Street shall be constructed per City Standard No. 118C. The final map shall show an additional 4-foot minimum right-of-way dedication behind the driveway approach. No decorative pavers shall be placed within the public right-of-way.

e. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate meeting current City standards, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

LD64. Prior to final map approval, the applicant shall schedule a walk through with a Land Development Inspector to inspect existing improvements within public right-of-way along project frontage. The applicant will be required to install, replace and/or repair any missing, damaged or substandard improvements including handicap access ramps that do not meet current City standards. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.

LD65. Prior to building permit issuance, this project shall cause the vacation of those easements underneath proposed building footprints within Lots 43 and 44. Existing storm drain improvements shall be abandoned or removed.

LD66. Prior to building permit issuance, a private storm drain easement from the adjacent school site to Krameria Avenue shall be submitted for review and approval, and then shall record. A private storm drain, conveying offsite, adjacent school site runoff across this project site to Krameria Avenue, is required. A private storm drain easement is required to accommodate the private storm drain.

LD67. Prior to occupancy, all overhead utility lines less than 115,000 volts fronting or within the entire project site boundary shall be placed underground per Section 9.14.130C of the City Municipal Code. Overhead utility lines along the east side of Lasselle Street along project frontage that are 115,000 volts or greater which do not meet the undergrounding of overhead utilities criteria, may remain above ground in which case any existing power poles, such as the one located at the proposed project entrance, shall be relocated outside of the proposed driveway approach and sidewalk areas.

LD68. Prior to occupancy, all ramps and traveled ways, including those at the intersection of Lasselle Street at Krameria Avenue and Lasselle Street at Cahuilla Drive shall comply with current ADA standards.

LD69. The Applicant shall submit P-WQMP approval documents consisting of two originally Applicant-signed and notarized documents that are also wet-stamped and signed by a California Registered Civil Engineer.

LD70. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP) for PA11-0026 Continental Villages. The F-WQMP shall be consistent with the approved P-WQMP and the Special Project Conditions listed above, as well as in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD71. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters. Project POC include: nutrients, oxygen demanding substances, and pathogens (bacteria and viruses). Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD72. The Applicant has proposed to incorporate the use of infiltration basins, infiltration trenches and Stormtech treatment chambers. Final design and

sizing details of all BMPs must be provided in the first submittal of the F-WQMP, per the following:

a. All infiltration basins and infiltration trenches shall be designed utilizing the approved final worksheets contained in the RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011 or later;
b. All infiltration basins and infiltration trenches shall be shown on the WQMP Exhibit and their design volumes shall be calculated based on the RCFC&WCD's approved final worksheets;
c. The Stormtech chambers shall be shown on the WQMP Exhibit and their design volumes shall be calculated;
d. A percolation report is required if an infiltration type bmp is used for water quality treatment. The percolation test method acceptable to the City is the Double Ring Infiltrometer Test Method (ASTM D3385).

The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD73. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD74. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;
b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;
c. That the applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and
d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRICTS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA11-0025; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480 or by emailing specialdistricts@moval.org.

* If landscape maintenance of the perimeter parkway areas will be the responsibility of a Home Owners Association then these conditions will not apply.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services), C (Arterial Street Lighting), and E (Extensive Parkway Landscape Maintenance). All assessable parcels therein shall be subject to annual Zone A, Zone C, and Zone E charges for operations and capital improvements.

SD2. * Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone E**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. In the event the Moreno Valley Community Services District determines that funds authorized by Proposition 218 mail ballot proceeding are insufficient to meet the costs for parkway, slope, and/or open space maintenance and utility charges (**Zone E**), the District shall have the right, at its option, to terminate the grant of any or all parkway, slope, and/or open space maintenance easements. This power of termination, should it be exercised, shall be exercised in the manner provided by law to quit claim and abandon the property so conveyed to the District, and to revert to the developer or the developer's successors in interest, all rights, title, and interest in said parkway, slope, and/or open space areas, including but not limited to responsibility for perpetual maintenance of said areas.

SD4. * The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscape maintenance for a period of one (1) year as per the *City of Moreno Valley Public Works Department Landscape Design Guidelines,* or until such time as the District accepts maintenance responsibilities.

SD5. Any damage to existing landscape areas maintained by the Moreno Valley Community Services District due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

SD6. Modification of the existing irrigation system for the Lasselle St. median landscape improvements will be required per the direction of and approval by the Special Districts Division. Please contact Special Districts at 951.413.3480 to coordinate.

SD7. The removal of existing trees with a four-inch or greater trunk diameters (calipers), shall be replaced at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved. (MC 9.17.030)

SD8. A deposit for plan check and/or inspection fees for any work involved in the revision of the Lasselle St median landscape improvements shall be made prior to commencement of the work. (MC 3.32.040)

SD9. The ongoing maintenance of any landscaping required to be installed behind the curb on **Lasselle St. and Krameria Ave.** shall be the responsibility of the property owner.

SD10. * Plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD11. * Inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD12. Streetlight Authorization forms, for all streetlights that are conditioned to be installed as part of this project, must be submitted to the Special Districts Division for approval, prior to streetlight installation. The Streetlight Authorization form can be obtained from the utility company providing electric service to the project, either Moreno Valley Utility or Southern California Edison.

Prior to Recordation of Final Map

SD13. * (R) Easements for reverse frontage parkway and slope landscape areas abutting **Lasselle St** shall be **10ft** and **Krameria Ave** shall be **6ft** or to top of parkway facing slope or to face of perimeter tract wall, whichever is greater. Easements shall be dedicated to the City Moreno Valley for landscape maintenance purposes, and shall be depicted on the final map, and an offer of their dedication made thereon.

SD14. * (R) All necessary documents to convey to the District any required easements for parkway and/or slope maintenance as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer prior to the recordation of the final map.

Prior to Building Permit Issuance

SD15. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD16. (BP) This project has been conditioned to provide a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems. In order for the Developer to meet the financial responsibilities to fund the defined maintenance, one of the options as outlined below shall be selected. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

a. Participate in a special election for annexation into **Community Facilities District No. 1**; or
b. Establish an endowment to cover future maintenance costs for new neighborhood parks.

Annexation to CFD No. 1 shall be completed or proof of payment to establish the endowment shall be provided prior to the issuance of the first building permit for this project.

SD17. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance. (California Government Code)

SD18. (BP) This project is conditioned to install and maintain parkway/median landscape. The Developer's responsibility is to provide a funding source for the capital improvements and the continued maintenance of the landscaped area. In order for the Developer to meet the financial responsibility to maintain the defined services, one of the options as outlined below shall be selected. The Developer must notify

Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

a. Participate in a ballot proceeding for **standard/extensive landscape** program maintenance and pay all associated costs with the ballot process and formation costs, if any. Financing may be structured through a Community Services District zone, Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the city; or
b. Establish a Home Owners Association (HOA) to maintain the landscaped area; or
c. Establish an endowment to cover the future landscape program maintenance costs of the landscaped area.

The financial option selected shall be in place prior to the issuance of the first building permit.

SD19. *Residential and Commercial* (BP) If Land Development, a Division of the Community and Economic Development Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the required continuous operation, maintenance, monitoring, system evaluations and enhancements, remediation and/or replacement, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD20. (BP) **If street lights are required to be installed as part of this project then,** prior to the issuance of the first building permit for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate in place at the time of payment, as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council.

The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C programs. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

SD21. (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Covenant of Assessments** for each assessable parcel therein, whereby the developer covenants the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when

due. A copy of the recorded Covenant of Assessments shall be submitted to the Special Districts Division. For a copy of the Covenant of Assessments form, please contact Special Districts, phone 951.413.3480.

SD22. * (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community and Economic Development Department–Planning Division, and the Public Works Department–Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

SD23. * (BP) Parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of 25% (or 55) of the dwelling permits for this tract or 12 months from the issuance of the first dwelling permit, whichever comes first. In cases where a phasing plan is submitted, the actual percentage of dwelling permits issued prior to the completion of the landscaping shall be subject to the review of the construction phasing plan.

Prior to Certificate of Occupancy

SD24. (CO) All median landscape modifications associated with this project shall be completed prior to the issuance of the first Certificate of Occupancy/Building Final for this project.

SD25. * (CO) Landscape and irrigation plans for parkway, median, slope, and/or open space landscape areas designated for incorporation into Moreno Valley Community Services District shall be placed on compact disk (CD) in pdf format. The CD shall include “As Built” plans, revisions, and changes. The CD will become the property of the City of Moreno Valley and the Moreno Valley Community Services District.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

GENERAL CONDITIONS

TE1. Conditions of approval may be modified if project is phased or altered from any approved plans.

TE2. Lasselle Street is designated as an Arterial (100' RW/76'CC) per City of Moreno Valley Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE3. Krameria Avenue is constructed as a Minor Arterial (88'RW/64'CC). Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE4. Cahuilla Street is designated as a Collector (66'RW/44'CC) per City Standard Plan No. 107. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE5. The driveways in public right of way shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C.

TE6. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125A, B, C at the time of preparation of final grading, landscape, and street improvements.

TE7. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider. **The project applicant shall prepare a signing and striping plan for the intersection of Lasselle Street at Krameria Avenue per the approved conceptual striping plan, or as approved by the City Traffic Engineer.**

TE8. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall design a bus bay for northbound Lasselle Street just north of Krameria Avenue per City Standard Plan No. 121. The bus bay may be combined with a right turn lane at the project driveway.

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE10. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping within public right of way shall be installed per current City Standards and the approved plans. On-site signing and striping (outside the public right of way) shall be per the latest version of the CAMUTCD.

TE11. (CO) If gated entrances are to be provided from a public street, then they will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support two vehicles in queue (minimum of 60 feet).
B. A turn around area between the public right of way and gate.
C. Signing and striping at the gate, including no parking signs.
D. A separate pedestrian entry.
E. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE12. (CO) Prior to the issuance of a certificate of occupancy, the project applicant shall construct the bus bay improvements identified in TE9. Construction shall be completed per the approved plans and coordinated with the street improvements.

PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

TE13. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITIES

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utilities' Conditions of Approval for PA11-0025. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utilities' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utilities (the Electric Utility Division) of the Public Works Department 951.413.3500. The applicant is fully responsible for communicating with Moreno Valley Utilities staff regarding their conditions.

PRIOR TO RECORDATION OF FINAL MAP

MVU1. (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utilities to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

PRIOR TO ISSUANCE OF BUILDING PERMIT

MVU2. (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utilities) – collectively referred to as "utility system" (to and through

development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utilities owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project is subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (DC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (DC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community Development Department - Building Division for routing to the Police Department. (DC 9.08.080)

PD4. Addresses shall be in plain view, visible from the street and visible at night.

PD5. Landscape ground cover should not exceed over 3 feet in height from in the parking lot.

PD6. Bushes that are near the exterior of the building should not exceed 4 feet in height and should not be planted directly in front of the buildings or walkways.

PD7. Trees, which exceed 20 feet in height, should provide at least 7 feet of visibility from the ground to the bottom of the canopy. This is so that patrons or employees can view the whole parking lot while parking their vehicles in the parking lot.

PD8. Sufficient lighting is to be provided over all mailbox areas.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA11-0026
TENTATIVE TRACT MAP NO. 36401
ASSESSOR'S PARCEL NUMBER: 308-040-050

Approval Date:
Expiration Date:

The following conditions are attached for the following departments:

- **_x_ Planning (P), Building (B), including School District (S), Post Office (PO)**
- **_x_ Fire Prevention Bureau (F)**
- **_x_ Land Development Division (LD)**
- **_x_ Public Works – Special Districts Division (SD)**
- **_x_ Public Works – Transportation Engineering Division (TE)**
- **_x_ Public Works – Moreno Valley Utilities (MVU)**
- **___ Parks & Community Services (PCS)**
- **_x_ Police (PD)**
- **___ Other (Specify or Delete)**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects. (Include only those that apply)

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Tentative Parcel Map No. 36401 is approved for the subdivision of the 19.4-gross acres of Assessor's Parcel Number 308-040-050 into 93 lots for development of a 125 unit apartment project (PA11-0025) and a 92 lot Planned Unit Development (PA11-0027).

General Conditions

P2. This approval shall comply with all applicable requirements of the Moreno Valley Ranch Specific Plan and the City of Moreno Valley Municipal Code.

P3. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

P4. The site shall be developed in accordance with the approved tentative map on file in the Community & Economic Development Department – Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. (MC 9.14.020)

P5. A drought tolerant, low water using landscape palette shall be utilized throughout the tract to the extent feasible.

P6. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P7. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P8. (BP) Enhanced architectural treatments shall be included on the approved plans for all homes having side and/or reverse frontages to public streets or open space areas.

P9. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval.

P10. If the proposed project requires blasting, it shall be used only as a last resort. In such cases, it shall be approved by the Fire Marshall, and the developer shall comply with the current City ordinance governing blasting. (Ord)

PRIOR TO RECORDATION OF FINAL MAP

P12. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

P13 (R) Prior to recordation of the final subdivision map, a home owner's association shall be created for ownership and maintenance of all common areas to include but not be limited to: driveways, private streets, common area lighting, guest parking, open space, community recreation building, pool, spa, perimeter fences/walls, retaining walls and parkway landscape and irrigation.

P14. (R) Prior to recordation of the final subdivision map, the developer shall submit for review and approval the following documents to the Planning Division which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approval:

a. The document to convey title
b. Deed restrictions, easements, or Covenants, Conditions and Restrictions to be recorded

The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for general maintenance of the site, shared/reciprocal use of the Lasselle Street driveway, guest parking, water quality treatment facilities and/or basins, common lighting, landscaping and common area use items such as general building maintenance (apartments, condominiums and townhomes), tot lot/public seating areas and other recreation facilities or buildings. The approved documents shall also contain a provision, which provides that they may not be terminated and/or substantially amended without the consent of the City and the developer's successor-in-interest. (MC 9.14.090)

In addition, the following deed restrictions and disclosures shall be included within the document and grant deed of the properties:

- **The developer and homeowners association shall promote the use of native plants and trees and drought tolerant species to the extent feasible.**

- **(R) All lots designated for open space and or detention basins, shall be included as an easement to, and maintained by a Homeowners Association (HOA) or other private maintenance entity. All reverse frontage landscape areas shall also be maintained by the onsite HOA. Language to this effect shall be included and reviewed within the required Covenant Conditions and Restrictions (CC&Rs) prior to the approval of the final map.**

- **Maintenance of any and all common facilities.**

- **Guidelines/limitations for accessory structures in the yard areas of the clustered units on lots 37-92.**

PRIOR TO GRADING

P15. (GP) Prior to approval of any grading permit, the developer shall submit a tree plan to the Planning Division for review and approval. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community & Economic Development Director or designee. (GP Objective 4.4, 4.5, DG)

P16. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P17. (GP) Prior to approval of precise grading plan, final front and street side yard landscape and irrigation plans shall be submitted to the Planning Division for review. The plans shall be prepared in accordance with the City's Municipal Code and landscape specifications, and include required street trees.

P18. (GP) Prior to approval of a precise grading plan, final street tree plan, including irrigation, shall be submitted to the Planning Division for review and approval for all dwelling units in the phase of the subdivision in process.

P19. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented.
(GP Objective 23.3, DG, CEQA).

P20. (GP) Prior to the issuance of grading permits, a pre-construction Burrowing Owl survey shall be completed with written documentation provided to the Planning Division. The survey shall be completed in accordance with the Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Area.

P21. (GP) Prior to issuance of grading permits, plans for any security gate system shall be submitted to the Planning Division for review and approval.

P22 (GP) Prior to the issuance of any grading permits and prior to any physical disturbance of any natural drainage course, or any wetland determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the Regional Water Quality Control Board. Written verification of such a permit or waiver shall be provided to both the Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)

P22. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval. See the conditions of approval for PA11-0025 and PA11-0027 for fence and wall requirements. (MC 9.08.070)

PRIOR TO BUILDING PERMIT

P24. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P25. (BP) Prior to issuance of building permits, final front and street side yard landscape and irrigation plans, and slope landscape plans and basin landscape plans, shall be approved.

PRIOR TO CERTIFICATE OF OCCUPANCY

P26. (CO) Prior to the issuance of Certificates of Occupancy or building final, slope landscape and irrigation shall be installed. Landscaping on lots not yet having dwelling units shall be maintained by the developer weed and disease free. (MC 9.03.040)

P27. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed per the approved plans on file in the Planning Division. (MC 9.080.070)

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

B2. Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time *(applies only to commercial, industrial, and multi-family projects).*

B3. All projects that will be serviced by a private sewage disposal system shall obtain approval from the Riverside County Environmental Health Department prior to submitting plans to the Building Department.

B4. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community & Economic Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. The following statements need to be placement on the Final Map prior to recording:

a. "This project is located within the Very High Fire Hazard Severity Zone and shall comply with all special construction features as required in Chapter 7A of the California Building Code."

b. "All single family and multi family dwellings including attached and detached garages, pool houses, and other enclosed accessory structures shall be equipped with automatic fire sprinklers."

2. There shall be a "Parking Enforcement Plan" submitted. The plan will detail the enforcement of parking provisions and fire lanes by the HOA. This plan will then be required to be submitted and incorporated into the CC&R's. This condition shall be completed prior to approval of the Final Map.

The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal. **This project falls in the Very High Fire Severity Zone and shall comply with the 2010 edition of the following codes: California Fire Code Chapter 49, California Building Code Chapter 7A, California Residential Code Section R327, California Reference Standard Code Chapter 12-7A**

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering _1500__ GPM for_2_ hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B) .

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super fire hydrants (6" x 4" x 2 ½" x 2 ½") and super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined

by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 507.5.7 & MVMC 8.36.060 Section K)

F4. Single Family Dwellings. Schedule "A" fire prevention approved standard fire hydrants (6" x 4" x 2 ½") located at each intersection of all residential streets and spaced no more than 500 feet apart in any direction, more than 250 feet from any portion of the building as measured along approved emergency vehicular travel

F5. ways. Minimum fire flow shall be __1500_GPM for _2_ hours duration of 20 PSI. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, serving one and two-family residential developments, standard fire hydrants shall be provided at spacing not to exceed 1000 feet along the tract boundary for transportation hazards. (CFC 507.3 MVMC 8.36.060).

F6. Maximum cul-de-sac or dead end road length shall not exceed 660 feet. The Fire Chief, based on City street standards, shall determine minimum turning radius for fire apparatus based upon fire apparatus manufacture specifications. (CFC 503.2)

F7. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.2 and 503.2.5)

F8. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F9. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F10. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty–four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])

F11. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])

F12. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)

F13. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3)

F14. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)

F15. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F16. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507.5)

F17. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, all residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be located consistently on each dwelling throughout the development. The numerals shall be no less than four (4) inches in height and shall be low voltage lighted fixtures. (CFC 505.1)

F19. Prior to Certificate of Occupancy or Building Final, all structures shall have fire retardant roofing materials (Class A roofs) as described in CBC Chapter 7A and CFC Chapter 49.

F20. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F21. Prior to issuance of Certificate of Occupancy or Building Final, all multi-family residences shall display the address in a visible location on the street side of the building and visible from public sidewalks. The building numerals shall be a minimum of twelve (12) inches in height and individual dwelling units shall not be less than four (4) inches in height on a contrasting background. The address shall be illuminated as approved by the Fire Prevention Bureau. (CFC 505.1 and MVMC 9.08.100 Section G)

F22. Prior to issuance of a Certificate of Occupancy or Building Final, a directory display monument sign shall be required for apartment, condominium, townhouse or mobile home parks. Each complex shall have an illuminated diagrammatic layout of the complex which indicates the name of the complex, all streets, building identification, unit numbers, and fire hydrant locations within the complex. Location of the sign and design specifications shall be submitted to, and approved by, the Community Development Department – Planning Division and the Fire Prevention Bureau prior to installation. (MVMC 9.12.060)

F23. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F24. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)

F25. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm

system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F26. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)

F27. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F28. Prior to issuance of Building Permits, fuel modification plans shall be submitted to the Fire Prevention Bureau for review and approval for all open space areas adjacent to the wildland vegetation interface. (CFC Chapter 49)

F29. Prior to issuance of Building Permits, plans for structural protection from vegetation fires shall be submitted to the Fire Prevention Bureau for review and approval. Measures shall include, but are not limited to: noncombustible barriers (cement or block walls), fuel modification zones, etc. (CFC Chapter 49)

F30. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)

F31. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060)

F32. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F33. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals

required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F34. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 105)

F35. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 105)

F36. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 105)

F37. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.8)

F38. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Chapter 1)

F39. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F40. Prior to Certificate of Occupancy all locations where medians are constructed and prohibit vehicular ingress/egress into or away from the site, provisions must be made to construct a median-crossover at all locations determined by the Fire Marshal and the City Engineer. Prior to the construction, design plans will be submitted for review and approval by the City Engineer and all applicable inspections conducted by Land Development Division.

F41. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

COMMUNITY & ECONOMIC DEVELOPMENT – LAND DEVELOPMENT DIVISION

The following are the Community & Economic Development Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Community & Economic Development Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5)

LD3. (G) It is understood that the tentative map/plot plan/conditional use permit correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Community and Economic Development Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) For single family residential subdivisions, all lots shall drain toward the street unless otherwise approved by the City Engineer. Residential lot drainage to the street shall be by side yard swales and include yard drain pipes and inlet grates (or stubbed and capped if area is not yet landscaped) that convey flows to the street in accordance to City Standard No. 303 independent of adjacent lots. No over the sidewalk drainage shall be allowed, all drainage shall be directed to a driveway or drainage devices located outside the right-of-way. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Community and Economic Development Department.

LD9. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on

twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

Prior to Grading Plan Approval or Grading Permit

LD10. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD11. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Community and Economic Development Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Community and Economic Development Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD12. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD13. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more

acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD14. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Community and Economic Development Department.

LD15. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Community and Economic Development Department.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD18. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD19. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD20. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD21. (GP) Prior to issuance of a grading permit, if the project does not involve the subdivision of land and if the developer chooses to construct the project in construction phases, a Construction Phasing Plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer.

LD22. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD23. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD24. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD25. (MA) Prior to approval of the map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project.

LD26. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD27. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD28. (MR) Prior to recordation of the map, if the developer chooses to construct the project in construction phases, a Construction Phasing Plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer. This approval must be obtained prior to the Developer submitting a Phasing Plan to the California State Department of Real Estate.

LD29. (MR) Prior to recordation of the map, if applicable, the developer shall have all street names approved by the City Engineer. (MC 9.14.090)

LD30. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. Following are the requirements:

a. Establish a Home Owners Association (HOA) to finance the maintenance of the “Water Quality Ponds/Bio-swales”. Any lots which are identified as “Water Quality Ponds/Bio-Swales” shall be owned in fee by the HOA.
b. Dedicate a maintenance easement to the City of Moreno Valley.
c. Execute a maintenance agreement between the City of Moreno Valley and the HOA. The maintenance agreement must be approved by City Council.
d. Establish a trust fund per the terms of the maintenance agreement.
e. Provide a certificate of insurance per the terms of the maintenance agreement.
f. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.

i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Residential NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process, or
ii. Establish an endowment to cover future maintenance costs for the Residential NPDES Regulatory Rate Schedule.

g. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. The final option selected shall be in place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)

LD31. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Community and Economic Development Department.

Prior to Improvement Plan Approval or Construction Permit

LD32. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD33. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD34. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD35. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD36. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees per City Standard No. 706A, or as approved by the City Engineer. (MC 9.14.020)

e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.

LD37. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD38. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD39. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD40. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD41. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the

developer shall provide adequate facilities as approved by the Community and Economic Development Department – Land Development Division. (MC 9.14.110)

LD42. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD43. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD44. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Community and Economic Development Department.

LD45. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD46. (BP) Prior to issuance of building permits, if the project involves a residential subdivision, the map shall be recorded (excluding model homes). (MC 9.14.090)

LD47. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of “Blue-top” markers installed by a registered land surveyor or licensed engineer.

Prior to Certificate of Occupancy

LD48. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD49. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD50. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD51. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD52. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

Prior to Acceptance of Streets into the City Maintained Road System

LD53. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

SPECIAL CONDITIONS

LD54. Prior to approval of any grading plan, the additional right-of-way required at project entrances shall be shown on the grading plans and shall be consistent with that shown on the final map.

LD55. Prior to approval of any grading plan, proposed onsite private street grades shall be designed at 1%. Special approval is required from the City Engineer to construct at the absolute minimum street grade of 0.67%. Clustered unit parking common areas shall also be designed at 1% minimum.

LD56. Prior to approval of any grading plan, the plans shall clearly show that any slope near the public right-of-way has a minimum set-back area at 2% maximum of 2 feet before the start of the top of toe of slope.

LD57. Prior to rough grading plan approval, the grading plan shall clearly demonstrate that drainage is properly collected and conveyed. The plan shall show all necessary on-site drainage improvements to properly collect and convey drainage entering, within, and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site. A storm drain pipe within a private storm drain easement used to convey the runoff from the adjacent elementary school to Krameria Avenue shall be shown on all grading plans.

LD58. Prior to rough grading plan approval, proposed crib wall design shall be certified by a structural engineer, as required by the City Engineer, for the proposed wall near the north property line of the multi-family residential project.

LD59. Prior to precise grading plan approval, the plan shall clearly show the extent of all existing easements on the property including a storm drain easement as shown across Lots 43 and 44 of the tentative tract map plotted on July 5, 2012. All building structures shall be constructed outside of existing easements. The existing storm drain easement shall be vacated prior to issuance of a building permit on Lots 43 and 44.

LD60. Prior to precise grading plan approval for the multi-family residential portion of the project, the plan shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD61. Prior to final map approval, the map shall show proposed private storm drain easements, additional right-of-way dedications at project entrances, and an access easement to the adjacent school site at the end of Street "G" as shown on the tentative tract map plotted on July 5, 2012.

LD62. Prior to final map approval, the developer shall submit for review and approval either a reciprocal access agreement for the shared use of the proposed driveway on Lasselle Street between the multi-family parcel and the clustered units parcel or alternatively, covenants, conditions, and restrictions (CCRs) that provide for the shared use of the driveway.

LD63. Prior to final map approval, the developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer. Public improvements shall be constructed per City standards.

a. Lasselle Street, Arterial, City Standard 104A Modified per Moreno Valley Ranch Specific Plan (100-foot RW / 76-foot CC) shall be constructed to include missing improvements and replacement of damaged or non-standard improvements along project frontage. Improvements shall consist of, but not be limited to, sidewalk, pedestrian ramps, emergency vehicle median access, driveway approach, and undergrounding of overhead utilities less than 115,000 volts along project frontage. Improvements between Krameria Avenue and the project entrance shall consist of pavement, base, curb, gutter, sidewalk, relocation of a street light, and relocation of a power pole.

b. Krameria Avenue, Minor Arterial, City Standard 105A (88-foot RW / 64-foot CC) shall be constructed to include missing improvements and replacement of damaged or non-standard improvements along project frontage. Improvements shall consist of, but not be limited to, sidewalk, driveway approaches, drainage structures, pedestrian ramps, dry and wet utilities, relocation of existing street light at conflict with proposed project entrance location, removal of existing driveway approach opposite Quarter Horse Road including replacement with curb and gutter, and abandonment of an existing storm drain lateral.

c. Cahuilla Drive, Residential Collector, City Standard 107 (66-foot RW / 44-foot CC) shall be constructed to include missing improvements and replacement of damaged or non-standard improvements along project frontage. Improvements shall consist of, but not be limited to, driveway approaches, pedestrian access ramps, and dry and wet utilities.

d. Project entrances at Krameria Avenue across the street from Colt Way and at Cahuilla Street shall be constructed per City Standard No. 118C. The final map shall show an additional 4-foot minimum right-of-way dedication behind the driveway approach. No decorative pavers shall be placed within the public right-of-way.

e. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate meeting current City standards, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

LD64. Prior to final map approval, the applicant shall schedule a walk through with a Land Development Inspector to inspect existing improvements within public right-of-way along project frontage. The applicant will be required to install, replace and/or repair any missing, damaged or substandard improvements including handicap access ramps that do not meet current City standards. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.

LD65. Prior to building permit issuance, this project shall cause the vacation of those easements underneath proposed building footprints within Lots 43 and 44. Existing storm drain improvements shall be abandoned or removed.

LD66. Prior to building permit issuance, a private storm drain easement from the adjacent school site to Krameria Avenue shall be submitted for review and approval, and then shall record. A private storm drain, conveying offsite, adjacent school site runoff across this project site to Krameria Avenue, is required. A private storm drain easement is required to accommodate the private storm drain.

LD67. Prior to occupancy, all overhead utility lines less than 115,000 volts fronting or within the entire project site boundary shall be placed underground per Section 9.14.130C of the City Municipal Code. Overhead utility lines along the east side of Lasselle Street along project frontage that are 115,000 volts or greater which do not meet the undergrounding of overhead utilities criteria, may remain above ground in which case any existing power poles, such as the one located at the proposed project entrance, shall be relocated outside of the proposed driveway approach and sidewalk areas.

LD68. Prior to occupancy, all ramps and traveled ways, including those at the intersection of Lasselle Street at Krameria Avenue and Lasselle Street at Cahuilla Drive shall comply with current ADA standards.

LD69. The Applicant shall submit P-WQMP approval documents consisting of two originally Applicant-signed and notarized documents that are also wet-stamped and signed by a California Registered Civil Engineer.

LD70. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP) for PA11-0026 Continental Villages. The F-WQMP shall be consistent with the approved P-WQMP and the Special Project Conditions listed above, as well as in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD71. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters. Project POC include: nutrients, oxygen demanding substances, and pathogens (bacteria and viruses). Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD72. The Applicant has proposed to incorporate the use of infiltration basins, infiltration trenches and Stormtech treatment chambers. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP, per the following:

a. All infiltration basins and infiltration trenches shall be designed utilizing the approved final worksheets contained in the RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011 or later;
b. All infiltration basins and infiltration trenches shall be shown on the WQMP Exhibit and their design volumes shall be calculated based on the RCFC&WCD's approved final worksheets;
c. The Stormtech chambers shall be shown on the WQMP Exhibit and their design volumes shall be calculated;
d. A percolation report is required if an infiltration type bmp is used for water quality treatment. The percolation test method acceptable to the City is the Double Ring Infiltrometer Test Method (ASTM D3385).

The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD73. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD74. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;
b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;
c. That the applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and
d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRICTS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA11-0026**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480 or by emailing specialdistricts@moval.org.

* If landscape maintenance of the perimeter parkway areas will be the responsibility of a Home Owners Association then these conditions will not apply.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services), C (Arterial Street Lighting), and E (Extensive Parkway Landscape Maintenance). All assessable parcels therein shall be subject to annual Zone A, Zone C, and Zone E charges for operations and capital improvements.

SD2. * Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone E**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. In the event the Moreno Valley Community Services District determines that funds authorized by Proposition 218 mail ballot proceeding are insufficient to meet the costs for parkway, slope, and/or open space maintenance and utility charges (**Zone E**), the District shall have the right, at its option, to terminate the grant of any or all parkway, slope, and/or open space maintenance easements. This power of termination, should it be exercised, shall be exercised in the manner provided by law to quit claim and abandon the property so conveyed to the District, and to revert to the developer or the developer's successors in interest, all rights, title, and interest in said parkway, slope, and/or open space areas, including but not limited to responsibility for perpetual maintenance of said areas.

SD4. * The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscape maintenance for a period of one (1) year as per the *City of Moreno Valley Public Works Department Landscape Design Guidelines,* or until such time as the District accepts maintenance responsibilities.

SD5. Any damage to existing landscape areas maintained by the Moreno Valley Community Services District due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

SD6. Modification of the existing irrigation system for the Lasselle St. median landscape improvements will be required per the direction of and approval by the Special Districts Division. Please contact Special Districts at 951.413.3480 to coordinate.

SD7. The removal of existing trees with a four-inch or greater trunk diameters (calipers), shall be replaced at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved. (MC 9.17.030)

SD8. A deposit for plan check and/or inspection fees for any work involved in the revision of the Lasselle St median landscape improvements shall be made prior to commencement of the work. (MC 3.32.040)

SD9. The ongoing maintenance of any landscaping required to be installed behind the curb on **Lasselle St. and Krameria Ave.** shall be the responsibility of the property owner.

SD10. * Plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD11. * Inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD12. Streetlight Authorization forms, for all streetlights that are conditioned to be installed as part of this project, must be submitted to the Special Districts Division for approval, prior to streetlight installation. The Streetlight Authorization form can be obtained from the utility company providing electric service to the project, either Moreno Valley Utility or Southern California Edison.

Prior to Recordation of Final Map

SD13. (R) This project has been conditioned to provide a funding source for the continued maintenance, enhancement, and or retrofit of parks, open spaces, linear parks, and/or trail systems. In order for the Developer to meet the financial responsibilities to fund the defined maintenance, one of the options as outlined below shall be selected. The Developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance.

a. Participate in a special election for annexation into **Community Facilities District No. 1**; or
b. Establish an endowment to cover future maintenance costs for new neighborhood parks.

Annexation to CFD No. 1 shall be completed <u>or</u> proof of payment to establish the endowment shall be provided prior to the issuance of the first building permit for this project.

SD14. (R) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map. (California Government Code)

SD15. * (R) This project is conditioned to install and maintain parkway/median landscape. The Developer's responsibility is to provide a funding source for the capital improvements and the continued maintenance of the landscaped area. In order for the Developer to meet the financial responsibility to maintain the defined services, one of the options as outlined below shall be selected. The Developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance.

a. Participate in a ballot proceeding for **standard/extensive landscape** program maintenance and pay all associated costs with the ballot process and formation costs, if any. Financing may be structured through a Community Services District zone, Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the city; or

b. Establish a Home Owners Association (HOA) to maintain the landscaped area; or
c. Establish an endowment to cover the future landscape program maintenance costs of the landscaped area.

The financial option selected shall be in place prior to the issuance of the first building permit.

SD16. *Residential and Commercial* (R) If Land Development, a Division of the Community and Economic Development Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the required continuous operation, maintenance, monitoring, system evaluations and enhancements, remediation and/or replacement, the developer must notify Special Districts of intent to record final map 90 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance. (California Government Code)

SD17. (R) Prior to recordation of the final map, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Covenant of Assessments** for each assessable parcel therein, whereby the developer covenants the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Covenant of Assessments shall be submitted to the Special Districts Division. For a copy of the Covenant of Assessments form, please contact Special Districts, phone 951.413.3480.

SD18. * (R) Easements for reverse frontage parkway and slope landscape areas abutting **Lasselle St** shall be **10ft** and **Krameria Ave** shall be **6ft** or to top of parkway facing slope or to face of perimeter tract wall, whichever is greater. Easements shall be

dedicated to the City Moreno Valley for landscape maintenance purposes, and shall be depicted on the final map, and an offer of their dedication made the.

SD19. * (R) All necessary documents to convey to the District any required easements for parkway and/or slope maintenance as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer prior to the recordation of the final map.

Prior to Building Permit Issuance

SD20. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD21. (BP) **If street lights are required to be installed as part of this project then,** prior to the issuance of the first building permit for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate in place at the time of payment, as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council.

The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C programs. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

SD22. * (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community and Economic Development Department–Planning Division, and the Public Works Department–Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

SD23.*(BP) Parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of 25% (or 55) of the dwelling permits for this tract or 12 months from the issuance of the first dwelling

permit, whichever comes first. In cases where a phasing plan is submitted, the actual percentage of dwelling permits issued prior to the completion of the landscaping shall be subject to the review of the construction phasing plan.

Prior to Certificate of Occupancy

SD24. (CO) All median landscape modifications associated with this project shall be completed prior to the issuance of the first Certificate of Occupancy/Building Final for this project.

SD25. * (CO) Landscape and irrigation plans for parkway, median, slope, and/or open space landscape areas designated for incorporation into Moreno Valley Community Services District shall be placed on compact disk (CD) in pdf format. The CD shall include "As Built" plans, revisions, and changes. The CD will become the property of the City of Moreno Valley and the Moreno Valley Community Services District.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

GENERAL CONDITIONS

TE1. Conditions of approval may be modified if project is phased or altered from any approved plans.

TE2. Lasselle Street is designated as an Arterial (100' RW/76'CC) per City of Moreno Valley Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE3. Krameria Avenue is constructed as a Minor Arterial (88'RW/64'CC). Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE4. Cahuilla Street is designated as a Collector (66'RW/44'CC) per City Standard Plan No. 107. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE5. The driveways in public right of way shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C.

TE6. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125A, B, C at the time of preparation of final grading, landscape, and street improvements.

TE7. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider. **The project applicant shall prepare a signing and striping plan for the intersection of Lasselle Street at Krameria Avenue per the approved conceptual striping plan, or as approved by the City Traffic Engineer.**

TE8. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall design a bus bay for northbound Lasselle Street just north of Krameria Avenue per City Standard Plan No. 121. The bus bay may be combined with a right turn lane at the project driveway.

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE10. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping within public right of way shall be installed per current City Standards and the approved plans. On-site signing and striping (outside the public right of way) shall be per the latest version of the CAMUTCD.

TE11. (CO) If gated entrances are to be provided from a public street, then they will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support two vehicles in queue (minimum of 60 feet).
B. A turn around area between the public right of way and gate.
C. Signing and striping at the gate, including no parking signs.
D. A separate pedestrian entry.
E. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE12. (CO) Prior to the issuance of a certificate of occupancy, the project applicant shall construct the bus bay improvements identified in TE9. Construction shall

be completed per the approved plans and coordinated with the street improvements.

PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

TE13. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITIES

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utilities' Conditions of Approval for PA11-0025. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utilities' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utilities (the Electric Utility Division) of the Public Works Department 951.413.3500. The applicant is fully responsible for communicating with Moreno Valley Utilities staff regarding their conditions.

PRIOR TO RECORDATION OF FINAL MAP

MVU1. (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utilities to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

PRIOR TO ISSUANCE OF BUILDING PERMIT

MVU2. (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the

installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utilities) – collectively referred to as "utility system" (to and through

development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utilities owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project is subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project.

The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact information Form for the project shall be completed at the permit counter of the Community Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA11-0027
CONDITIONAL USE PERMIT – PLANNED UNIT DEVELOPMENT
ASSESSOR'S PARCEL NUMBER: 308-040-050

APPROVAL DATE:
EXPIRATION DATE:

- **x Planning (P), including Building (B), School District (S), Post Office (PO)**
- **x Fire Prevention Bureau (F)**
- **x Land Development Division (LD)**
- **x Public Works – Special Districts Division (SD)**
- **x Public Works – Transportation Engineering Division (TE)**
- **x Public Works – Moreno Valley Utilities (MVU)**
- **___ Parks & Community Services (PCS)**
- **x Police (PD)**
- **___ Other (Specify or Delete)**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

For questions regarding any Planning condition of approval, please contact the Planning Division at (951) 413-3206.

P1. Conditional Use Permit PA11-0027 has been approved for development of a Planned Unit Development on lots 1-92 of Tentative Tract Map No. 36401 (PA11-0026) to include 36 detached single-family homes on individual lots and 56 single-family detached condominium units clustered around common court yards within Planning Area 21 of the Moreno Valley Ranch Specific Plan (SP 193).

P2. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P3. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P4. Approval of this plot plan is subject to approval of Tentative Tract Map No. 36401 (PA11-0026).

EXHIBIT C

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision M	

P5. The following unique development standards shall apply to this project:

Small Lot Single-family Development Standards – Lots 1-36	
Minimum Lot Size	3,600 SF
Minimum Lot Width	45 feet
Minimum Lot Depth	80 feet
Minimum Front Yard Setback	18 feet
Minimum Side Yard Setback	
Interior Side Yard	5 feet
Street Side Yard	10 feet
Minimum Rear Yard Setback	15 feet (Min. 10' yard area must be clear of slopes)
Maximum Lot Coverage	45%
Maximum Building Height	35 feet
Minimum Dwelling Size	1,250 SF
Minimum Building Separation	10 feet
Maximum Floor Area Ratio	0.75

Clustered Unit Development Standards – Lots 37-92	
Minimum Front Yard Setback	10 feet
Minimum Side Yard Setback	
Interior Side Yard	4 feet (Must be clear of slopes)
Street Side Yard	10 feet (Must be clear of slopes)
Minimum Rear Yard	5 feet (Must be clear of slopes)
Maximum Lot Coverage	45%
Maximum Building Height	35 feet
Minimum Dwelling Size	1,000 SF
Minimum Building Separation	8 feet
Floor Area Ratio	0.75

P6. If the proposed project requires blasting, it shall be used only as a last resort. In such cases, it shall be approved by the Fire Marshall, and the developer shall comply with the current City ordinance governing blasting. (Ord)

P7. A diagram of the complex showing the location of the viewer and the building designations shall be positioned at each entrance to the development.

P8. Open parking spaces for visitors shall be evenly distributed throughout the project.

P9. Trash cans shall be screened from view.

P10. Mailboxes shall be located at various places on the site and treated to match the building's architecture, avoiding the institutional and monumental "gang box" appearance, while conforming to Post Office guidelines. (MC 9.16.140)

P11. The parkway design along the project site's Lasselle Street frontage shall match the existing parkway situated along the east side of Lasselle and south of Krameria. It shall include curb, planter area for street trees, sidewalk and more parkway landscape. Project perimeter fencing shall be placed at the back of respective parkway easements along Lasselle Street, Cahuilla Drive, and Krameria Avenue.

P12. The applicant shall coordinate with the adjacent school to relocate the schools off-site driveway.

GENERAL CONDITIONS

P13. This approval shall comply with all applicable requirements of the Moreno Valley Ranch Specific Plan and the City of Moreno Valley Municipal Code.

P14. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P15. This project is located within Specific Plan 193. The provisions of the specific plan, the design manual, their subsequent amendments, and the Conditions of Approval shall prevail unless modified herein. (MC 9.13)

P16. The site shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)

P17. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P18. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P19. Any signs indicated on the submitted plans are not included with this approval. Any signs**, whether permanent (e.g. wall, monument) or temporary (e.g. banner, flag),** proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Planning Division. **No signs are permitted in the public right of way.** (MC 9.12)

Prior to Issuance of Grading Permits

P20. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P21. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered**, no further disturbance shall occur until** the County Coroner **has made necessary findings as to origin**. If **the County Coroner** determine**s** that the remains are potentially Native American, the California Native American Heritage Commission **shall be contacted within a reasonable timeframe to identify the "most likely descendant." The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98).** (GP Objective 23.3, CEQA).

P22. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be shown on the plan, be a minimum size of 24 inch box, and meet a ratio of three replacement trees for each mature tree removed or as approved by the **Planning Official**. (GP Objective 4.4, 4.5, DG)

P23. (GP) Prior to approval of any grading permit~~s~~, plans for any security gate system shall be submitted to the Planning Division for review and approval.

P24. (GP) Prior to the issuance of any grading permit~~s~~ and prior to any physical disturbance of any natural drainage course, for any area determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the Regional Water Quality Control Board. Written verification of such a permit or waiver shall be provided to the Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)

P25. (GP) Within thirty (30) days prior to any grading or other land disturbance, a pre-construction survey for Burrowing Owls shall be conducted pursuant to the established guidelines of Multiple Species Habitat Conservation Plan.

P26. (GP) Decorative pedestrian pathways across circulation aisles/paths shall be provided throughout the development to connect dwellings with open spaces and/or recreational uses, parking and the public right-of-way. The pathways shall be shown on the precise grading plan. (GP Objective 46.8, DG)

P27. (GP) Prior to the issuance of building permits, the site plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project.

P28. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review as follows:

- **A. A maximum 6 foot high solid wall with stucco pilasters and a cap that meets the Moreno Valley Ranch Specific Plan design guidelines for a solid wall shall be required along the Lasselle Street and Krameria Avenue frontage (clustered units portion of project).**
- **B. A maximum 6 foot high tubular steel fence with decorative stucco pilasters and cap that meet the Moreno Valley Ranch Specific Plan design guidelines for an open/view wall shall be required at the top of slope at the rear property line along the adjacent school site (clustered units portion of the site).**
- **C. A maximum 6 foot high solid wall with stucco pilasters and a cap that meets the Moreno Valley Ranch Specific Plan design guidelines for a solid wall shall be required at the top of slope at the rear property line along the adjacent school site (detached single-family portion of the site).**
- **D. A maximum 6 foot high solid wall with stucco pilasters and a cap that meets the Moreno Valley Ranch Specific Plan design guidelines for a solid wall shall be required for the street side yards for all corner lots within project (both clustered units and detached SFR units).**
- **E. Interior side and rear yard fences/walls are required to be constructed of decorative block or poly-vinyl.**
- **F. Decorative open iron or steel fencing with stucco pilasters and caps that meet the Moreno Valley Ranch Specific Plan design guidelinesis required for all view lots (view lots are defined as lots where there is more than 15 foot difference in pad elevation).**
- **G. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement.**

PRIOR TO BUILDING PERMITS

P29. (BP) Prior to issuance of building permits, the Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping. (GP Objective 43.30, DG)

P30. (BP) Prior to issuance of building permits, screening details for roof top equipment and trash enclosures shall be submitted for Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P31. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P32. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P33. (BP) Prior to issuance of building permits, for multi-family projects that will be built in phases, a phasing plan application shall be submitted to the Planning Division for approval if occupancy is proposed to be phased.

P34. (BP) Prior to issuance of building permits, Tentative Tract Map No. 36401 must be recorded.

P35. (BP) Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approved by the Planning Division. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and **shall include:**

- **A. A three (3) foot high decorative wall, solid hedge or berm for screening shall be placed in any setback areas between a public right of way and a parking lot.**
- **B. Finger and end planters with required step outs and curbing shall be provided every 12 parking stalls as well as at the terminus of each aisle.**
- **C. Diamond planters shall be provided every 3 parking stalls.**
- **D. Drought tolerant landscape shall be used. Sod shall be limited to gathering areas.**
- **E. Street trees shall be provided every 40 feet on center in the right of way along public streets and in/adjacent to lettered lots along private streets.**
- **F. On-site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of the perimeter of a parking lot and per thirty linear feet of a building dimension for the portions of the building visible from a parking lot or right of way. Trees may be massed for pleasing aesthetic effects.**
- **G. Enhanced landscaping shall be provided at all driveway entries and street corner locations**
- **H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.**
- **I. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the building or phase in question.**

P36. (BP) Prior to the issuance of building permits, landscape and irrigation plans for areas maintained by the Homeowner's Association shall be submitted to the Planning Division. All landscape plans shall be approved prior to the release of any building permits for the site. The plans shall be prepared in accordance with the City's Landscape Development Guidelines. Landscaping is required for the sides and or slopes of all water quality basin and drainage areas, while a hydroseed mix with irrigation is acceptable for the bottom of the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Planning Official is required to secure all water quality and detention basins.

P37. Storage areas for trash cans shall be provided out of view for each residential unit.

P38. (BP) Prior to the issuance of building permits, the plot plan shall include decorative concrete pavers for all driveway ingress/egress locations for the project.

PRIOR TO CERTIFICATE OF OCCUPANCY

P39. (CO) Prior to issuance of Certificates of Occupancy or building final, the required landscaping and irrigation shall be installed. (MC 9.03.040)

P40. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Planning Division. (MC 9.080.070).

P41. (BP/CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be inspected by the Planning Division. All on-site and common area landscaping shall be installed in accordance with the City's Landscape Standards and the approved project landscape plans and all site clean-up shall be completed.

All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the building or phase in question.

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as city ordinances. All new projects shall provide a soils report as well. Plans shall be submitted to the Building and Safety Division as a separate submittal. The 2010 edition of the California Codes became effective for all permits issued after January 1, 2011.

B2. Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include “as built” plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building and Safety Division for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building and Safety Division at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B3. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed “Waste Management Plan” (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **The following statements need to be placement on the Final Map prior to recording:**
    a. **"This project is located within the Very High Fire Hazard Severity Zone and shall comply with all special construction features as required in Chapter 7A of the California Building Code."**
    b. **"All single family and multi family dwellings including attached and detached garages, pool houses, and other enclosed accessory structures shall be equipped with automatic fire sprinklers."**
2. **There shall be a "Parking Enforcement Plan" submitted. The plan will detail the enforcement of parking provisions and fire lanes by the HOA. This plan will then be required to be submitted and incorporated into the CC&R's. This condition shall be completed prior to approval of the Final Map.**
3. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal. **This project falls in the Very High Fire Severity Zone and shall comply with the 2010 edition of the following codes: California Fire Code Chapter 49, California Building Code Chapter 7A, California Residential Code Section R327, California Reference Standard Code Chapter 12-7A**

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering _1500__ GPM for_2_ hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B) .

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super fire hydrants (6" x 4" x 2 ½" x 2 ½") and super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 507.5.7 & MVMC 8.36.060 Section K)

F4. Single Family Dwellings. Schedule "A" fire prevention approved standard fire hydrants (6" x 4" x 2 ½") located at each intersection of all residential streets and spaced no more than 500 feet apart in any direction, more than 250 feet from any portion of the building as measured along approved emergency vehicular travel

F5. ways. Minimum fire flow shall be __1500_GPM for _2_ hours duration of 20 PSI. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, serving one and two-family residential developments, standard fire hydrants shall be provided at spacing not to exceed 1000 feet along the tract boundary for transportation hazards. (CFC 507.3 MVMC 8.36.060).

F6. Maximum cul-de-sac or dead end road length shall not exceed 660 feet. The Fire Chief, based on City street standards, shall determine minimum turning radius for fire apparatus based upon fire apparatus manufacture specifications. (CFC 503.2)

F7. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.2 and 503.2.5)

F8. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F9. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F10. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty–four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])

F11. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])

F12. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)

F13. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3)

F14. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)

F15. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F16. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507.5)

F17. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1)

F18. Prior to issuance of Certificate of Occupancy or Building Final, all residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the numbers are easily visible to approaching emergency vehicles. The numbers shall be located consistently on each dwelling throughout the development. The numerals shall be no less than four (4) inches in height and shall be low voltage lighted fixtures. (CFC 505.1)

F19. Prior to Certificate of Occupancy or Building Final, all structures shall have fire retardant roofing materials (Class A roofs) as described in CBC Chapter 7A and CFC Chapter 49.

F20. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F21. Prior to issuance of Certificate of Occupancy or Building Final, all multi-family residences shall display the address in a visible location on the street side of the building and visible from public sidewalks. The building numerals shall be a minimum of twelve (12) inches in height and individual dwelling units shall not be less than four (4) inches in height on a contrasting background. The address shall be illuminated as approved by the Fire Prevention Bureau. (CFC 505.1 and MVMC 9.08.100 Section G)

F22. Prior to issuance of a Certificate of Occupancy or Building Final, a directory display monument sign shall be required for apartment, condominium, townhouse or mobile home parks. Each complex shall have an illuminated diagrammatic layout of the complex which indicates the name of the complex, all streets, building identification, unit numbers, and fire hydrant locations within the complex. Location of the sign

and design specifications shall be submitted to, and approved by, the Community Development Department – Planning Division and the Fire Prevention Bureau prior to installation. (MVMC 9.12.060)

F23. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F24. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)

F25. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F26. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)

F27. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F28. Prior to issuance of Building Permits, fuel modification plans shall be submitted to the Fire Prevention Bureau for review and approval for all open space areas adjacent to the wildland vegetation interface. (CFC Chapter 49)

F29. Prior to issuance of Building Permits, plans for structural protection from vegetation fires shall be submitted to the Fire Prevention Bureau for review and approval. Measures shall include, but are not limited to: noncombustible barriers (cement or block walls), fuel modification zones, etc. (CFC Chapter 49)

F30. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)

F31. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060)

F32. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F33. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F34. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 105)

F35. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 105)

F36. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 105)

F37. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.8)

F38. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Chapter 1)

F39. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F40. Prior to Certificate of Occupancy all locations where medians are constructed and prohibit vehicular ingress/egress into or away from the site, provisions must be made to construct a median-crossover at all locations determined by the Fire Marshal and the City Engineer. Prior to the construction, design plans will be submitted for review and approval by the City Engineer and all applicable inspections conducted by Land Development Division.

F41. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

COMMUNITY & ECONOMIC DEVELOPMENT – LAND DEVELOPMENT DIVISION

The following are the Community & Economic Development Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Community & Economic Development Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5)

LD3. (G) It is understood that the tentative map/plot plan/conditional use permit correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Community and Economic Development Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) For single family residential subdivisions, all lots shall drain toward the street unless otherwise approved by the City Engineer. Residential lot drainage to the street shall be by side yard swales and include yard drain pipes and inlet grates (or stubbed and capped if area is not yet landscaped) that convey flows to the street in accordance to City Standard No. 303 independent of adjacent lots. No over the sidewalk drainage shall be allowed, all drainage shall be directed to a driveway or drainage devices located outside the right-of-way. (MC 9.14.110)

LD8. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Community and Economic Development Department.

LD9. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

Prior to Grading Plan Approval or Grading Permit

LD10. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD11. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Community and Economic Development Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Community and Economic Development Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD12. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD13. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD14. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Community and Economic Development Department.

LD15. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Community and Economic Development Department.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD17. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD18. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept

at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD19. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD20. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD21. (GP) Prior to issuance of a grading permit, if the project does not involve the subdivision of land and if the developer chooses to construct the project in construction phases, a Construction Phasing Plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer.

LD22. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD23. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD24. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD25. (MA) Prior to approval of the map, the developer shall submit a copy of the Covenants, Conditions and Restrictions (CC&Rs) to the Land Development Division for review and approval. The CC&Rs shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project.

LD26. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD27. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD28. (MR) Prior to recordation of the map, if the developer chooses to construct the project in construction phases, a Construction Phasing Plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer. This approval must be obtained prior to the Developer submitting a Phasing Plan to the California State Department of Real Estate.

LD29. (MR) Prior to recordation of the map, if applicable, the developer shall have all street names approved by the City Engineer. (MC 9.14.090)

LD30. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. Following are the requirements:

a. Establish a Home Owners Association (HOA) to finance the maintenance of the "Water Quality Ponds/Bio-swales". Any lots which are identified as "Water Quality Ponds/Bio-Swales" shall be owned in fee by the HOA.
b. Dedicate a maintenance easement to the City of Moreno Valley.
c. Execute a maintenance agreement between the City of Moreno Valley and the HOA. The maintenance agreement must be approved by City Council.
d. Establish a trust fund per the terms of the maintenance agreement.
e. Provide a certificate of insurance per the terms of the maintenance agreement.
f. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Residential NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process, or
    ii. Establish an endowment to cover future maintenance costs for the Residential NPDES Regulatory Rate Schedule.
g. Notify the Special Districts Division of the intent to record the final map 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. The final option selected shall be in place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)

LD31. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Community and Economic Development Department.

LD32. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD33. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD34. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD35. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD36. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees per City Standard No. 706A, or as approved by the City Engineer. (MC 9.14.020)

e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.

LD37. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD38. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD39. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD40. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD41. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Community and Economic Development Department – Land Development Division. (MC 9.14.110)

LD42. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD43. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD44. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Community and Economic Development Department.

LD45. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

LD46. (BP) Prior to issuance of building permits, if the project involves a residential subdivision, the map shall be recorded (excluding model homes). (MC 9.14.090)

LD47. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

Prior to Certificate of Occupancy

LD48. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD49. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD50. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD51. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD52. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

Prior to Acceptance of Streets into the City Maintained Road System

LD53. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

SPECIAL CONDITIONS

LD54. Prior to approval of any grading plan, the additional right-of-way required at project entrances shall be shown on the grading plans and shall be consistent with that shown on the final map.

LD55. Prior to approval of any grading plan, proposed onsite private street grades shall be designed at 1%. Special approval is required from the City Engineer to construct at the absolute minimum street grade of 0.67%. Clustered unit parking common areas shall also be designed at 1% minimum.

LD56. Prior to approval of any grading plan, the plans shall clearly show that any slope near the public right-of-way has a minimum set-back area at 2% maximum of 2 feet before the start of the top of toe of slope.

LD57. Prior to rough grading plan approval, the grading plan shall clearly demonstrate that drainage is properly collected and conveyed. The plan shall show all necessary on-site drainage improvements to properly collect and convey drainage entering, within, and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site. A storm drain pipe within a private storm drain easement used to convey the runoff from the adjacent elementary school to Krameria Avenue shall be shown on all grading plans.

LD58. Prior to rough grading plan approval, proposed crib wall design shall be certified by a structural engineer, as required by the City Engineer, for the proposed wall near the north property line of the multi-family residential project.

LD59. Prior to precise grading plan approval, the plan shall clearly show the extent of all existing easements on the property including a storm drain easement as shown across Lots 43 and 44 of the tentative tract map plotted on July 5, 2012. All building structures shall be constructed outside of existing easements. The existing storm drain easement shall be vacated prior to issuance of a building permit on Lots 43 and 44.

LD60. Prior to precise grading plan approval for the multi-family residential portion of the project, the plan shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD61. Prior to final map approval, the map shall show proposed private storm drain easements, additional right-of-way dedications at project entrances, and an access easement to the adjacent school site at the end of Street "G" as shown on the tentative tract map plotted on July 5, 2012.

LD62. Prior to final map approval, the developer shall submit for review and approval either a reciprocal access agreement for the shared use of the proposed driveway on Lasselle Street between the multi-family parcel and the clustered units parcel or alternatively, covenants, conditions, and restrictions (CCRs) that provide for the shared use of the driveway.

LD63. Prior to final map approval, the developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer. Public improvements shall be constructed per City standards.

a. Lasselle Street, Arterial, City Standard 104A Modified per Moreno Valley Ranch Specific Plan (100-foot RW / 76-foot CC) shall be constructed to include missing improvements and replacement of damaged or non-standard improvements along project frontage. Improvements shall consist of, but not be limited to, sidewalk, pedestrian ramps, emergency vehicle median access, driveway approach, and undergrounding of overhead utilities less than 115,000 volts along project frontage. Improvements between Krameria Avenue and the project entrance shall consist of pavement, base, curb, gutter, sidewalk, relocation of a street light, and relocation of a power pole.

b. Krameria Avenue, Minor Arterial, City Standard 105A (88-foot RW / 64-foot CC) shall be constructed to include missing improvements and replacement of damaged or non-standard improvements along project frontage. Improvements shall consist of, but not be limited to, sidewalk, driveway approaches, drainage structures, pedestrian ramps, dry and wet utilities, relocation of existing street light at conflict with proposed project entrance location, removal of existing driveway approach opposite Quarter Horse Road including replacement with curb and gutter, and abandonment of an existing storm drain lateral.

c. Cahuilla Drive, Residential Collector, City Standard 107 (66-foot RW / 44-foot CC) shall be constructed to include missing improvements and replacement of damaged or non-standard improvements along project frontage. Improvements shall consist of, but not be limited to, driveway approaches, pedestrian access ramps, and dry and wet utilities.

d. Project entrances at Krameria Avenue across the street from Colt Way and at Cahuilla Street shall be constructed per City Standard No. 118C. The final map shall show an additional 4-foot minimum right-of-way dedication behind the driveway approach. No decorative pavers shall be placed within the public right-of-way.

e. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate meeting current City standards, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

LD64. Prior to final map approval, the applicant shall schedule a walk through with a Land Development Inspector to inspect existing improvements within public right-of-way along project frontage. The applicant will be required to install, replace and/or repair any missing, damaged or substandard improvements including handicap access ramps that do not meet current City standards. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.

LD65. Prior to building permit issuance, this project shall cause the vacation of those easements underneath proposed building footprints within Lots 43 and 44. Existing storm drain improvements shall be abandoned or removed.

LD66. Prior to building permit issuance, a private storm drain easement from the adjacent school site to Krameria Avenue shall be submitted for review and approval, and then shall record. A private storm drain, conveying offsite, adjacent school site runoff across this project site to Krameria Avenue, is required. A private storm drain easement is required to accommodate the private storm drain.

LD67. Prior to occupancy, all overhead utility lines less than 115,000 volts fronting or within the entire project site boundary shall be placed underground per Section 9.14.130C of the City Municipal Code. Overhead utility lines along the east side of Lasselle Street along project frontage that are 115,000 volts or greater which do not meet the undergrounding of overhead utilities criteria, may remain above ground in which case any existing power poles, such as the one located at the proposed project entrance, shall be relocated outside of the proposed driveway approach and sidewalk areas.

LD68. Prior to occupancy, all ramps and traveled ways, including those at the intersection of Lasselle Street at Krameria Avenue and Lasselle Street at Cahuilla Drive shall comply with current ADA standards.

LD69. The Applicant shall submit P-WQMP approval documents consisting of two originally Applicant-signed and notarized documents that are also wet-stamped and signed by a California Registered Civil Engineer.

LD70. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP) for PA11-0026 Continental Villages. The F-WQMP shall be consistent with the approved P-WQMP and the Special Project Conditions listed above, as well as in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006. At a minimum, the F-WQMP shall include the following: Site design BMPs; Source control BMPs; Treatment control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD71. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters. Project POC include: nutrients, oxygen demanding substances, and pathogens (bacteria and viruses). Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD72. The Applicant has proposed to incorporate the use of infiltration basins, infiltration trenches and Stormtech treatment chambers. Final design and

sizing details of all BMPs must be provided in the first submittal of the F-WQMP, per the following:

a. All infiltration basins and infiltration trenches shall be designed utilizing the approved final worksheets contained in the RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011 or later;
b. All infiltration basins and infiltration trenches shall be shown on the WQMP Exhibit and their design volumes shall be calculated based on the RCFC&WCD's approved final worksheets;
c. The Stormtech chambers shall be shown on the WQMP Exhibit and their design volumes shall be calculated;
d. A percolation report is required if an infiltration type bmp is used for water quality treatment. The percolation test method acceptable to the City is the Double Ring Infiltrometer Test Method (ASTM D3385).

The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD73. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD74. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;
b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;
c. That the applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and
d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRICTS DIVISION

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project PA11-0025; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480 or by emailing specialdistricts@moval.org.

* If landscape maintenance of the perimeter parkway areas will be the responsibility of a Home Owners Association then these conditions will not apply.

General Conditions

SD1. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services), C (Arterial Street Lighting), and E (Extensive Parkway Landscape Maintenance). All assessable parcels therein shall be subject to annual Zone A, Zone C, and Zone E charges for operations and capital improvements.

SD2. * Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone E**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD3. In the event the Moreno Valley Community Services District determines that funds authorized by Proposition 218 mail ballot proceeding are insufficient to meet the costs for parkway, slope, and/or open space maintenance and utility charges (**Zone E**), the District shall have the right, at its option, to terminate the grant of any or all parkway, slope, and/or open space maintenance easements. This power of termination, should it be exercised, shall be exercised in the manner provided by law to quit claim and abandon the property so conveyed to the District, and to revert to the developer or the developer's successors in interest, all rights, title, and interest in said parkway, slope, and/or open space areas, including but not limited to responsibility for perpetual maintenance of said areas.

SD4. * The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscape maintenance for a period of one (1) year as per the *City of Moreno Valley Public Works Department Landscape Design Guidelines,* or until such time as the District accepts maintenance responsibilities.

SD5. Any damage to existing landscape areas maintained by the Moreno Valley Community Services District due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

SD6. Modification of the existing irrigation system for the Lasselle St. median landscape improvements will be required per the direction of and approval by the Special Districts Division. Please contact Special Districts at 951.413.3480 to coordinate.

SD7. The removal of existing trees with a four-inch or greater trunk diameters (calipers), shall be replaced at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved. (MC 9.17.030)

SD8. A deposit for plan check and/or inspection fees for any work involved in the revision of the Lasselle St median landscape improvements shall be made prior to commencement of the work. (MC 3.32.040)

SD9. The ongoing maintenance of any landscaping required to be installed behind the curb on **Lasselle St. and Krameria Ave.** shall be the responsibility of the property owner.

SD10. * Plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD11. * Inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD12. Streetlight Authorization forms, for all streetlights that are conditioned to be installed as part of this project, must be submitted to the Special Districts Division for approval, prior to streetlight installation. The Streetlight Authorization form can be obtained from the utility company providing electric service to the project, either Moreno Valley Utility or Southern California Edison.

Prior to Recordation of Final Map

SD13. * (R) Easements for reverse frontage parkway and slope landscape areas abutting **Lasselle St** shall be **10ft** and **Krameria Ave** shall be **6ft** or to top of parkway facing slope or to face of perimeter tract wall, whichever is greater. Easements shall be dedicated to the City Moreno Valley for landscape maintenance purposes, and shall be depicted on the final map, and an offer of their dedication made thereon.

SD14. * (R) All necessary documents to convey to the District any required easements for parkway and/or slope maintenance as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer prior to the recordation of the final map.

Prior to Building Permit Issuance

SD15. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD16. (BP) This project has been conditioned to provide a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems. In order for the Developer to meet the financial responsibilities to fund the defined maintenance, one of the options as outlined below shall be selected. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

a. Participate in a special election for annexation into **Community Facilities District No. 1**; or
b. Establish an endowment to cover future maintenance costs for new neighborhood parks.

Annexation to CFD No. 1 shall be completed or proof of payment to establish the endowment shall be provided prior to the issuance of the first building permit for this project.

SD17. (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance. (California Government Code)

SD18. (BP) This project is conditioned to install and maintain parkway/median landscape. The Developer's responsibility is to provide a funding source for the capital improvements and the continued maintenance of the landscaped area. In order for the Developer to meet the financial responsibility to maintain the defined services, one of the options as outlined below shall be selected. The Developer must notify

Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

a. Participate in a ballot proceeding for **standard/extensive landscape** program maintenance and pay all associated costs with the ballot process and formation costs, if any. Financing may be structured through a Community Services District zone, Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the city; or
b. Establish a Home Owners Association (HOA) to maintain the landscaped area; or
c. Establish an endowment to cover the future landscape program maintenance costs of the landscaped area.

The financial option selected shall be in place prior to the issuance of the first building permit.

SD19. *Residential and Commercial* (BP) If Land Development, a Division of the Community and Economic Development Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the required continuous operation, maintenance, monitoring, system evaluations and enhancements, remediation and/or replacement, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD20. (BP) **If street lights are required to be installed as part of this project then,** prior to the issuance of the first building permit for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate in place at the time of payment, as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council.

The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C programs. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

SD21. (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Covenant of Assessments** for each assessable parcel therein, whereby the developer covenants the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when

due. A copy of the recorded Covenant of Assessments shall be submitted to the Special Districts Division. For a copy of the Covenant of Assessments form, please contact Special Districts, phone 951.413.3480.

SD22. * (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community and Economic Development Department–Planning Division, and the Public Works Department–Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

SD23. * (BP) Parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of 25% (or 55) of the dwelling permits for this tract or 12 months from the issuance of the first dwelling permit, whichever comes first. In cases where a phasing plan is submitted, the actual percentage of dwelling permits issued prior to the completion of the landscaping shall be subject to the review of the construction phasing plan.

Prior to Certificate of Occupancy

SD24. (CO) All median landscape modifications associated with this project shall be completed prior to the issuance of the first Certificate of Occupancy/Building Final for this project.

SD25. * (CO) Landscape and irrigation plans for parkway, median, slope, and/or open space landscape areas designated for incorporation into Moreno Valley Community Services District shall be placed on compact disk (CD) in pdf format. The CD shall include “As Built” plans, revisions, and changes. The CD will become the property of the City of Moreno Valley and the Moreno Valley Community Services District.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

GENERAL CONDITIONS

TE1. Conditions of approval may be modified if project is phased or altered from any approved plans.

TE2. Lasselle Street is designated as an Arterial (100' RW/76'CC) per City of Moreno Valley Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE3. Krameria Avenue is constructed as a Minor Arterial (88'RW/64'CC). Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

TE4. Cahuilla Street is designated as a Collector (66'RW/44'CC) per City Standard Plan No. 107. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE5. The driveways in public right of way shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C.

TE6. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125A, B, C at the time of preparation of final grading, landscape, and street improvements.

TE7. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider. **The project applicant shall prepare a signing and striping plan for the intersection of Lasselle Street at Krameria Avenue per the approved conceptual striping plan, or as approved by the City Traffic Engineer.**

TE8. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall design a bus bay for northbound Lasselle Street just north of Krameria Avenue per City Standard Plan No. 121. The bus bay may be combined with a right turn lane at the project driveway.

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE10. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping within public right of way shall be installed per current City Standards and the approved plans. On-site signing and striping (outside the public right of way) shall be per the latest version of the CAMUTCD.

TE11. (CO) If gated entrances are to be provided from a public street, then they will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support two vehicles in queue (minimum of 60 feet).
B. A turn around area between the public right of way and gate.
C. Signing and striping at the gate, including no parking signs.
D. A separate pedestrian entry.
E. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE12. (CO) Prior to the issuance of a certificate of occupancy, the project applicant shall construct the bus bay improvements identified in TE9. Construction shall be completed per the approved plans and coordinated with the street improvements.

PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

TE13. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITIES

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utilities' Conditions of Approval for PA11-0025. This project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utilities' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utilities (the Electric Utility Division) of the Public Works Department 951.413.3500. The applicant is fully responsible for communicating with Moreno Valley Utilities staff regarding their conditions.

PRIOR TO RECORDATION OF FINAL MAP

MVU1. (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utilities to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

PRIOR TO ISSUANCE OF BUILDING PERMIT

MVU2. (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utilities) – collectively referred to as "utility system" (to and through

development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utilities owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU3. This project is subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (DC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (DC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community Development Department - Building Division for routing to the Police Department. (DC 9.08.080)

PD4. Addresses shall be in plain view, visible from the street and visible at night.

PD5. Landscape ground cover should not exceed over 3 feet in height from in the parking lot.

PD6. Bushes that are near the exterior of the building should not exceed 4 feet in height and should not be planted directly in front of the buildings or walkways.

PD7. Trees, which exceed 20 feet in height, should provide at least 7 feet of visibility from the ground to the bottom of the canopy. This is so that patrons or employees can view the whole parking lot while parking their vehicles in the parking lot.

PD8. Sufficient lighting is to be provided over all mailbox areas.

NEGATIVE DECLARATION

PROJECT TITLE AND FILE NUMBER:
PA11-0025 – Plot Plan, PA11-0026 – Tentative Tract Map No. 36401, PA11-0027 – Conditional Use Permit, P12-114 – Variance

PROJECT APPLICANT: **TELEPHONE NUMBER:**
Continental East Fund III, LLC
Charlene Kussner (951) 757-2571

PROJECT LOCATION:
Moreno Valley Ranch Specific Plan, Planning Area #21, east side of Lasselle Street between Cahuilla Drive and Krameria Avenue

PROJECT DESCRIPTION:
The Continental Villages project proposes to subdivide the 19.4 acre project site into 93 lots and 9 common areas lots (PA11-0026) in order to build three types of residential product for a total of 216 dwelling units. Conditional Use Permit PA11-0027 proposes 36 detached single-family units on lots 1-36 with an additional 55 clustered units on lots 37-92. Plot Plan PA11-0025 proposes a 125 unit multiple family apartment project with a recreation building and tot lot on the 7.25 acres of Lot 93. A variance is proposed to allow parking to encroach into street side setbacks because of unique site constraints (parcel shape and topography).

FINDING

The City of Moreno Valley has reviewed the above project in accordance with the City of Moreno Valley's Guidelines for the Implementation of the California Environmental Quality Act, and has determined that an Environmental Impact Report need not be prepared because:

[x] The proposed project will not have a significant effect on the environment.

[ ] Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures described in the attached Initial Study and hereby made a part of this Negative Declaration have been added to the project. The Final Conditions of Approval contain the final form and content of all mitigation measures.

This determination is based upon an Initial Study. The project file, including the Initial Study and related documents is available for review during normal business hours (7:30 a.m. to 5:30 p.m. Monday through Thursday) at the City of Moreno Valley, Community & Economic Development Department, Planning Division, 14177 Frederick Street, Moreno Valley, California 92553, Telephone (951) 413-3206.

PREPARED BY: Jeff Bradshaw, Associate Planner DATE: November 5, 2012

NOTICE

The public is invited to comment on the Negative Declaration. The appropriateness and adoption of the Negative Declaration is considered at the time of project approval in light of comments received.

DATE ADOPTED: _____ BY: Planning Commission

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INITIAL STUDY/
ENVIRONMENTAL CHECKLIST FORM
CITY OF MORENO VALLEY

1.	Project Title:	Continental Villages PA11-0025 (Plot Plan) PA11-0026 (Tentative Tract Map 36401) PA11-0027 (Conditional Use Permit) P12-114 (Variance)
2.	Lead Agency Name and Address:	City of Moreno Valley 14177 Frederick Street Moreno Valley, CA 92553
3.	Contact Person and Phone Number:	Jeff Bradshaw (951) 413-3224
4.	Project Location:	Northeast corner of Lasselle Street and Krameria Street
5.	Project Sponsor's Name and Address:	Continental East Fund III, LLC 41667 Ivy Street, Ste. #D-4 Murrieta, CA 92562
6.	General Plan Designation:	R20
7.	Zoning:	High Density – Moreno Valley Ranch Specific Plan (SP 193)

8. Description of the Project:

The Continental Villages project proposes to subdivide the 19.4 acre project site into 41 lots and 9 common areas lots (PA11-0026) in order to build three types of residential units. Conditional Use Permit PA11-0027 for lots 1-40 proposes 36 detached single-family units on lots 1-36 with an additional 56 clustered units on lots 37-40. Plot Plan PA11-0025 proposes a 125 unit multiple family apartment project with a recreation building and tot lot on the 7.25 acres of Lot 41 parcel. This project will replace the 227 unit condominium project previously approved by the Planning Commission for this site in April 2005 (PA04-0151 and PA04-0152).

9. Surrounding Land Uses and Setting:

The Moreno Valley Ranch Specific Plan boundaries are roughly from Kitching Street east to the Lake Perris State Recreation Area and Redlands Boulevard and from Cactus Avenue south to the Lake Perris State Recreation Area. The subject site is located in the southwest portion of the specific plan.

ATTACHMENT 4

The area surrounding the proposed project has been developed predominately with single-family residences in the Low and Medium-low Density Residential zones. Also adjacent to the project site are the Moreno Valley Community College and Fire Station #91, which are located within the Community Facilities (CF) zone.

Additional land uses in the vicinity include the Lake Perris State Recreation Area to the east, a shopping center and condominium projects to the north at Iris and Lasselle and Rancho Verde High School to the south on Lasselle.

Overall, the proposed plot plan, conditional use permit and tentative tract map are compatible with the Moreno Valley Ranch Specific Plan, the City's General Plan and existing land uses.

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).

A California Department of Fish and Game Streambed Alteration Agreement (1600), and California Regional Water Quality Control Board Waste Discharge Requirement (WDR), will be required prior to beginning work in the delineated areas. Final authority over the area rests with the appropriate agencies.

A copy of the Initial Study was forwarded to both the California Department of Fish and Game and the Santa Ana Regional Water Control Board for their review and comment prior to the public hearing for the plot plan and tentative tract map.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below(■) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Greenhouse Gas Emissions		Population/Housing
	Agricultural Resources		Hazards & Hazardous Materials		Public Services
	Air Quality		Hydrology/Water Quality		Recreation
	Biological Resources		Land Use/Planning		Transportation/Traffic
	Cultural Resources		Mineral Resources		Utilities/Service Systems
	Geology/Soils		Noise		Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	X
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Signature Date

Jeff Bradshaw, Associate Planner For

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," as described in (5) below, may be cross-referenced).

5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:

   (a) Earlier Analysis Used. Identify and state where they are available for review.

   (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   (c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. **AESTHETICS.** Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				X
(a and b) The Moreno Valley General Plan (General Plan) identifies scenic highways, panoramic viewsheds, and photographic viewing locations within the aesthetic resource element. The Moreno Valley Ranch Specific Plan (SP #193) and the General Plan identify no scenic roadways or panoramic viewsheds in the project vicinity. Since the time that the Specific Plan EIR was prepared, considerable portions of the SP #193 have been developed. The site has been previously mass graded under authorized permit for the entire Specific Plan area. The project property does include substantial slope areas due to the difference in grade between the adjacent school site and the project site. However, the subject site does not have what would be considered a view amenity. The site is regularly cleared for purposes of weed abatement. There are no rock outcroppings, nor historic buildings on site (according to the master EIR), and there are no scenic highways in the area. As designed and conditioned, the proposed plot plan and tentative tract map will have no effect on a scenic vista and the proposed project will not substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway.				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
At completion, the proposed project would consist of 36 detached single-family residences, 56 clustered units and 125 apartment units on approximately 19.4 acres. As a result, the proposed plot plan, conditional use permit and tentative tract map would be developed with multiple residential structures, private roadways, common open space and parkway landscape as required by the City's Municipal Code and the Design Guidelines of SP #193. The Design Guidelines and the Municipal Code provide a framework that ensures that any new development would be designed and constructed in a manner consistent with surrounding land uses. Therefore, the proposed project would be aesthetically similar to the surrounding residential uses with regard to architectural style, design, materials, colors, landscaping, and height. The project will comply with the City's standard conditions of approval including compliance with landscaping and development standards. As the proposed project would develop the project site in a manner consistent with existing adjacent uses and the design guidelines in the Specific Plan, the project would not significantly degrade the existing visual character or quality of the site and surroundings.				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	
The project would introduce some additional new light sources into the area, as the proposed condominium project would have some outdoor lighting. The type of lighting provided would be similar to that associated with existing multiple family projects in the area, and would not create substantial increase in lighting or glare. The proposed condominiums would be developed in accordance with the zoning ordinance of SP #193. The Specific Plan zoning ordinance relies on the Municipal Code standards for lighting. The project will be required to comply with Municipal Code provisions regarding light and glare. The project appears to be located outside of the Palomar Lighting District.				
II. **AGRICULTURE RESOURCES**: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?				X
The Municipal Code allows for agricultural uses such as crops in all zoning districts. The site is designated as grazing land, not prime farmland on the State Important Farmland Map. The site has no agriculturally productive activities occurring within the project boundaries.				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
The site is not currently in agricultural use, or under Williamson Act control. There is no existing surrounding agricultural use, or sites under Williamson Act contract. The Municipal Code allows for agricultural uses such as crops in all zoning districts, therefore, the proposed plot plan and tentative tract map do not conflict with existing zoning for agricultural use, or impact sites under Williamson Act contract.				
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
There is no immediate surrounding agricultural use, or any proposed according to the General Plan. The proposed plot plan and tentative tract map will not involve changes to the existing environment, which will result in the conversion of farmland to non-agricultural use.				
III. **AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
The Air Quality Management Plan (AQMP) sets forth a comprehensive program that will lead the air basin into compliance with all federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections. The project as proposed would not obstruct implementation of the South Coast Air Quality Management Plan. The project as proposed (36 single-family residences, 56 detached/clustered units and 125 apartment units) falls below the threshold of project size (166 units for single-family residences, 261 for apartments and 2297 units for condominiums) as identified in the SCAQMD Air Quality Handbook, Threshold Levels for Land Uses.				
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.			X	
The project as proposed (36 single-family residences, 56 detached/clustered units and 125 apartment units) falls below the threshold of project size (166 units for single-family residences, 261 for apartments and 2297 units for condominiums) as identified in the SCAQMD Air Quality Handbook, Threshold Levels for Land Uses.				
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
CEQA Section 21100 (e) addresses evaluation of cumulative effects allowing the use of approved land use documents in a cumulative impact analysis. CEQA Guidelines Section 15064 (i)(3) further stipulates that for an impact involving a resource that is addressed by an approved plan or mitigation program, the lead agency may determine that a project's incremental contribution is not cumulatively considerable if the project complies with the adopted plan or program. In addressing cumulative effects for air quality, the AQMP is the most appropriate document to use because the AQMP sets forth a comprehensive program that will lead the air basin, including the project area, into compliance with all federal and state air quality standards and utilizes control measures and related emission reduction estimates based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Since the proposed project is in conformance with the AQMP and the project is not significant on an individual basis according to the Daily Thresholds of Potential Significance for Air Quality, SCAQMD Air Quality Handbook, it is appropriate to conclude that the project's incremental contribution to criteria pollutant emissions is not cumulatively considerable.				
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
The nearest sensitive receptors include an elementary school under construction immediately to the north, Moreno Valley Community College immediately to the west on the other side of Cahuilla Drive and single-family tract homes to the east and northeast on the other side of Krameria Avenue. Considering the direction of the prevailing winds from northwest to southeast, dispersion of the pollutants, and the quantity of pollutants generated, the project will not expose sensitive receptors to substantial pollutant concentrations.				
e) Create objectionable odors affecting a substantial number of people?			X	
The proposed project presents the potential for generation of objectionable odors in the form of diesel exhaust in the immediate vicinity of the site during construction of the project. The closest areas with substantial numbers of people are the community college to the west, the elementary school under construction to the north and the existing single-family residences to the north and east; however, these emissions would rapidly dissipate and be diluted by the atmosphere downwind of the emission sources. Recognizing the direction of the prevailing winds (northwest to southeast), dispersion and quantity of the pollutants, the project will not subject a substantial number of people to objectionable odors. Air quality pollutants associated with multiple-family residential uses are primarily generated from mobile sources such as cars. No other uses are proposed that would generate substantial concentrations of harmful air pollutants, as well as objectionable odors not typical of a residential area. No significant impacts would occur.				
IV. **BIOLOGICAL RESOURCES**. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?				
b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
The project site is comprised of approximately 19 acres of level to uneven to sloping topography located on the east side of Lasselle Street between Krameria Avenue and Cahuilla Drive. This is an area that the Riverside County Integrated Plan (RCIP) has identified as having the potential for burrowing owl habitat. There is an open drainage wash that runs north to south across much of the site, parallel to Lasselle Street. The drainage area occurred as a result of past mass grading on the site. The drainage terminates in a low-lying area that over time has developed into a wetlands area. Vegetation within the wetlands includes mixed willows and mulefat scrub. A Wetland Review and Rare Plant Evaluation was prepared for the project site in February 2011 by VHBC, Inc. The evaluation determined that wetlands are present on-site but no signs of rare plants were observed. Live rare plants were absent and habitat for these rare plants was absent since the site has been heavily disturbed. Preparation of a jurisdictional delineation was recommended. A jurisdictional delineation report was prepared for the project site in February 2011 by Gonzales Environmental Consulting, LLC. This report addressed the proposed project which has what appears to be an unnamed drainage on the project site. The area to be disturbed is characterized as emergent wetland, southern willow scrub, and disturbed. The study found 0.04 acre of state jurisdictional emergent wetlands, 0.04 acre of southern willow scrub, and 0.08 acre of unvegetated streambed. The area has no connectivity off of the project site or to over traditional navigable waters therefore federal jurisdiction is not present on the project site. A California Department of Fish and Game Streambed Alteration Agreement (1600), and California Regional Water Quality Control Board Waste Discharge Requirement (WDR), will be required prior to beginning work in the delineated areas. Final authority over the area rests with the appropriate agencies. The project has been conditioned to obtain permits or waivers from the agencies listed above. A burrowing owl survey was prepared in February 2012 with surveys occurring between January 28, 2012 and February 1, 2012. No burrowing owls were observed on site during the protocol surveys. No viable nesting habitat is present with the 19 acre site. The site has been disturbed repeatedly through prior mass grading and seasonal weed abatement. The project has been conditioned to provide a pre-construction focused survey 30-days prior to any construction on the site. As designed and conditioned, This project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service. The project will not have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Wildlife Service. As indicated by the jurisdictional delineation report, there are no federally protected wetlands on the project site. The project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				
d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
This site is on the edge of an urbanized area with existing development occurring on all sides of the project site. None of the sensitive species, including burrowing owl, initially identified by Riverside County as having the potential of occurring on the site were observed during the site surveys, so it is unlikely that the proposed project will directly impact sensitive species. Extensive open foraging habitat still exists on the project site, and reduction in available foraging habitat would be considered a less than significant impact relative to CEQA.				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The proposed project will not conflict with any General plan or local policies pertaining to the protection of biological resources. The project is consistent with the goals and objectives of the General Plan under the current residential land use designation. This project has been conditioned to replace all mature trees with a 4-inch caliper or greater per the City's Municipal Code.				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?				X
The project is not within one of the Multiple Species Habitat Conservation Plan (MSHCP) criteria areas, which are potential habitat preservation areas. The proposed project will not conflict with the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP) or MSHCP or any other known local, regional or state habitat conservation plans. The SKR fee would not apply to projects located within the Moreno Valley Ranch Specific Plan as a mitigation fee was paid on a Plan-wide basis early in the development process to mitigate for SKR. Also, the City is participating in the MSHCP, a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in Western Riverside County. This project will also be subject to fees to support the implementation of the Multiple Species Habitat Conservation Plan.				
V. **CULTURAL RESOURCES**. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
Based on staff's field reviews of the site in October 2004, there was no evidence of any historic resources. There are no historical resources of significance on the project site pursuant to the Specific Plan EIR, and the intensive 1987 citywide survey (Archeological Research Unit, University of California, Riverside). A standard condition of approval will be placed on the project to cease excavation or construction activities if archaeological, paleontological, or historical resources uncovered on the project site.				
b) Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?				X
There are no significant archaeological resources on the project site pursuant to the Specific Plan EIR, and the intensive 1987 citywide survey (Archeological Research Unit, University of California, Riverside). A standard condition of approval will be placed on the project to cease excavation or construction activities if archaeological, paleontological, or historical resources are uncovered on the project site.				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
There are no unique paleontological resources or sites or unique geologic features at the project site pursuant to the Specific Plan EIR, and the intensive 1987 citywide survey (Archeological Research Unit, University of California, Riverside). A standard condition of approval will be placed on the project to cease excavation or construction activities if archaeological, paleontological, or historical resources are uncovered on the project site.				
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
No known human remains have been identified at the project site. Conditions of approval address the issue of inadvertent discoveries. A standard condition of approval will be placed on the project to cease excavation or construction activities if archaeological, paleontological, or historical resources uncovered on the project site.				
VI. **GEOLOGY AND SOILS**. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
According to the Specific Plan EIR, and based on City's environmental resources, the project site is not on, or close to, any known earthquake fault. There is no new information that would indicate the existence of a fault or fault tract in proximity of the site. Accordingly, there is no risk of ground rupture due to faulting at the proposed project site.				
(ii) Strong seismic ground shaking?			X	
According to the Specific Plan EIR and the City's environmental information, the project site is not on, or close to, any known earthquake fault. The nearest fault is the San Jacinto fault system, which is located about 12-miles to the northeast. The San Andreas fault system is more than 25 miles from the site. The active Sierra Madre and San Gabriel fault zones lie roughly 35 and 40 miles respectively to the northwest of the site. The active Elsinore and Newport-Inglewood fault zones lie approximately 20 and 45 miles, respectively, to the southwest of the site. This faulting is not considered a significant constraint to development on the site with the use of current building codes. Ground-shaking intensity could possibly be moderately-high during a 100-year interval earthquake. Foundation designs will be reviewed to ensure incorporation of appropriate engineering recommendations to mitigate any such seismicity. There is no new information that would indicate the existence of a fault on the site.				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(iii) Seismic-related ground failure, including liquefaction?			X	
According to the Specific Plan EIR and the City's environmental resources, the project site is not on, or close to, any known earthquake fault. However, ground-shaking intensity could possibly be moderately-high during a 100-year interval earthquake. Water table and soil conditions are not conducive of seismic related failure.				
(iv) Landslides?				X
This site is not near or adjacent to the mountainside areas. The site as proposed does include manufactured slopes, which will be landscape and irrigated for erosion control. There is no potentially significant impact from landslides.				
(b) Result in substantial soil erosion or the loss of topsoil?			X	
The development of the site will likely result in the reduction of erosion with the placement of buildings and landscaping on the site. During construction, there is the potential for less than significant impacts for short-term soil erosion from minimal excavation and grading. This will be addressed as part of standard construction, such as watering to reduce dust and sandbagging, if required, during raining periods.				
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
The geologic unit or soil is not known to be unstable based on current resources. According to the Specific Plan EIR, ground water levels appear to be deep, with the underlying earth materials expected to vary from granular and coarse sediments, to predominantly unweathered granite. The potential for liquefaction is considered nil, since the phenomenon generally occurs during severe ground shaking in fine-grained, loose materials where ground water is less than 30-feet below the ground surface. As provided for in the conditions of approval, the applicant must provide a soils and geologic report to City Public Works Department. The site will not be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code.				
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
According to the Specific Plan EIR and the City's environmental information, the geologic unit or soil is not known to be unstable. As provided for in the conditions of approval, the applicant must provide a soils and geologic report to City Public Works Department. The site will not be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code.				
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
The proposed plot plan and tentative tract map will operate on a sewer system that will be reviewed, approved and installed according to Eastern Municipal Water District requirements. The proposed project will not be introducing septic tanks or alternative water disposal systems.				
VII. **GREENHOUSE GAS EMISSIONS.** Would this project?				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
Global climate change is caused by greenhouse gas (GHG) emissions throughout the world. Mitigating global climate change will require worldwide solutions. Greenhouse gases are gases emitted from the earth's surface that absorb infrared radiation in the atmosphere. Increases in these gases lead to more absorption of radiation and warm the lower atmosphere, and therefore increase evaporation rates and temperatures on the Earth's surface. The City of Moreno Valley has adopted a Climate Action Strategy. However, at this time, there are no widely accepted thresholds of significance for determining the impact of GHG emissions from an individual project, or from a cumulative standpoint. As provided for in the CEQA Guidelines (Section 15064.4), it is necessary for the lead agency to make a good-faith effort in considering GHG emissions on a project specific basis. Based on the limited scope of the project and consistency of the project with the City's adopted General Plan, zoning, and Specific Plan 193, the City has chosen to rely on a qualitative analysis. It should also be noted that the site has been previously entitled for a 227 unit multi-family residential project. To the extent possible based on scientific and factual data available, it has been determined that this project will not result in generating greenhouse gas emissions that will either directly or indirectly have a significant impact on the environment.				
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X
The proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The City does not currently have an adopted plan.				
VIII. **HAZARDS AND HAZARDOUS MATERIALS.** Would the project?				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?				X

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The proposed project will not involve the routine transport, use or disposal of hazardous materials. Since the project will not involve the routine transport, use or disposal of hazardous materials, there will be no potential for a significant hazard to the public or the environment.				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
The proposed project will not involve the routine transport, use or disposal of hazardous materials. The proposed project will not create a significant hazard to the public or the environment through the routine transport, or use or disposal of hazardous materials. Since the project will not involve the routine transport, use or disposal of hazardous materials, there will be no potential for a significant hazard to the public or the environment.				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
There is an elementary school located immediately to the northeast that currently under construction. The project as designed and conditioned will not emit hazardous emissions or handle hazardous materials.				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?				X
The site was checked against the list of hazardous material sites pursuant to Government Code Section 65962.5. The project is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
The nearest airport is the March Air Reserve Base located approximately 5-miles to the west. The distance to the runway is approximately 7-miles. The site is not within the crash zones or the noise contours identified in the most recent Air Installation Compatible Use Zone (AICUZ) study. (Municipal Code Section 9.07.060) The site is not within an airport land use plan.				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
There are no private airstrips within the City of Moreno Valley. The project is not within proximity of a private airstrip. Therefore, the project would not result in a safety hazard pertaining to proximity of a private airstrip.				
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
The proposed project would not have any direct effect on an adopted emergency response plan, or emergency evacuation plan. The City's emergency plans are also consistent with the General Plan. Since the proposed plot plan and tentative tract map have been designed and conditioned to provide required circulation and required fire access to allow for ingress of emergency vehicles and egress of residents. Therefore, the proposed project would not be in conflict in any way with the emergency response or emergency evacuation plans.				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
The proposed project site is not adjacent to wildlands, and as such would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. In addition, the project is not located within a designated wildland area.				
IX. **HYDROLOGY AND WATER QUALITY**. Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Pursuant to the requirements of the Santa Ana Regional Water Quality Control Board, a project specific Water Quality Management Plan (WQMP) is required of certain projects involving discretionary approval. This project requires a WQMP to address pollutants of concern which include nutrients, oxygen demanding substances, and pathogens. Site Design and Source Control best management practices (BMP) are used throughout the project. Treatment BMPs will be selected and implemented which are medium to highly effective in treating pollutants of concern. The applicant has proposed has proposed to incorporate the use of infiltration basins, infiltration trenches and Stormtech treatment chambers. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP, per the Special Project Conditions listed above. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance. Based on information presented in the P-WQMP, the City has found that the P-WQMP is in general conformance with the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 and approved by the Santa Ana Regional Water Quality Control Board (Guidance Document). Additionally, grading activities would temporarily expose soils to wind and water erosion that would contribute to downstream sedimentation. The proposed project would comply with all permits and development guidelines associated with urban water runoff and discharge set forth by the City of Moreno Valley and the Regional Water Quality Control Board. With the approval of the storm drainage facilities by the City Engineer and Riverside County Flood Control District, as well as complying with all applicable storm water discharge permits, impacts would be less than significant.				
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
The Eastern Municipal Water District (EMWD) would provide the proposed project with water supplies as opposed to utilizing individual water wells. Water supplies are adequate to serve the proposed project. Although the project would cover a majority of the site with impervious surfaces, the landscaped areas would still provide a means for groundwater recharge. Impacts would be less than significant.				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
There is no stream or other streambed or river on the project site, so the project will not cause a change in the existing on-site drainage pattern that would result in substantial erosion or siltation on- or off-site. During construction of the project, there is the potential for some sediments to be discharged within the storm water system. Erosion plans are required for projects prior to issuance of grading permits for preventing substantial erosion. The project as designed and conditioned will not change the existing drainage pattern that would result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?			X	
There is no blueline stream or other streambed or river on the project site, however, there are surface drainage facilities that will be removed through development of the project site. The project as designed and conditioned will not cause a change in the existing drainage pattern that would result in substantial erosion or siltation on- or off-site. The Public Works Department – Land Development Division has conditioned the developer to construct storm drains prior to issuance of a building permit. Therefore, project implementation would not result in modifications that could ultimately result in substantial erosion or siltation on- or off-site. Impacts would be less than significant.				
e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The proposed project is consistent with SP 193 and the General Plan. All storm drainage improvements would be developed to the standards of the City Engineer and the Riverside County Flood Control Agency. Additionally, the project has been designed in accordance with the City's standard conditions of approval, which includes measures pertaining to storm drainage facilities and runoff. It should be noted that the Riverside County Flood Control Agency was contacted and indicated in a letter dated September 6, 2011, that the proposed project involves District Master Plan facilities (Perris Valley MDD Lat. V-3) and is located within the limits of the District's Perris Valley Area Drainage Plan and that drainage fees have been adopted, which will need to be paid prior to the issuance of permits. As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the tract is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion. With the approval the storm drainage facilities by the City Engineer and Riverside County Flood Control District, incorporating conditions of approval into the project's design, as well as complying with all applicable storm water discharge permits, impacts would be less than significant.				
f) Otherwise substantially degrade water quality?			X	
The proposed project is consistent with SP 193 and the General Plan. All storm drainage improvements would be developed to the standards of the City Engineer and the Riverside County Flood Control Agency. Additionally, the project has been designed in accordance with the City's standard conditions of approval, which includes measures pertaining to storm drainage facilities and runoff. As with any urban project, runoff entering the storm drainage system would contain minor amounts of pollutants (including pesticides, fertilizers and motor oil). This would incrementally contribute to the degradation of surface and sub-surface water quality. Additionally, grading activities would temporarily expose soils to water erosion that would contribute to downstream sedimentation. However, the tract is subject to the permit requirements of the Santa Ana Regional Water Quality Control Board. As the site is currently unpaved and exposed, development of the proposed project would lessen the existing site contribution to sediment runoff at project completion. With the approval the storm drainage facilities by the City Engineer and Riverside County Flood Control District, incorporating conditions of approval into the project's design, as well as complying with all applicable storm water discharge permits, impacts would be less than significant.				
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X	
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
(g and h)The proposed project site is located within a Federal Emergency Management Agency Zone "X" area. The project has been designed according to the 100-year storm event as designed by the project engineer. Consequently, the storm drainage system and pad location and placement have all been designed to adequately convey flows of such a magnitude. The project is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir and will not place housing or structures within a 100-year flood hazard area. Additionally, due to the position of the proposed project, mudflows from local mountains would be unlikely due to surrounding development. Therefore, impacts would be less than significant. The project as designed and conditioned, will not place structures which would impede or redirect flood flows.				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
The proposed project site is located within a Federal Emergency Management Agency Zone "X" area. The project has been designed according to the 100-year storm event as designed by the project engineer. Consequently, the storm drainage system and pad location and placement have all been designed to adequately convey flows of such a magnitude. The project is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir and will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.				
j) Inundation by seiche, tsunami, or mudflow?				X
The site is not identified in the General Plan as a location subject to seiche, or mudflow. The project is outside of the delineated dam inundation area for Perris Dam at Lake Perris Reservoir. Additionally, due to the position of the proposed project, mudflows from local mountains would be unlikely due to surrounding development. Therefore, impacts would be less than significant.				
X. **LAND USE AND PLANNING**. Would the project:				
a) Physically divide an established community?				X

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The proposed project as designed and conditioned will not physically divide an established community. The project as designed is consistent with SP #193 and the General Plan, which clustered multi-family projects adjacent to the Moreno Valley Ranch village core (Lasselle Street and Iris Avenue), and neighborhood nodes.				
b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
The proposed project is consistent with both the General Plan and SP #193. As proposed and approved, the Specific Plan clustered multi-family projects adjacent to the Moreno Valley Ranch village core (Lasselle Street and Iris Avenue), and neighborhood nodes. The project has been designed to be compatible with the existing and planned uses in the area and is consistent with the City's General Plan and Land Use Element. The project site is surrounded by other residential uses, with commercial land uses to the north at Lasselle and Iris. Development of the project would be consistent with the design guidelines established within SP #193. Additionally, the City's Conditions of Approval have been incorporated into the design and development of the project, which further ensure land use compatibility. It should be noted that the adjacent residential uses were also developed according to these design guidelines. At completion, the proposed project would introduce 227 multi-family units with associated landscaped areas as well as recreation facilities for its residents. The purpose of the Specific Plan is to master plan a community according to a similar set of guidelines and regulations to ensure land use compatibility amongst adjacent land use.				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
The project is not within one of the Multiple Species Habitat Conservation Plan (MSHCP) criteria areas, which are potential habitat preservation areas. The proposed project will not conflict with the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP) or MSHCP or any other known local, regional or state habitat conservation plans. The SKR fee would not apply to projects located within the Moreno Valley Ranch Specific Plan as a mitigation fee was paid on a Plan-wide basis early in the development process to mitigate for SKR. Also, the City is participating in the MSHCP, a comprehensive habitat conservation-planning program addressing multiple species' needs, including preservation of habitat and native vegetation in Western Riverside County. This project will also be subject to fees to support the implementation of the Multiple Species Habitat Conservation Plan.				
XI. **MINERAL RESOURCES.** Would the project:				
a) 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?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
(a and b)The project site is located in an urbanized area with additional development occurring in the vicinity. No active mines or mineral recovery programs are currently active within the project site, or Specific Plan Area. As discussed earlier, a majority of the Specific Plan Area was historically used for agricultural purposes. However, no mineral deposits have been identified in the General Plan or SP #193. Consequently, the development of the project site would not conflict with a mineral recovery plan as adopted by the General Plan or Specific Plan. No significant impacts would occur.				
XII. **NOISE.** Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
The Specific Plan EIR concluded that build-out of the Specific Plan Area would have potential for both short and long-term impacts on ambient noise levels in the project vicinity. While short-term noise levels would be generated during each construction phase of development, long-term noise impacts were expected to result from the increased on-site population and stationary source intensity, as well as the mobile noise resulting from corresponding vehicle trips. Not only would these noise impacts affect the existing adjacent residential uses, they would also affect uses within the Specific Plan Area that had already been developed. If traffic operates within acceptable Levels of Service at General Plan build-out, noise levels would be consistent with General Plan criteria for noise, and therefore noise levels will not exceed the standards set forth in the General Plan.				
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
The proposed project has incorporated the City's conditions of approval into the project design. As a result, construction and operation activities would be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, ad from 7:00 AM to 8:00 PM on weekends and holidays. As a result, less than significant impacts would occur.				
c) A substantial permanent increase in ambient noise levels in the project vicinity			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
above levels existing without the project?				
This proposed project is consistent with SP #193 and the General Plan. Permanent noises associated with the proposed residential uses include, but are not limited to, people talking, radios playing and lawn equipment. However, these noise sources would be typical of the adjacent area and therefore, the project would not introduce unique noise sources. Finally, the City's conditions of approval have been incorporated into the project design that would ensure land use compatibility with regards to noise resulting from the project site. If traffic operates within acceptable Levels of Service at General Plan build-out, noise levels would be consistent with General Plan criteria for noise, and therefore noise levels will not exceed the standards set forth in the General Plan. Impacts would be less than significant as a result of the proposed project.				
d) A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
During construction, there will be limited impact of noise from construction equipment. The nearest sensitive receptors include the adjacent residences to the east and south, the community college to the west and the elementary school currently under construction to the north. The Public Works Department has a standard condition of approval regarding the public nuisance aspect of the construction activities. The construction operations including building related activities and deliveries shall be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, and from 7:00 AM to 8:00 PM on weekends and holidays, in accordance with City Municipal Code 8.14.040, unless otherwise extended or shortened by the City Engineer or Building Official.				
e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
The project is not located within the area of an adopted airport land use plan.				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
There is no private airstrip within the vicinity of the site, or within the City of Moreno Valley.				
XIII. **POPULATION AND HOUSING.** Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
The proposed project is consistent with SP #193 and the General Plan. The Specific Plan EIR considered the impacts of 13,116 total residential units at build-out. Subsequently, this number was reduced to a total of 7,854 residential units, reducing the projections by 5,262, or 40.1%. There is considerable existing development of the surrounding area as demonstrated by existing residences and existing road improvements and other infrastructure. Therefore, this project will have a less than significant impact.				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
(b and c) This property is currently vacant, and no housing is currently located these. No housing will be displaced by development of this project. The project will not displace any residents.				
XIV. **PUBLIC SERVICES**. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			X	
At the time the Specific Plan EIR was prepared, three fire stations existed to serve Moreno Valley. However, of these three stations, none were within three miles or five minutes of the area. Consequently, the Specific Plan incorporated two one-acre sites that would be dedicated to the Riverside County Fire Department in order to meet the Insurance Services Office (ISO) response time of five minutes to any location within a project area. A fire station has subsequently been constructed to service the village core, south of the intersection of Lasselle and Iris. The fire station is less than one-half a mile from the project site. The proposed project has incorporated the City's standard conditions of approval into its design. These standards include measures, which specifically address concerns regarding the Fire Prevention Bureau. Measures such as providing approved fire hydrants, fire flow requirements; mitigation impact fee programs and utilizing fire retardant materials have all been incorporated into the project's design. ISO ratings are given to fire fighting districts in order to rank their operation level. This scale ranges from one (1) the highest possible score, to a ten (10), the worst possible score. The City of Moreno Valley currently has an ISO rating of three (3), which is considered high. With the implementation of the conditions of approval of the project pertaining to Fire Services, impacts would be less than significant.				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Police protection?			X	
The Riverside County Sheriff Department serves as the local law enforcement agency. When fully developed, the Specific Plan was projected to result in an increase of approximately 13,116 dwelling units. This population increase was considered in the Specific Plan EIR. However, as indicated previously, this projection has since been reduced by 40.1%. Although not considered a high crime area, an increase in crimes was expected with the resulting population increase. Although no police services were planned within the plan boundaries, the status quo service ratio was to be maintained. Additional site design features such as good street visibility, appropriate lighting and security hardware were all incorporated in the Specific Plan design. The proposed project conforms to SP #193 and to the General Plan. Police protection to the project area is provided through the Moreno Valley Police. The Police Department was involved in the project review process. Conditions of approval have been included by Police Department to ensure health and safety is protected during construction. Development of the project site would increase the demand on the Police Department. The project will pay development impact fees related to Police Facilities. The project is consistent with the General Plan. With payment of impact fees, the addition of 217 dwelling units at this location would not over-burden their service ability in continuing to provide high quality police service.				
c) Schools?			X	
This portion of the Specific Plan Area is located within the Val Verde Unified School District. Based on the projected 13,116 residential units and corresponding generation rates of students per household, a total of approximately 8,394 students were projected to be generated, according to the Specific Plan EIR. Three school sites were included in SP #193. Since the build-out has been reduced to 7,854, the total of students within Moreno Valley Ranch can be projected to be 5,026 (40.1% reduction). Since the project is consistent with SP #193, and the General Plan, the Val Verde Unified School District will be able to adequately serve the students from the development, and therefore no potentially significant impact would occur.				
d) Parks?			X	
In order to meet the Riverside County Recreation standard of one developed acre of park and 25 acres of natural acreage for every 1,000 residents, the Specific Plan called for the provision of` three lakes, three major community recreation facilities, ten neighborhood parks (totaling 70 acres), as well as equestrian and bicycle trails throughout Moreno Valley Ranch. In addition, this project will incorporate private recreation facilities and open space for its residents. No significant impacts to parks were identified.				
e) Other public facilities?			X	
As the project is consistent with SP #193, and therefore the General Plan, all other public facilities can be adequately provided consistent with the General Plan.				
XV. **RECREATION.**				
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	
(a and b) In order to meet the Riverside County Recreation standard of one developed acre of park and 25 acres of natural acreage for every 1,000 residents, the Specific Plan called for the provision of` three lakes, three major community recreation facilities, ten neighborhood parks (totaling 70 acres), as well as equestrian and bicycle trails throughout Moreno Valley Ranch. In addition, this project will incorporate private recreation facilities and open space for its residents. Consequently, no significant impacts were identified.				
XVI. **TRANSPORTATION/TRAFFIC.** Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
The proposed project is consistent with SP #193, and General Plan. As designed and conditioned, the project is not expected to individually or cumulatively exceed a level of service standard.				
c) Result in a change in air traffic patterns, including either an increase in traffic				X

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
levels or a change in location that results in substantial safety risks?				
The project site is not located in, around or under any airport or airport fly-zone. The proposed project would have no direct or indirect effect on air traffic patterns.				
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
The project has been conditioned by Public Works to complete, if necessary full-width street improvements. The street improvements will include but not be limited to, pavement, curb, gutter, sidewalk, streetlights, storm drain, signing and striping, and dry and wet utilities. As designed, the project will not result in hazards, but will help decrease potential hazards at this location. The project is not adjacent to any potential incompatible uses.				
e) Result in inadequate emergency access?				X
All streets would be developed to the specifications of the City Engineer and Traffic Engineer, as well as SP #193, which is consistent with the General Plan. Additionally, all conditions of approval as recommended by the Traffic Study will be incorporated into the project approval. This would ensure that no hazardous traffic situations would occur during construction or with completion of the project. The site will be readily accessible for emergency access.				
f) Conflict with adopted policies or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
The proposed project is a part of SP #193. The purpose of the Specific Plan is to master plan the entire plan area. SP #193 includes an equestrian, pedestrian and bicycle circulation network that would interconnect the plan area. The project is consistent with SP #193. There is no conflict with adopted alternative transportation policies, therefore, no adverse impacts would occur.				
XVII. **UTILITIES AND SERVICE SYSTEMS.** Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
(a and b) The Eastern Municipal Water District (EMWD) is the sanitary district provider for the Specific Plan Area. According to the Specific Plan EIR, approximately 3.4 million gallons of wastewater per day was expected from the project area at build-out. This assumed a build-out population of 33,840, or 13,116 dwelling units. The current build-out is 7,854, with a projected population of 20,263. This is a reduction of 40.1% in the total number of residential units at build-out. Therefore, it can be inferred that the generation of daily wastewater will be substantially reduced from that which was identified in the Specific Plan EIR. According to the Specific Plan EIR, EMWD indicated ability to serve the project at the original volume without mitigation, and this demand has since been significantly reduced, no adverse impacts are indicated by the current proposed project. The project will not exceed wastewater treatment capacity of the Moreno Water Reclamation Facility				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
Build-out of the Specific Plan Area was expected to result in an increase of runoff generated from the plan area, which in turn resulted in the increase of floodwaters downstream. This increase in runoff was attributable to the increase of impervious surfaces planned within the project area. This increase in impervious surfaces was expected to result in an increase in peak runoff. All streets within the planning area were to be installed with a storm drainage conveyance system designed to provide 100-year storm protection according to the EMWD specifications. The Specific Plan Area, and project site, is within the Moreno Area Drainage Plan which is a part of the Riverside County Flood Control and Water Conservation District (RCFCWCD). As a part of the Specific Plan, an area wide storm drain control system was designed. The storm drainage system would be designed to City and County Agency standards and existing storm drainage system. It should be noted that the project engineer designed the project based on a 100-year storm event as well as incorporating all applicable measures identified in the City's standard conditions of approval. Specifically, based on total water volume generated from a 100-year storm event and the associated rise in water inundation onto the project site from storm flows, all storm drainage facilities would be able to adequately convey storm flows without inundating the residential portions of the site. Therefore, no significant impacts would occur.				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The Specific Plan EIR projected that, at build-out (13,116 dwelling units), the Specific Plan Area would require approximately 6.8 million gallons of water daily or approximately 700 million gallons annually. According to the Specific Plan EIR, EMWD indicated adequate facilities and supply to provide water to Moreno Valley Ranch. Based on the 40.1% reduction in the number of build-out units, and the consistency with the General Plan, it can be inferred that adequate water supplies have been considered and would be available to serve the project. The water purveyor, Eastern Municipal Water District (EMWD), prepared an Urban Water Master Plan demonstrating that it has or will have sufficient water supplies available to serve urban development on the property.				
e) Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
The wastewater treatment provider is EMWD. The current wastewater treatment facility just westerly of the southerly edge of the Moreno Valley Ranch Specific Plan has adequate capacity to serve projects within Moreno Valley that would be consistent with the General Plan. The project is consistent with SP #193, and the General Plan. It can be inferred that the 40.1% reduction in the number of residential units at build-out within the Specific Plan would result in a substantial reduction in the anticipated quantities of wastewater that were identified in the Specific Plan EIR. EMWD has plans for major expansions of the Moreno Water Reclamation Facility. Source: Draft EIR for the 2006 General Plan Update.				
f)) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
Waste Management provides waste hauling service to the plan area. At the time the EIR for the Specific Plan Area was prepared, solid waste was either to be taken to the Badlands or Highgrove disposal site, both of which were classified as Class II disposal sites. Sunny-Edge Disposal indicated at the time of the EIR, that it had adequate assets to handle the projected growth. Growth within the Specific Plan has since been reduced by 49.9%, and as such, this project should have no significant impact. The project will be served by a landfill in the Badlands with sufficient permitted capacity to accommodate the project's solid waste disposal needs. Source: Draft EIR for the 2006 General Plan Update.				
g) Comply with federal, state, and local statues and regulations related to solid waste?				X
The City is complying with State and Federal regulations regarding solid waste. This project will also comply with the current policies regarding solid waste.				
XVIII. **MANDATORY FINDINGS OF SIGNIFICANCE.**				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	
The project would not significantly degrade the quality of the environment or reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. The analysis in this Initial Study demonstrates that project and cumulative impacts would be less than significant. Finally, the project consists of residential uses that would result in no substantial adverse health effects on human beings. The project does not have the potential to degrade the quality of the environment. The project does not have the potential to degrade the quality of the environment. The project has been previously disturbed through permitted mass grading and disking for weed abatement and therefore will have less than significant impact on fish or wildlife resources. There are no historic structures on the site, and there will be no impact to historic resources.				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The project would not significantly degrade the quality of the environment or reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. The analysis in this Initial Study demonstrates that project cumulative impacts would be less than significant. The project as proposed consists of a plot plan and tentative tract map that would result in no substantial adverse health effects on human beings. The proposed project will not result in impacts that are individually limited but cumulatively considerable. Thus, will have a less than significant impact on the environment.				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	
The project would not significantly degrade the quality of the environment or reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. The analysis in this Initial Study demonstrates that project and cumulative impacts would be less than significant. Finally, the project consists of residential uses that would result in no substantial adverse health effects on human beings. The proposed project will not cause substantial adverse effects on human beings, either directly or indirectly.				

CONTINENTAL EAST
DEVELOPMENT INC.

August 9, 2012 *Sent Via U.S. Mail*

Dear Property Owner:

Continental East Development, owner of Continental Villages of Moreno Valley, would like to extend an invitation to you to join us for a Community Outreach Meeting. We will be discussing our exciting new project, Continental Villages of Moreno Valley, which is a beautiful proposed development of Single Family Residential and Multi Family residential homes. This property is located near your current residence or retail space and we would like to update you on our current site plan and approvals with the City of Moreno Valley.

Where: Moreno Valley Ranch HOA Board Meeting

When: August 20, 2012 at 4:00pm.

Contact: Charlene Kussner, Project Manager: 951-757-2571 to RSVP

We will have light refreshments, Project information, and Color Site plans for your review and comment. Please come join us is celebrating this exciting new community in Moreno Valley.

Sincerely,

Charlene Kussner
Project Manager

ATTACHMENT 5

CONTINENTAL EAST
DEVELOPMENT INC.

November 2, 2011 *Sent Via U.S. Mail*

Dear Property Owner:

Continental East Development, owner of Continental Villages of Moreno Valley, would like to extend an invitation to you to join us for a Community Outreach Meeting. We will be discussing our exciting new project, Continental Villages of Moreno Valley, which is a beautiful proposed development of Single Family Residential and Multi Family residential homes. This property is located near your current residence or retail space and we would like to update you on our current site plan and approvals with the City of Moreno Valley.

Where: Moreno Valley Ranch West HOA Board Meeting: 25650 Los Cabos Drive, Room P2, Victoriano Elementary School.

When: November 16, 2011.

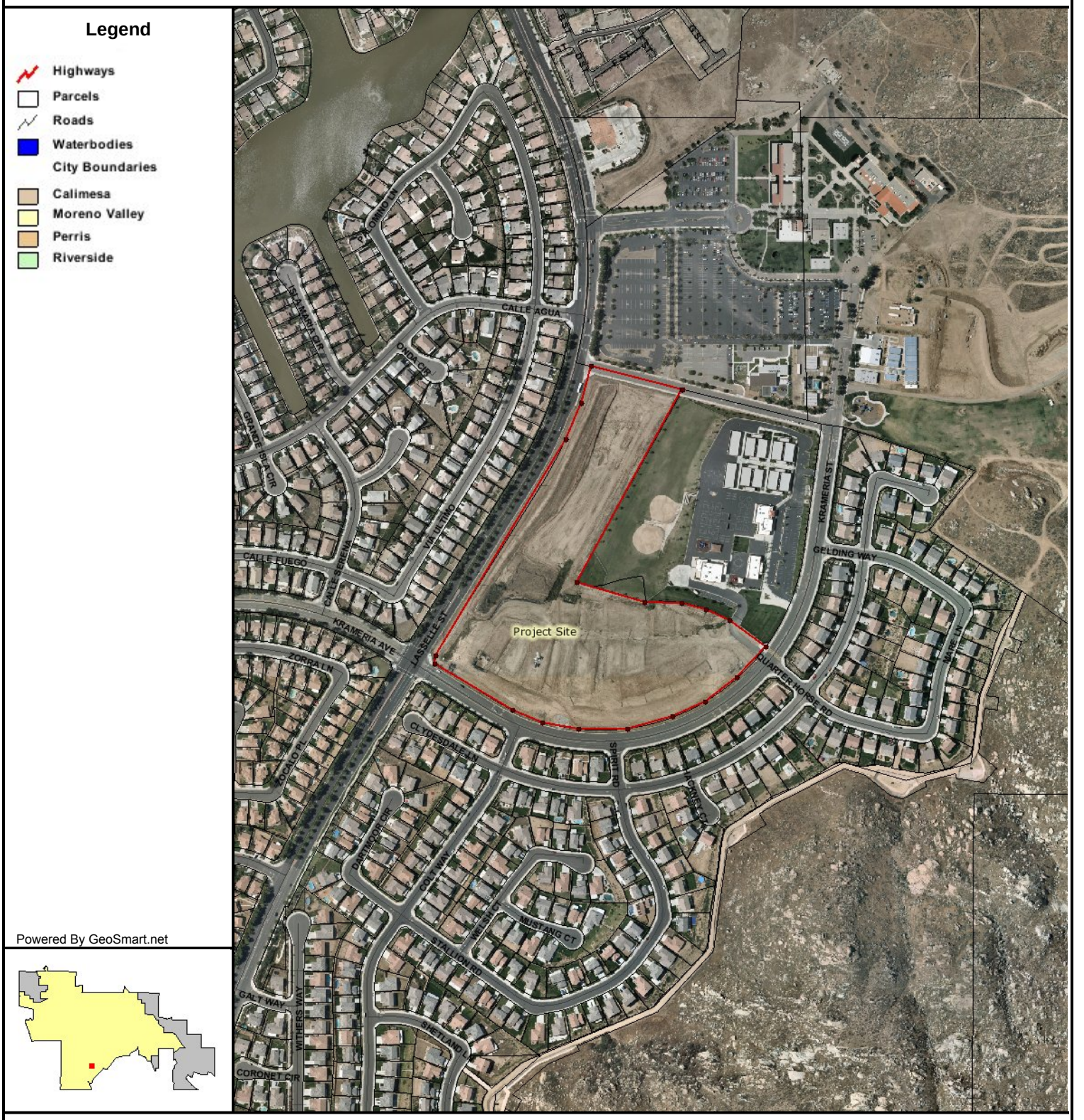
Contact: Charlene Kussner, Project Manager: 951-757-2571 to RSVP

We will have light refreshments, Project information, and Color Site plans for your review and comment. Please come join us is celebrating this exciting new community in Moreno Valley.

Sincerely,

Charlene Kussner
Project Manager

Continental Villages - Aerial Map



City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

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MORENO VALLEY
WHERE DREAMS SOAR

ATTACHMENT 6

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Note
This project is in a "Very High Fire Hazard Zone." All buildings shall comply with Chapter 7A of the California Building Code.

Site Coverage Tabulation

• *Site Area:*	*302,794.28 sq. ft.*	*(6.95 Acre)*
• *Roads:*	*89.585.38 sq. ft.*	*(29.6%)*
• *Buildings:*	*71,152 sq. ft.*	*(23.5%)*
• *Total:*	*160,737.38 sq. ft.*	*(53.1%)*
• *Open Space:*	*141,889.6 sq.ft.*	*(46.9%)*

Open Space Required: 35%
Open Space Provided: 46.9%

Note: All Trash Enclosures to be Per City Standard 627
1 Enclosure per 48 units 125/48=2.6 (3 provided)

Note:
Side walks shown are for circulation patterns only.
See Civil Engineerings and Landscape drawings for more detailed information on Walks, Grades, Slopes, Property Lines, etc.

Site Tabulation

• *Unit A: 1 bedroom/1 bath*	*670 sq. ft.*	*28 Units*
• *Unit B: 1 bedroom/1 bath*	*839 sq. ft.*	*13 Units*
• *Unit C: 2 bedroom/2 bath*	*1,049 sq. ft.*	*56 Units*
• *Unit D: 2 bedroom/2 bath*	*1,186 sq. ft.*	*28 Units*
Total:		*125 Units*

Parking Tabulation

Required Parking:

• *41 Units @ 1.5 spaces/unit:*	*62 spaces*
• *84 Units @ 2 spaces/unit:*	*168 spaces*
Total Required Parking:	*230 spaces*
Total Provided Parking:	*233 Spaces*

RESIDENTIAL 20 DISTRICT (R20)
THE PRIMARY PURPOSE OF THE R20 DISTRICT IS TO PROVIDE A BROADENED RANGE OF HOUSING TYPES IN A MORE URBAN SETTING THAN IS TYPICALLY FOUND WITHIN OTHER AREAS OF THE CITY. THIS DISTRICT IS INTENDED AS AN AREA FOR DEVELOPMENT OF MULTIFAMILY RESIDENTIAL DWELLING UNITS, AS WELL AS MOBILEHOME PARKS, AT A MAXIMUM ALLOWABLE DENSITY OF TWENTY (20) DUs PER NET ACRE IN ACCORDANCE WITH THE PROVISIONS OUTLINED HEREIN.

R20 MULTIFAMILY STANDARDS

REQUIREMENTS	R20
1. MAXIMUM DENSITY (DUs/NET ACRE)	20
2. MINIMUM LOT SIZE (NET AREA IN SQ. FT.)	1 ACRE
3. MINIMUM LOT WIDTH IN FEET	200
4. MINIMUM LOT DEPTH IN FEET	175
5. MAXIMUM FRONT YARD SETBACK, IN FT.	30
6. MINIMUM SIDE YARD SETBACK, IN FT.	
INTERIOR SIDE YARD	10
STREET SIDE YARD	20
7. MINIMUM REAR YARD SETBACK, IN FT.	20
8. MAXIMUM LOT COVERAGE	45%
9. MAXIMUM BUILDING HEIGHT, IN FT.	50
10. MINIMUM DWELLING SIZE (SQ. FT.)	
ONE BEDROOM	450
TWO BEDROOM	800
THREE BEDROOM	1,000
11. MINIMUM DISTANCE BETWEEN, BUILDINGS, IN FT.	20
12. FLOOR AREA RATIO	.75

0 15' 30' 60' 90' 120'

Continental East Development

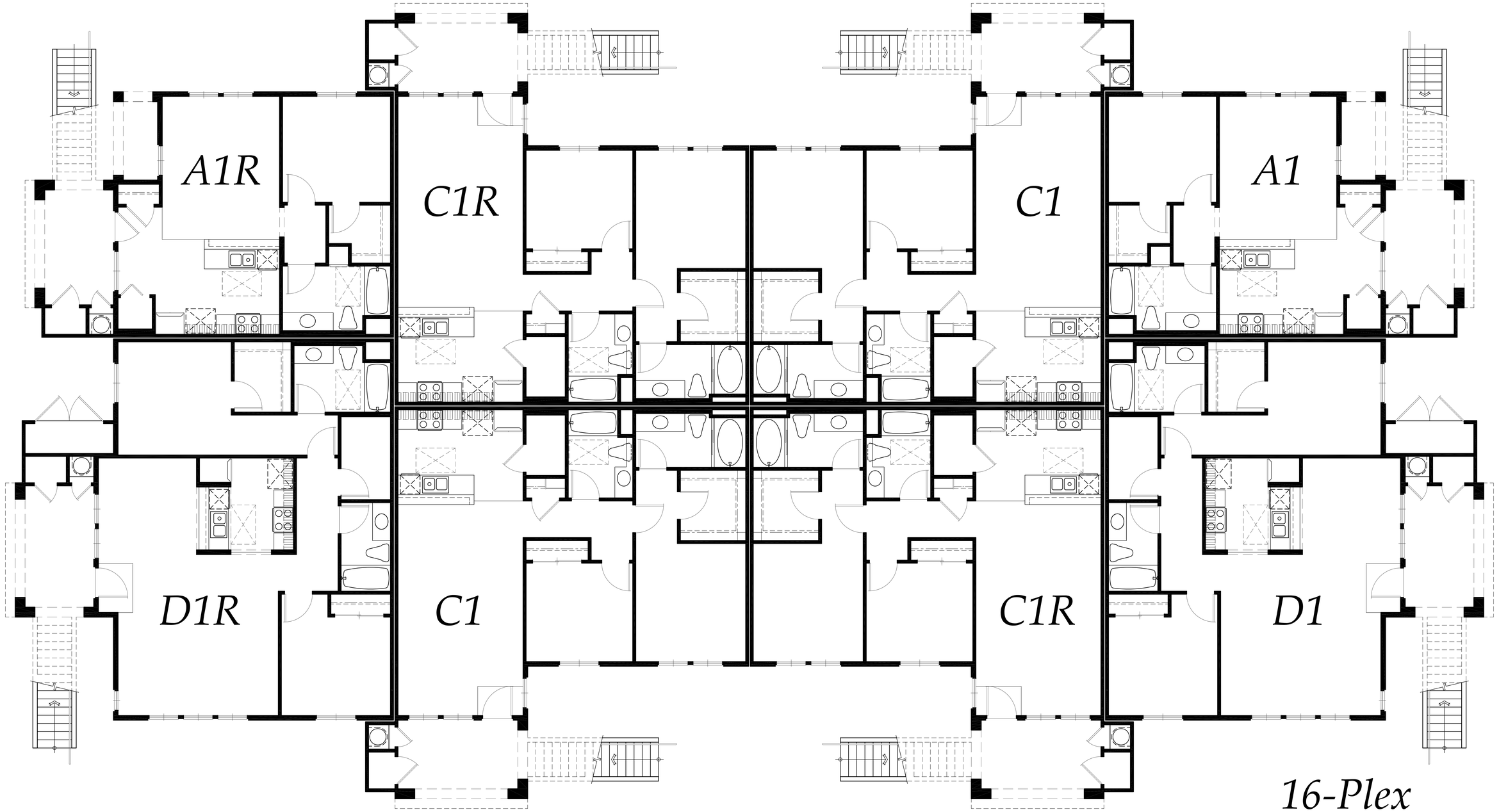
Planning Area 21
Apartments
Continental Villages
Moreno Valley, CA

Site Study

Scale: 1" = 30'-0"

PEKAREK-CRANDELL, Inc.
architecture - planning
31411 camino capistrano, suite 300 949/ 487-2320
san juan capistrano, ca 92675 fax 949/ 487-2321

7-5-12 *#11-05*
1 of 21



16-Plex
Building Plan
First Floor

Scale: 1/4" = 1'-0"

Planning Area 21

Apartments

Continental Villages

Moreno Valley, CA

Continental East Development

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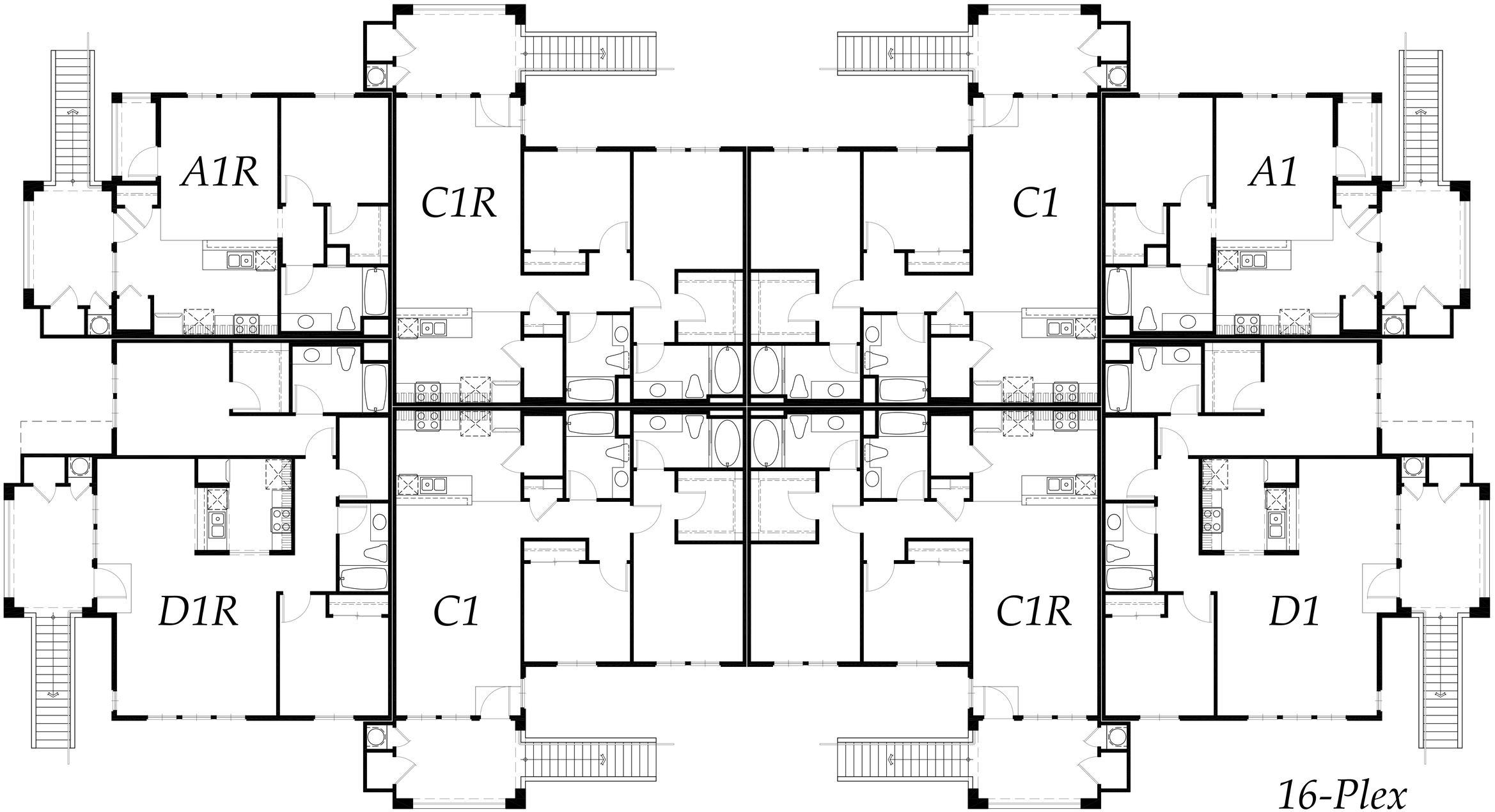
7-5-12

#11-05

2 of 21



16-Plex
Building Plan
Second Floor

Scale: 1/4" = 1'-0"

Planning Area 21

Apartments

Continental Villages

Moreno Valley, CA

Continental East Development

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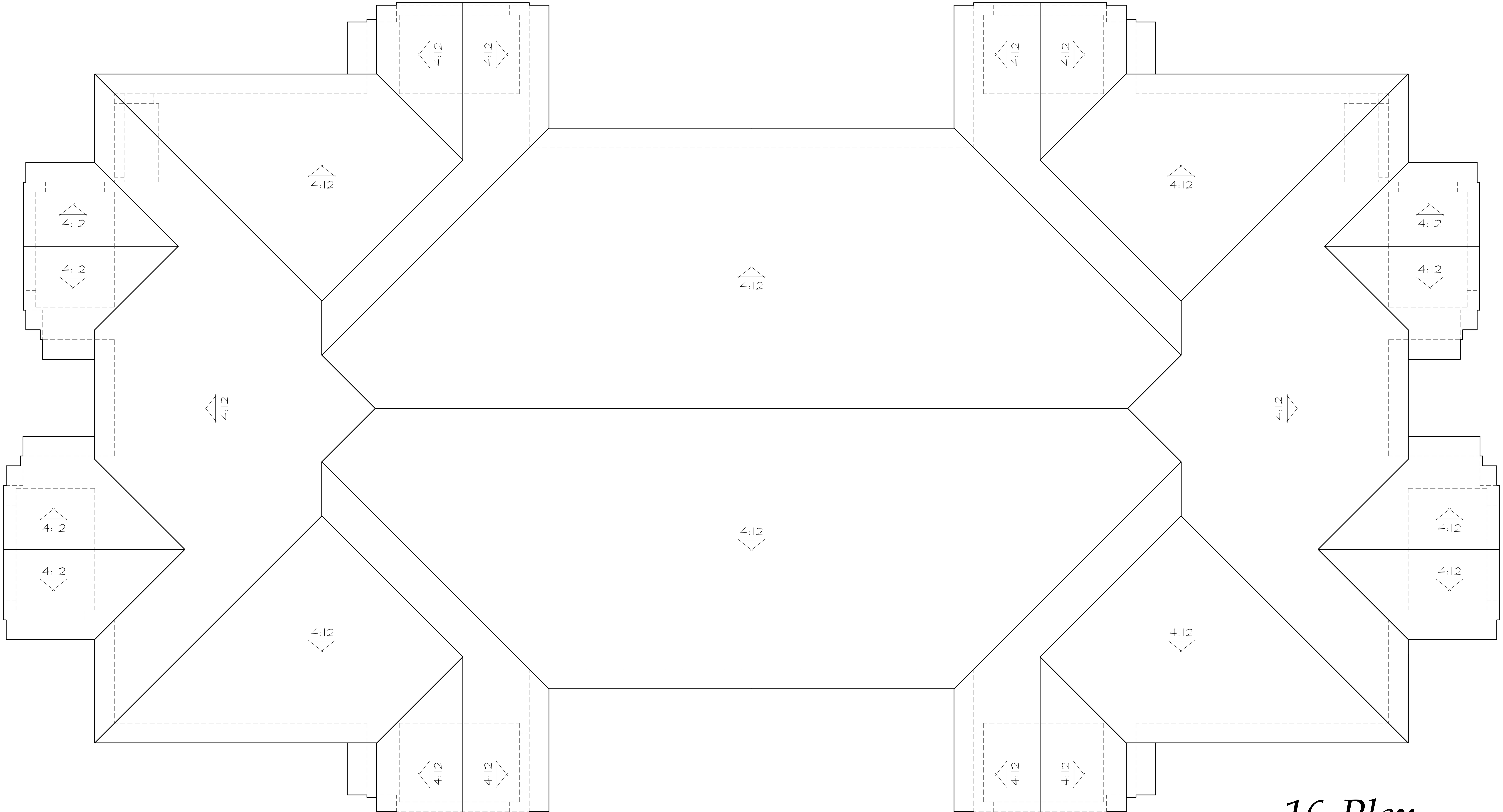
7-5-12

#11-05
3 of 21



16-Plex
Roof Plan

Scale: 1/4" = 1'-0"

Planning Area 21

Apartments

Continental Villages

Moreno Valley, CA

Continental East Development

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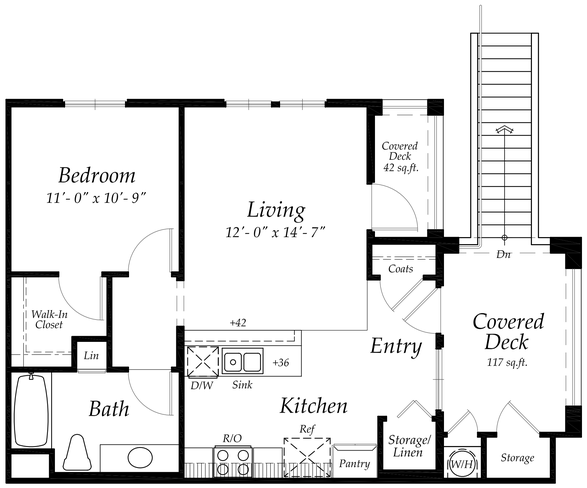
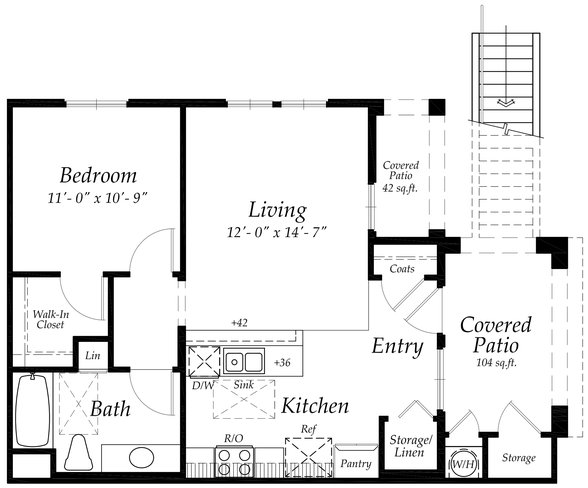
7-5-12

#11-05



Unit A2
Second Floor



Unit A1
First Floor

Unit A1 & A2

672 sq. ft.

1 Bedroom/ 1 Bath

Scale: 1/4″ = 1′-0″

Continental East Development

Planning Area 21

Apartments

Continental Villages

Moreno Valley, CA

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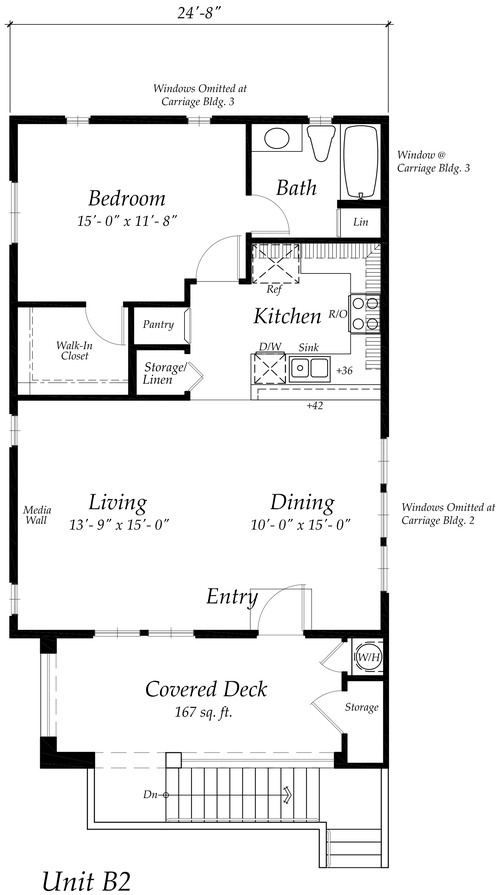
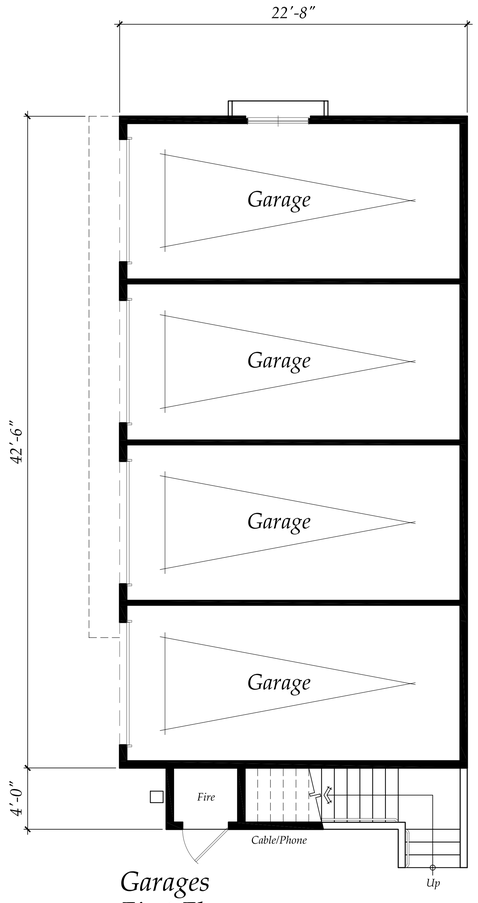
7-5-12

#11-05
5 of 21





Unit B2
839 sq. ft.
1 Bedroom/ 1 Bath

Scale: 1/4″ = 1′-0″

-170-

Continental East Development

Planning Area 21
Apartments
Continental Villages
Moreno Valley, CA

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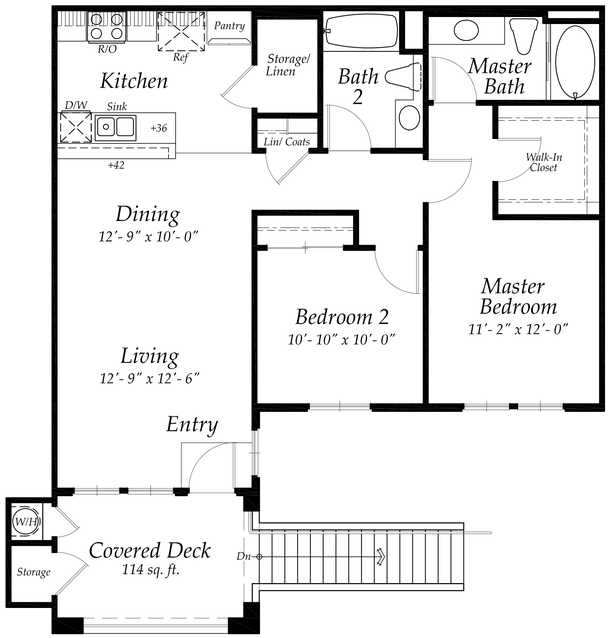
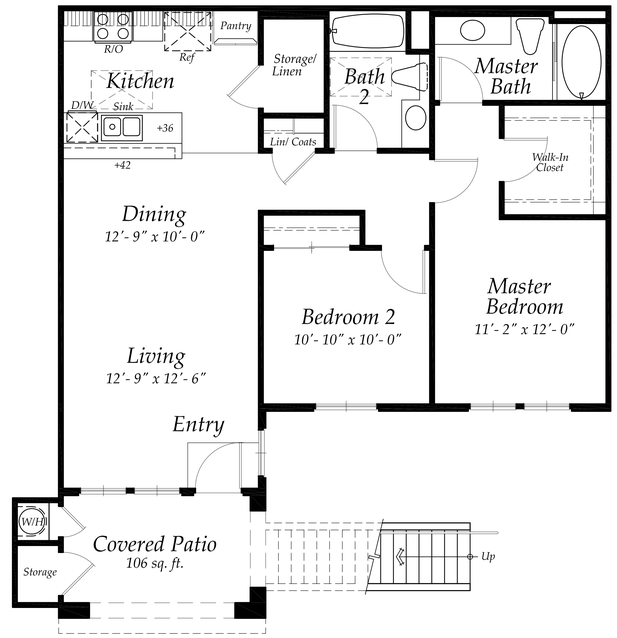
san juan capistrano, ca 92675 fax 949/ 487-2321

7-5-12



Unit C2
Second Floor



Unit C1
First Floor

Unit C1 & C2

1,025 sq. ft.

2 Bedroom/ 2 Bath

Scale: 1/4″ = 1′-0″

Planning Area 21

Apartments

Continental Villages

Moreno Valley, CA

Continental East Development

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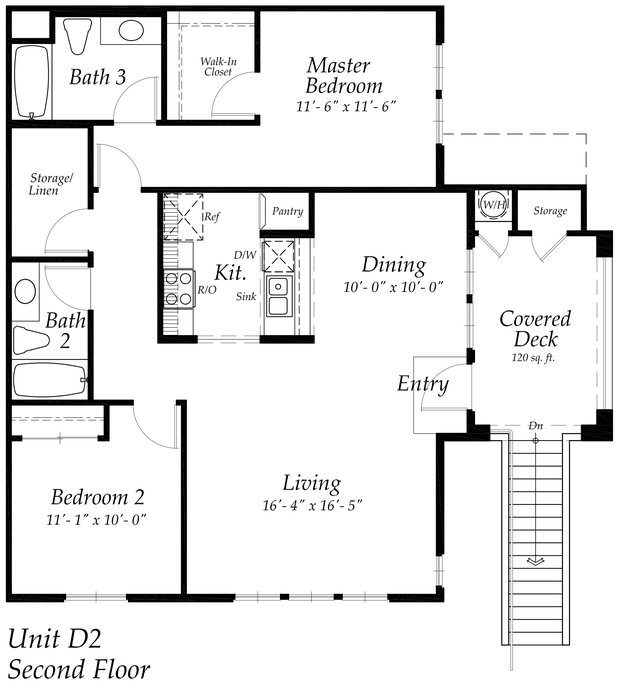
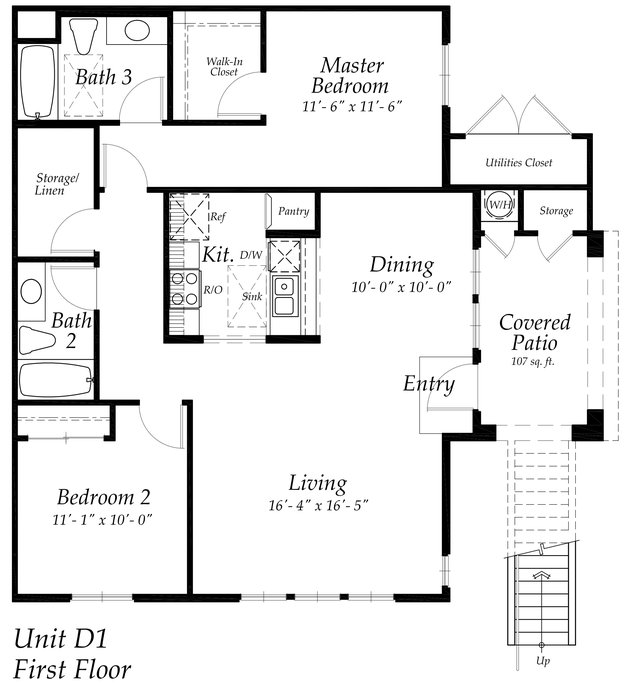
san juan capistrano, ca 92675 fax 949/ 487-2321

7-5-12 *#11-05*



Unit D2
Second Floor



Unit D1
First Floor

Unit D

1,140 sq. ft.

2 Bedroom/ 2 Bath

Scale: 1/4" = 1'-0"

Planning Area 21

Apartments

Continental Villages

Moreno Valley, CA

Continental East Development

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7-5-12

#11-05
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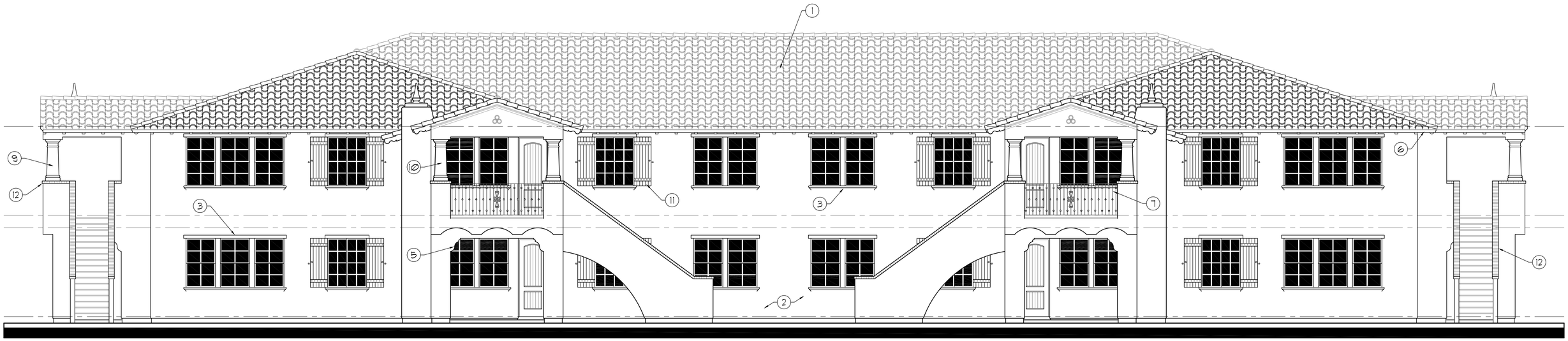
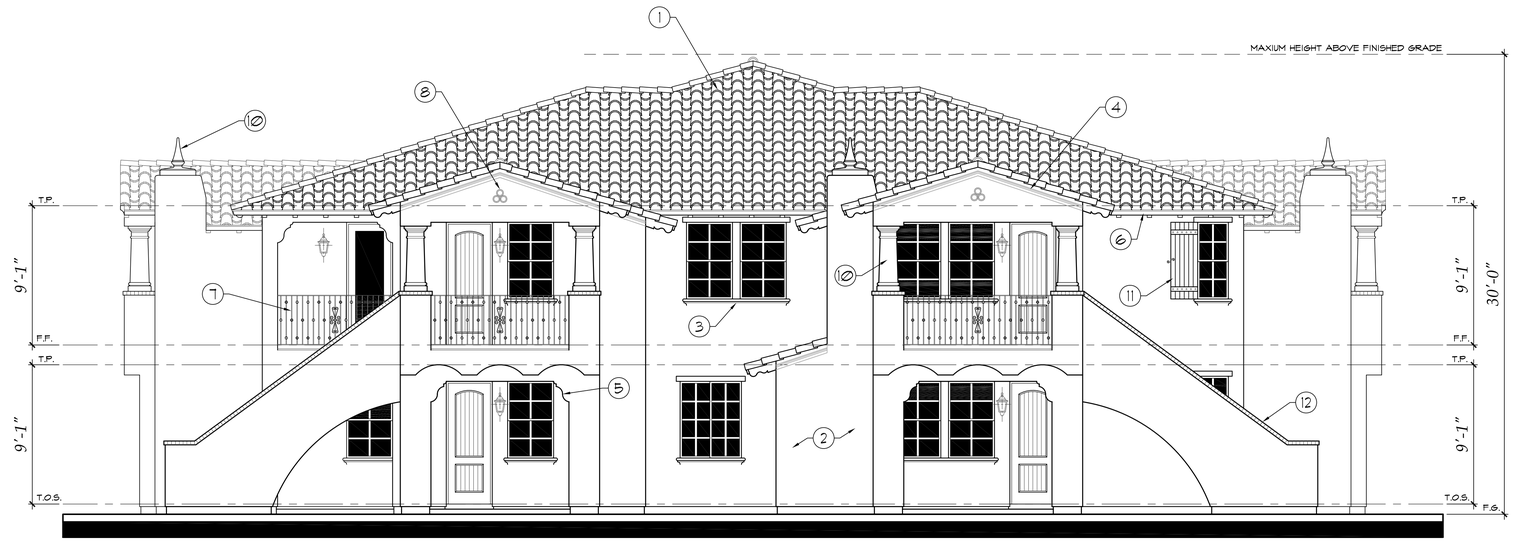


Front Elevation



Left Elevation

Exterior Materials

1. *Concrete "S" Tile*
2. *Stucco w/ Sand Finish*
3. *Stucco o/ Foam Trim*
4. *Stucco Rake Detail*
5. *Stucco o/ Foam Corbel*
6. *Hardie Trim Fascia*
7. *Metal Railing*
8. *False Clay Pipe Vent*
9. *Precast Concrete Column*
10. *Precast Concrete Finial*
11. *Fire Retardant Class A Shutter*
12. *Brick Cap*

16-Plex

Exterior Elevations

Spanish

Scale: 1/4" = 1'-0"

Planning Area 21

Apartments

Continental Villages

Moreno Valley, CA

Continental East Development

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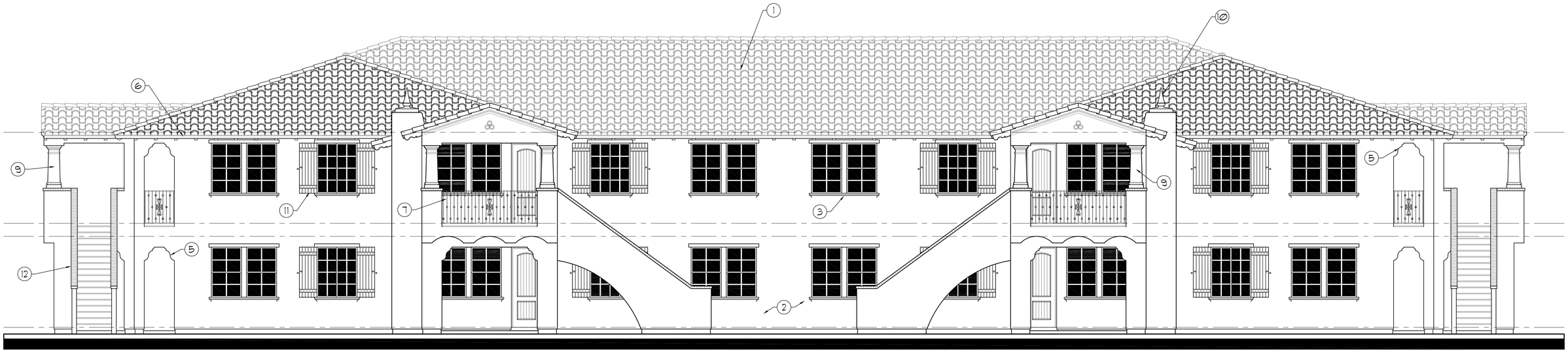
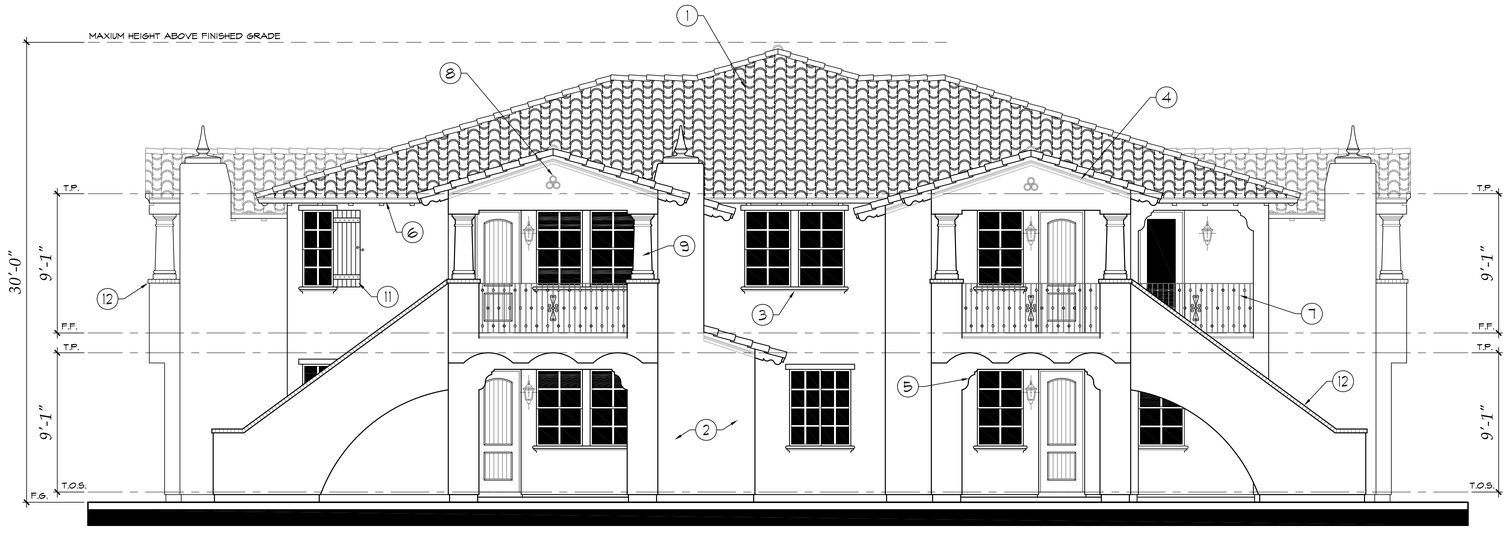


Rear Elevation



Right Elevation

Continental East Development

Planning Area 21

Apartments

Continental Villages

Moreno Valley, CA

Exterior Materials

1. *Concrete "S" Tile*
2. *Stucco w/ Sand Finish*
3. *Stucco o/ Foam Trim*
4. *Stucco Rake Detail*
5. *Stucco o/ Foam Corbel*
6. *Hardie Trim Fascia*
7. *Metal Railing*
8. *False Clay Pipe Vent*
9. *Precast Concrete Column*
10. *Precast Concrete Finial*
11. *Fire Retardant Class A Shutter*
12. *Brick Cap*

16-Plex

Exterior Elevations

Spanish

Scale: 1/4" = 1'-0"

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architecture - planning
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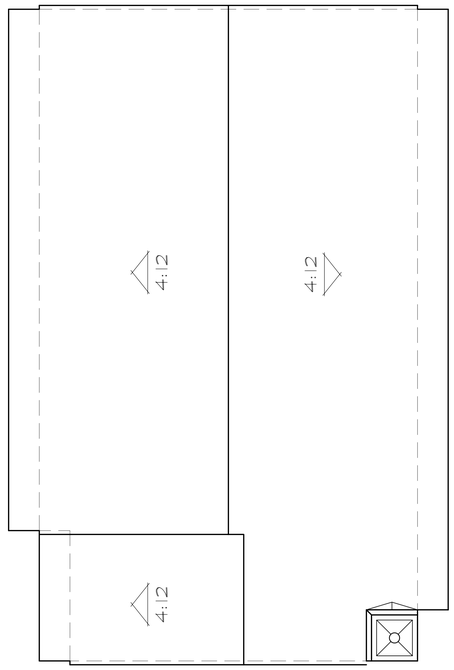
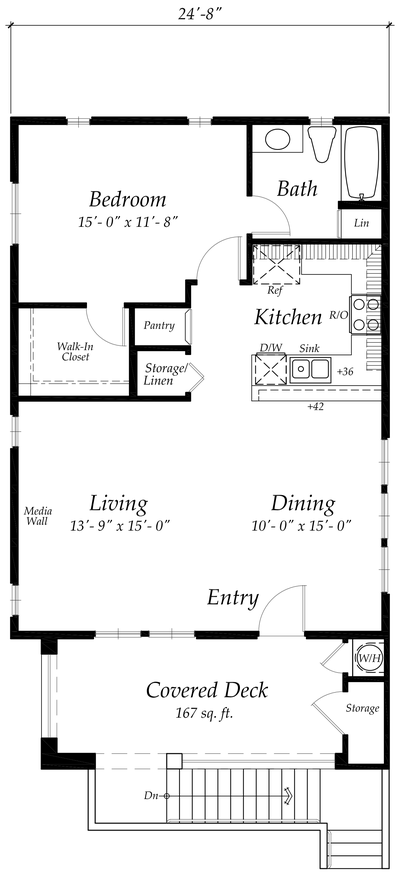
san juan capistrano, ca 92675 fax 949/ 487-2321

7-5-12

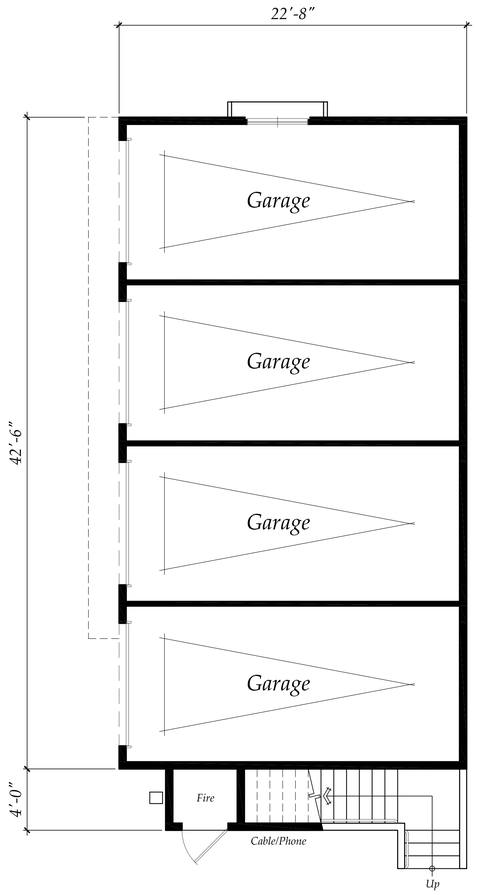
#11-05
10 of 21



Roof Plan



Unit B2
Second Floor



Garages
First Floor

-175-

Continental East Development

Planning Area 21

Apartments

Continental Villages

Moreno Valley, CA

Carriage Bldg. 1
Unit B

1 bedroom/1 bath

Scale: 1/4" = 1'-0"

PEKAREK-CRANDELL, Inc.
architecture - planning
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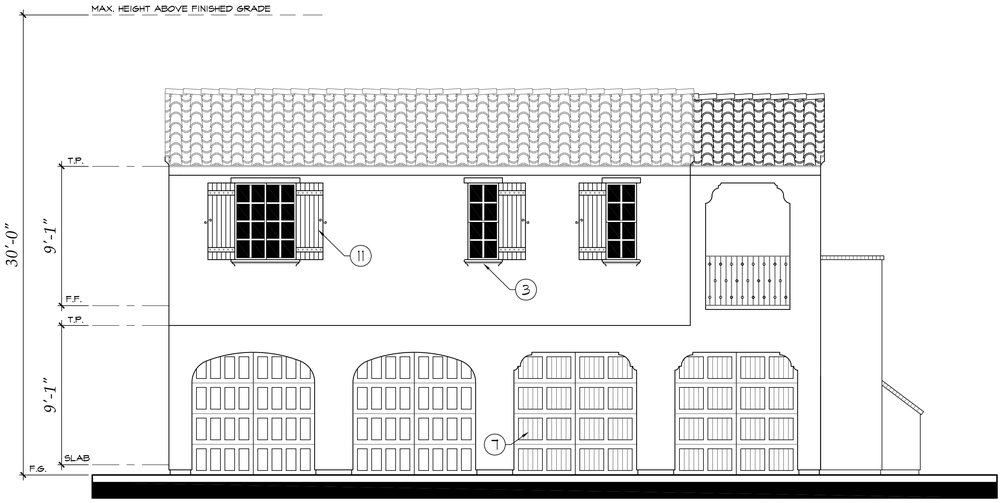
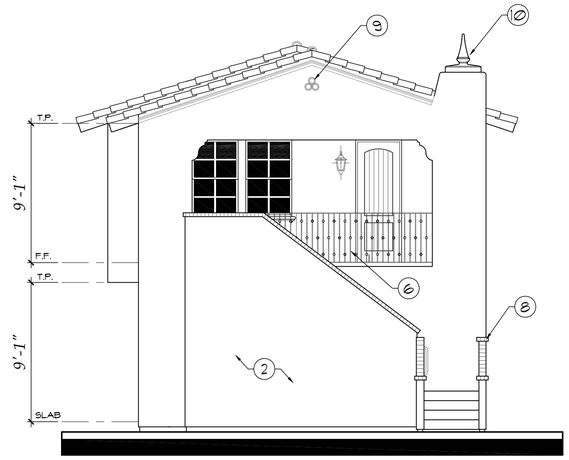
san juan capistrano, ca 92675 fax 949/ 487-2321

7-5-12

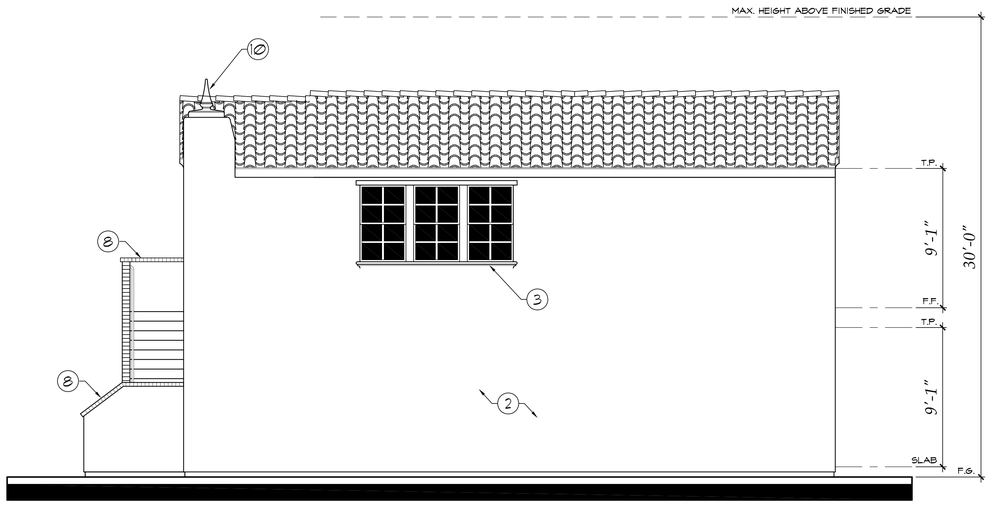
#11-05
11 of 21



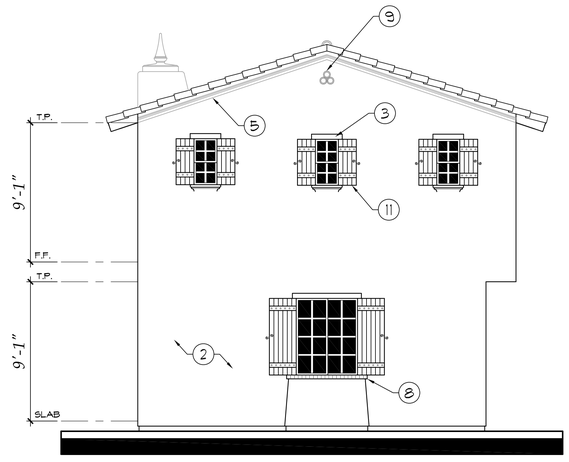
Left Elevation



Front Elevation



Right Elevation



Rear Elevation

Exterior Materials

1. *Concrete "S" Tile*
2. *Stucco w/ Sand Finish*
3. *Stucco o/ Foam Trim*
4. *Hardie Trim Fascia*
5. *Stucco Rake Detail*
6. *Metal Railing*
7. *Metal Sectional Garage Door*
8. *Brick Cap*
9. *False Clay Pipe Vent*
10. *Precast Concrete Finial*
11. *Fire Retardant Class A Shutter*

Carriage Bldg. 1
Exterior Elevations
Spanish

Scale: 1/4" = 1'-0"

PEKAREK-CRANDELL, Inc.
architecture - planning
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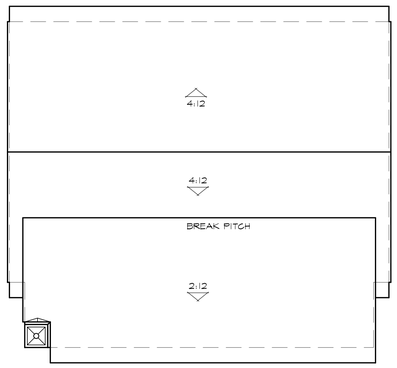
7-5-12

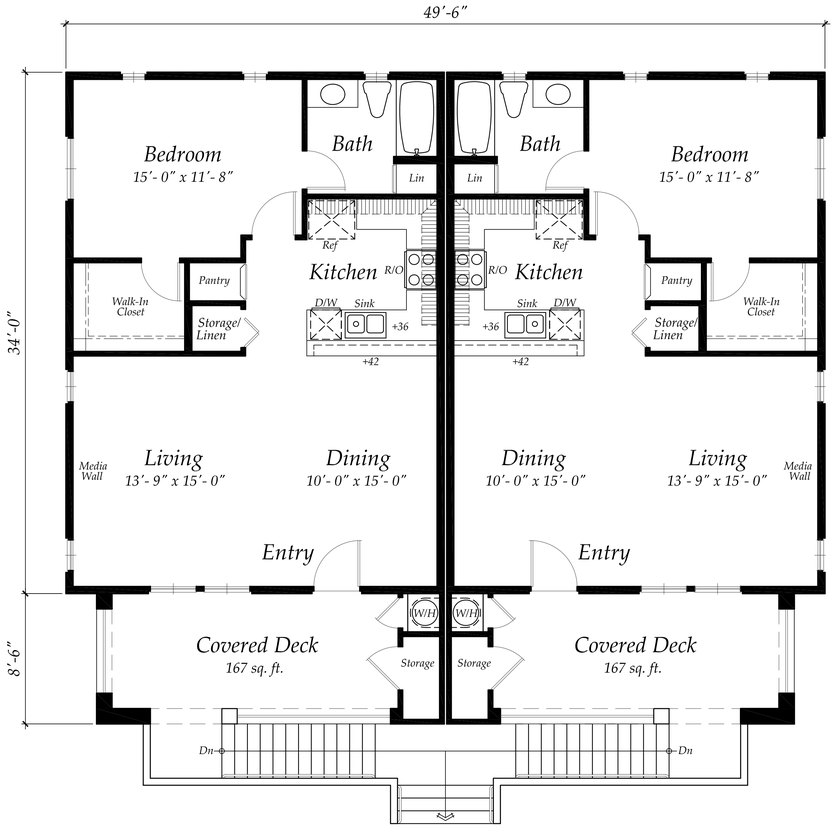
#11-05
12 of 21

Planning Area 21
Apartments
Continental Villages
Moreno Valley, CA

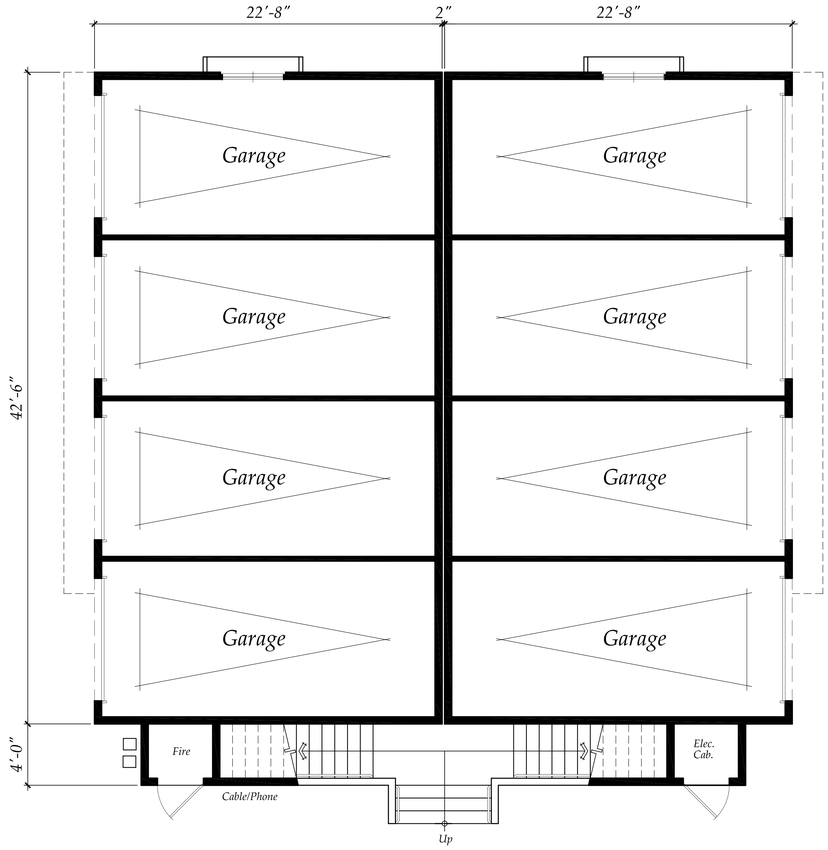
Continental East Development



Roof Plan
Scale: 1/8″ = 1′-0″



Unit B2
Second Floor



Garages
First Floor

Carriage Bldg. 2
Unit B
1 bedroom/1 bath

Scale: 1/4″ = 1′-0″

Planning Area 21
Apartments
Continental Villages
Moreno Valley, CA

Continental East Development

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san juan capistrano, ca 92675 fax 949/ 487-2321

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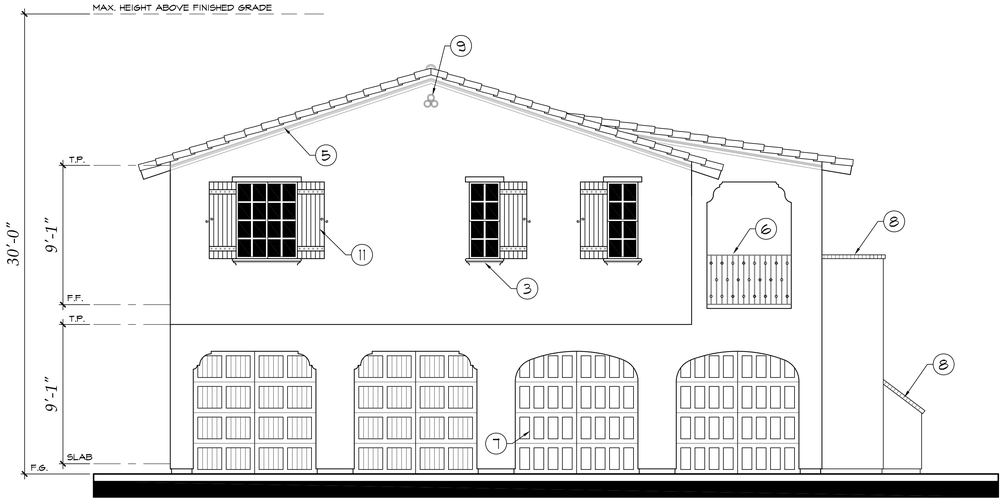
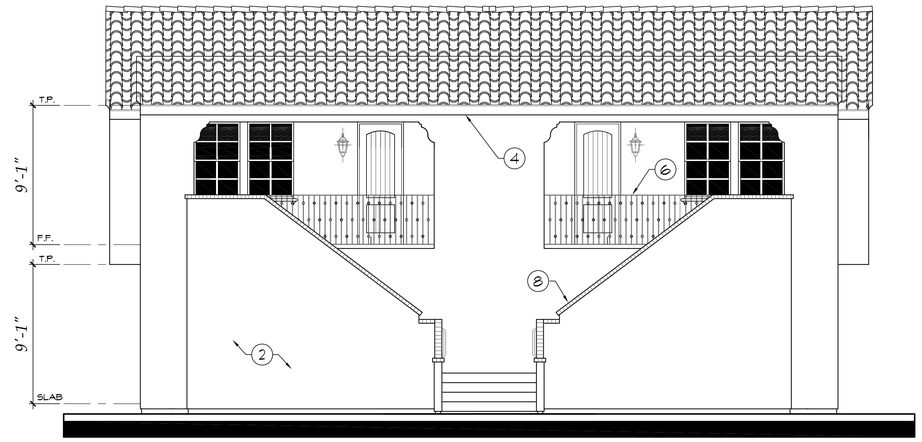
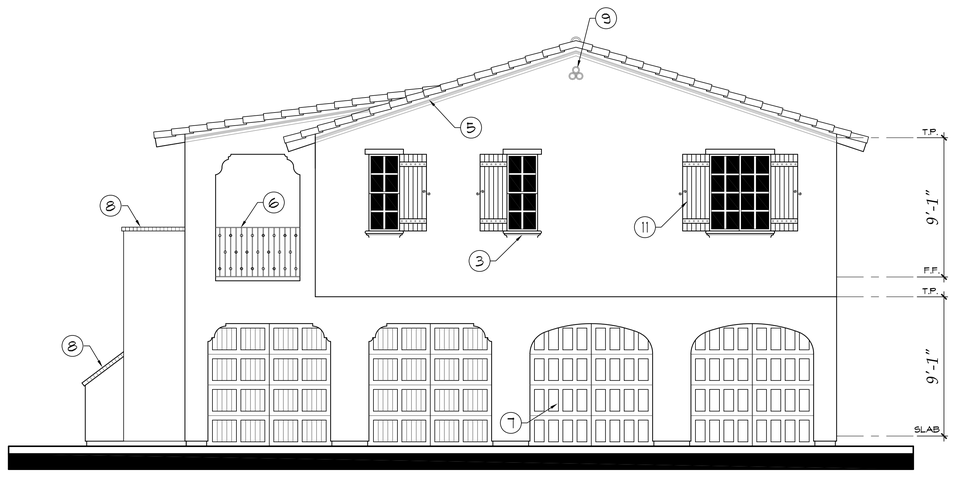


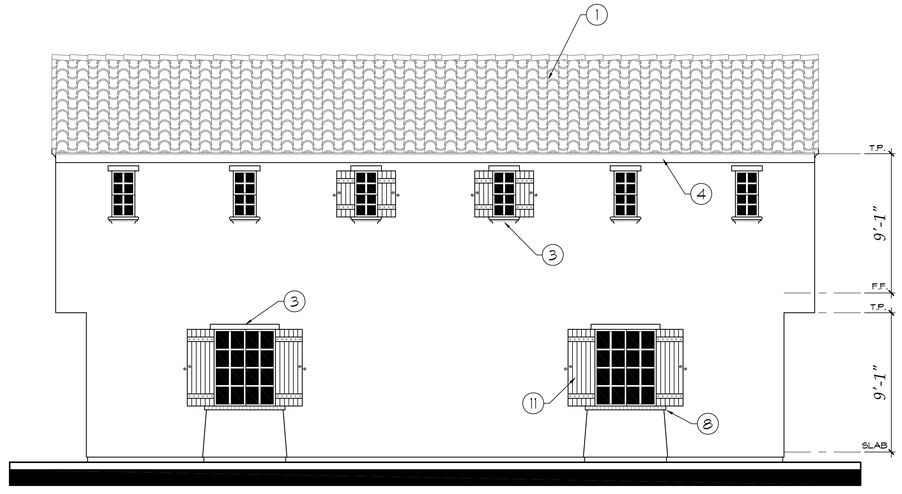
Left Elevation



Front Elevation



Right Elevation



Rear Elevation

Exterior Materials

1. *Concrete "S" Tile*
2. *Stucco w/ Sand Finish*
3. *Stucco o/ Foam Trim*
4. *Hardie Trim Fascia/ Barge Board*
5. *Stucco Rake Detail*
6. *Metal Railing*
7. *Metal Sectional Garage Door*
8. *Brick Cap*
9. *False Clay Pipe Vent*
10. *Precast Concrete Finial*
11. *Fire Retardant Class A Shutter*

Carriage Bldg. 2
Exterior Elevations
Spanish

Scale: 1/4" = 1'-0"

Planning Area 21

Apartments

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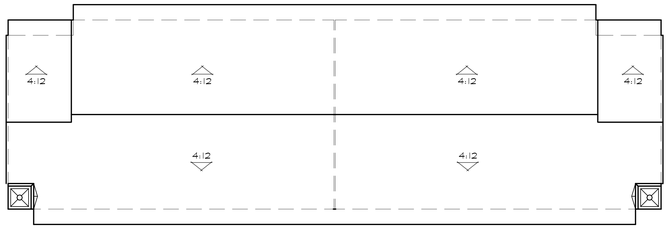
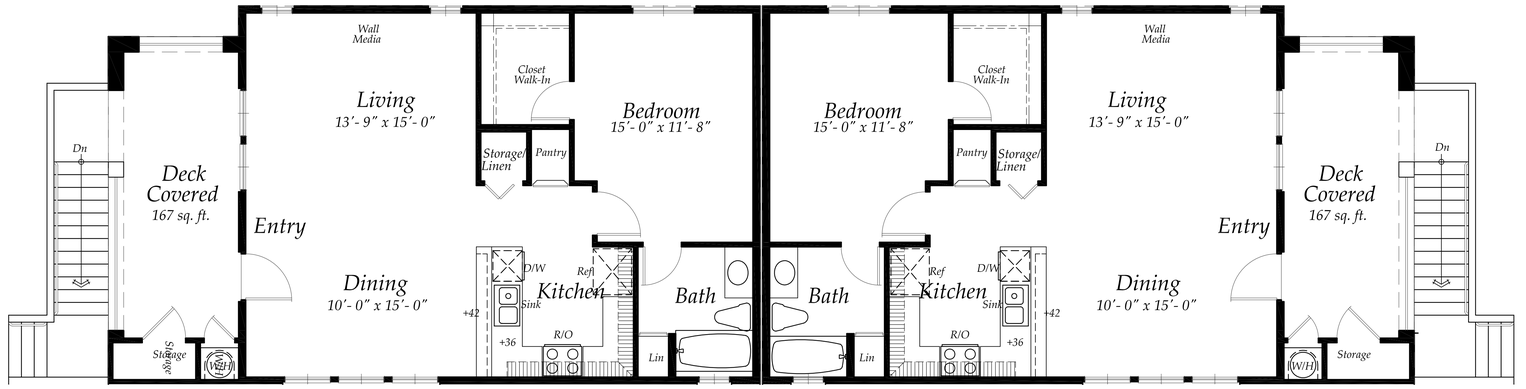
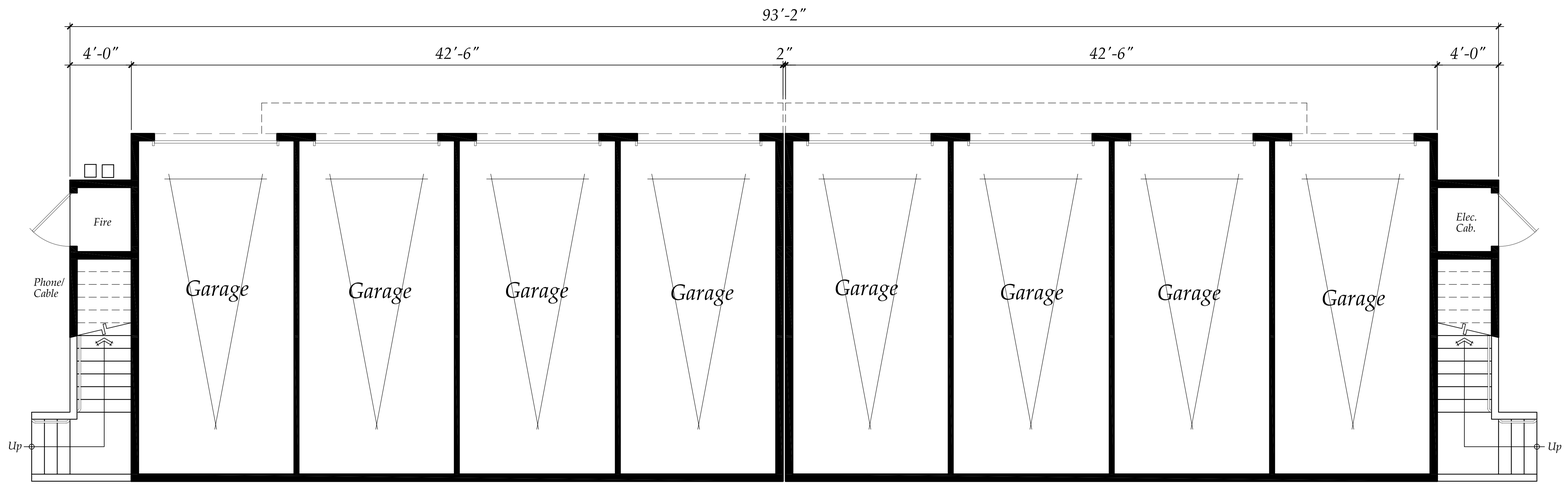
#11-05



Roof Plan
Scale: 1/8″ = 1′-0″



Unit B2
Second Floor



Garages
First Floor

-179-

Carriage Bldg. 3
Unit B
1 bedroom/1 bath

Scale: 1/4″ = 1′-0″

Planning Area 21
Apartments
Continental Villages
Moreno Valley, CA

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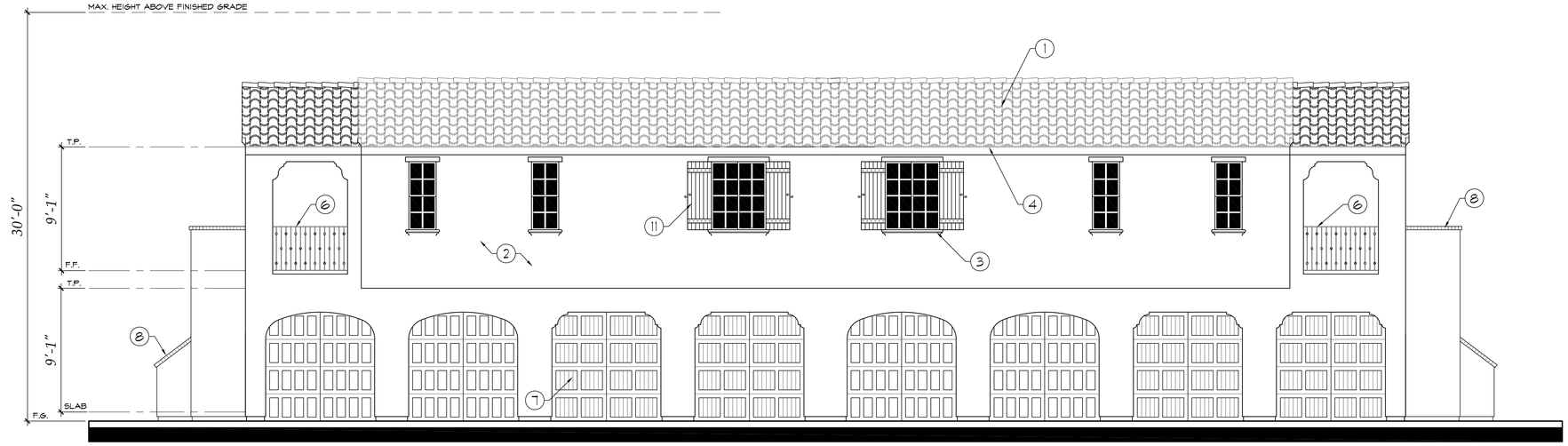
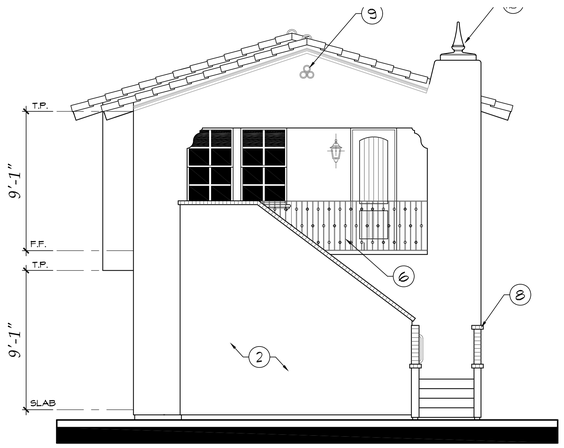
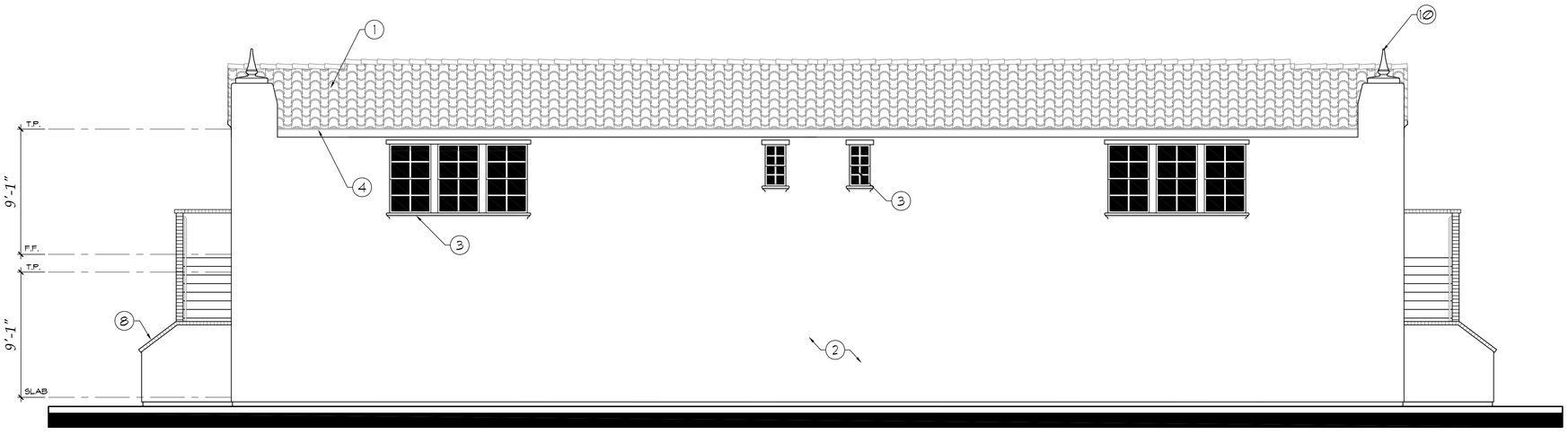


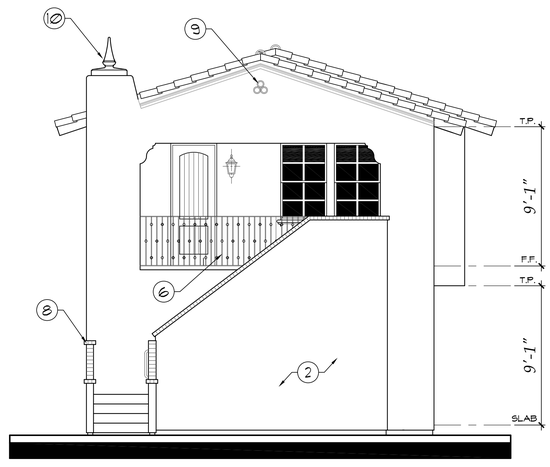
Left Elevation



Front Elevation



Right Elevation



Rear Elevation

Exterior Materials

1. *Concrete "S" Tile*
2. *Stucco w/ Sand Finish*
3. *Stucco o/ Foam Trim*
4. *Hardie Trim Fascia/ Barge Board*
5. *Stucco Rake Detail*
6. *Metal Railing*
7. *Metal Sectional Garage Door*
8. *Brick Cap*
9. *False Clay Pipe Vent*
10. *Precast Concrete Finial*
11. *Fire Retardant Class A Shutter*

Carriage Bldg. 3
Exterior Elevations
Spanish

Scale: 1/4" = 1'-0"

Planning Area 21

Apartments

Continental Villages

Moreno Valley, CA

Continental East Development

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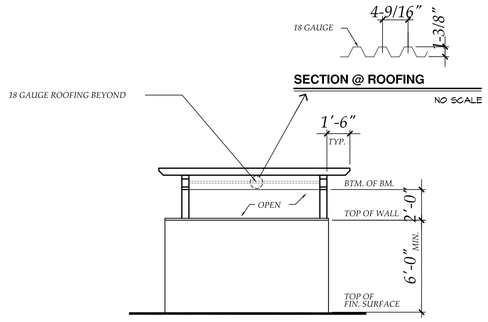
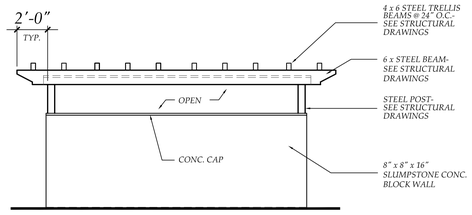
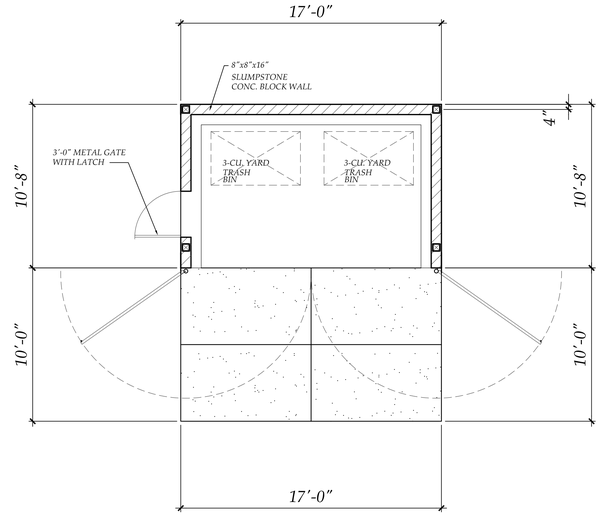
#11-05



RIGHT SIDE



REAR



FLOOR PLAN

(DOUBLE 4 YARD BINS) SC: 1/4" = 1'-0"

LEFT SIDE

FRONT ELEVATION

SCALE: 1/4" = 1'-0"

Continental East Development

Planning Area 21

Apartments

Continental Villages

Moreno Valley, CA

Trash Enclosure

Scale: 1/4" = 1'-0"

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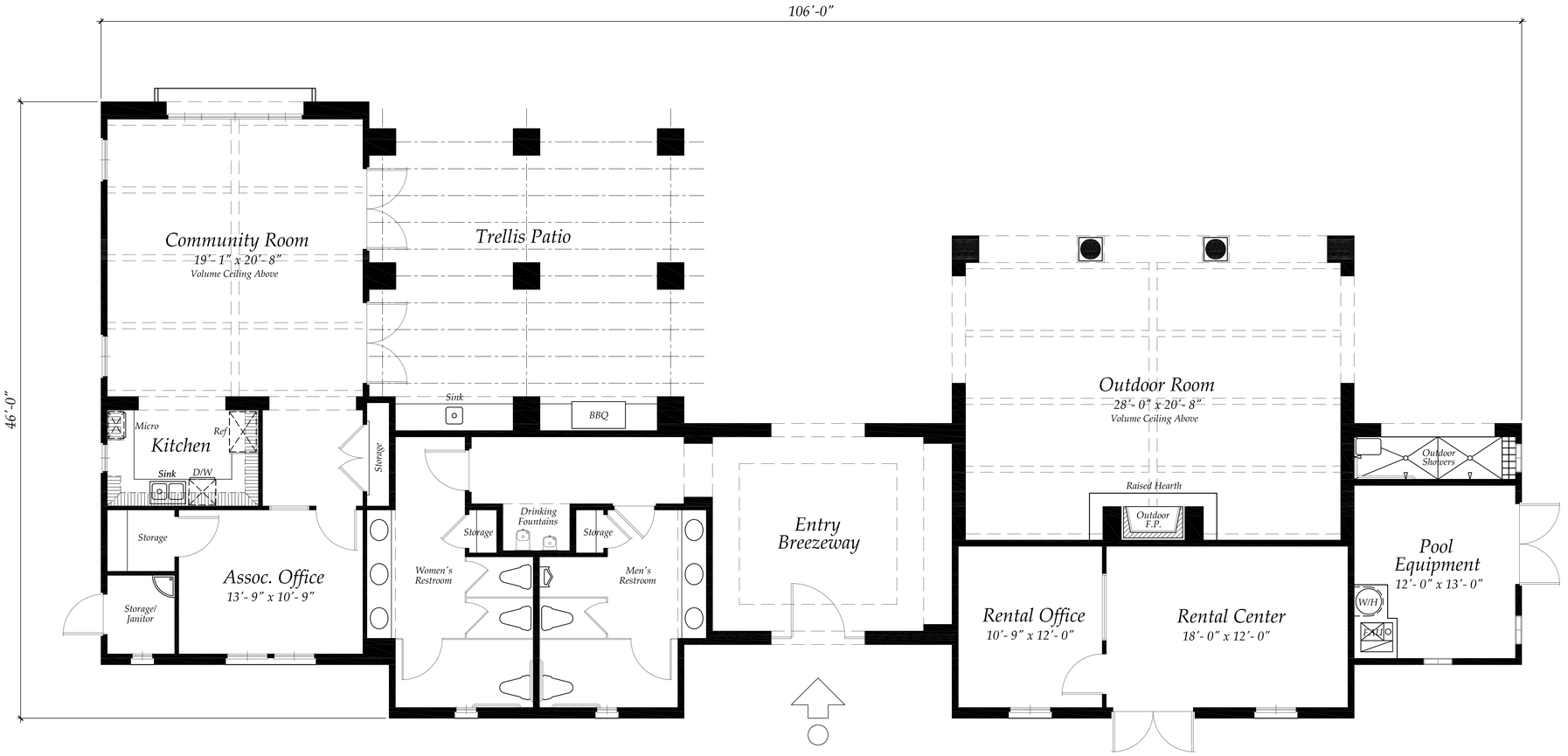

Square Footage

Sales Center:	384 sq. ft.
Community Rooms:	784 sq. ft.
Restrooms:	401 sq. ft.
Total Conditioned Space:	1,569 sq.ft.
Outdoor Room:	681 sq. ft.
Entry Breezeway:	413 sq. ft.
Pool Equiment & Storage:	207 sq. ft.
Covered Showers:	52 sq. ft.

Continental East Development

Planning Area 21

Apartments

Continental Villages

Moreno Valley, CA

Clubhouse/ Sales Center

Floor Plan

Scale: 1/4″ = 1′-0″

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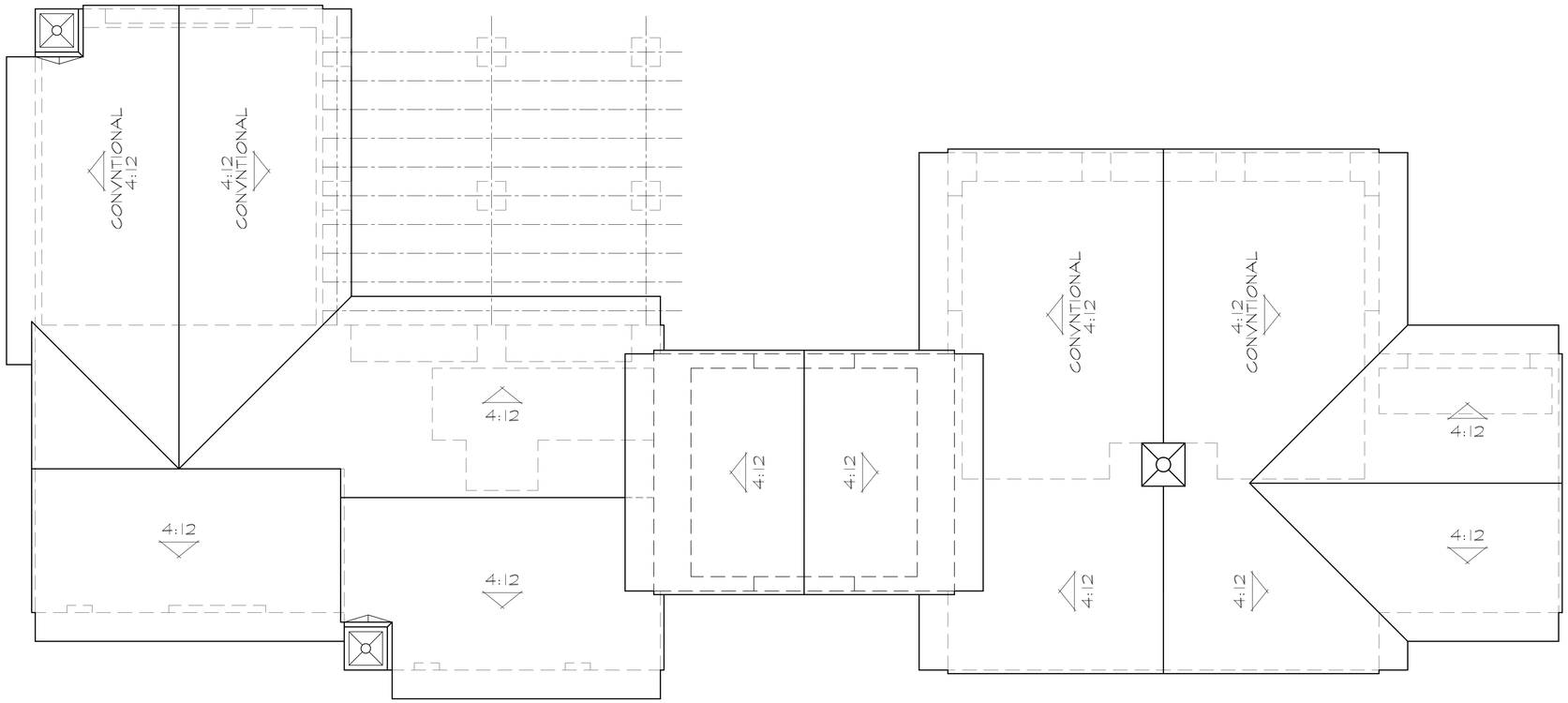
#11-05A



Continental East Development

Planning Area 21

Apartments

Continental Villages

Moreno Valley, CA

Clubhouse/ Sales Center

Roof Plan

Scale: 1/4" = 1'-0"

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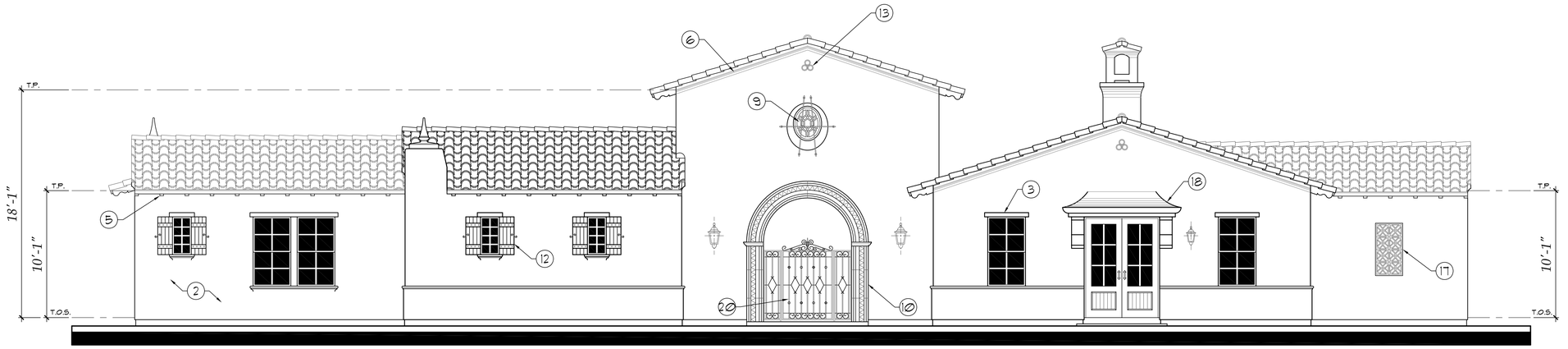
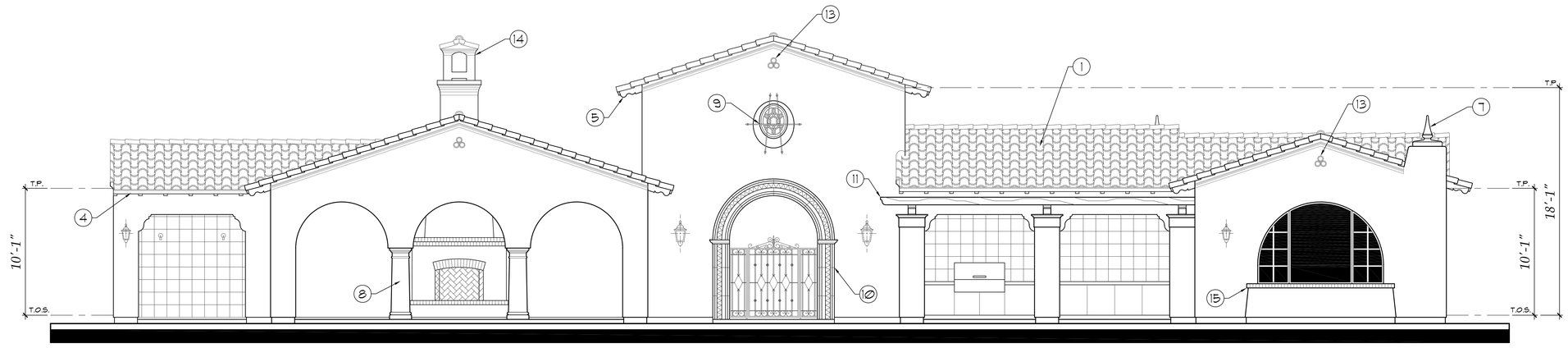


Front Elevation



Rear Elevation

Continental East Development

Planning Area 21
Apartments
Continental Villages
Moreno Valley, CA

Exterior Materials

1. *Concrete S- Tile*
2. *Stucco w/ Sand Finish*
3. *Stucco o/ Foam Trim*
4. *Hardie Trim Fascia*
5. *Fire Retardant Class A Polyurethane Tail*
6. *Stucco Rake Detail*
7. *Precast Concrete Finial*
8. *Precast Concrete Column*
9. *Precast Concrete Rosette / Metal Accent*
10. *Precast Concrete Surround*
11. *Heavy Timber Trellis and Beams*
12. *Fire Retardant Class A Polyurethane Shutter*
13. *False Clay Pipe Vent*
14. *Metal Chimney Shroud*
15. *Brick Shelf*
17. *Decorative Concrete Screen Block*
18. *Stucco Eyebrow Roof*
19. *Metal Louvered Doors*
20. *Metal Gates*

Clubhouse/ Sales Center
Exterior Elevations
Spanish

Scale: 1/4" = 1'-0"

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7-5-12 *#11-05A*
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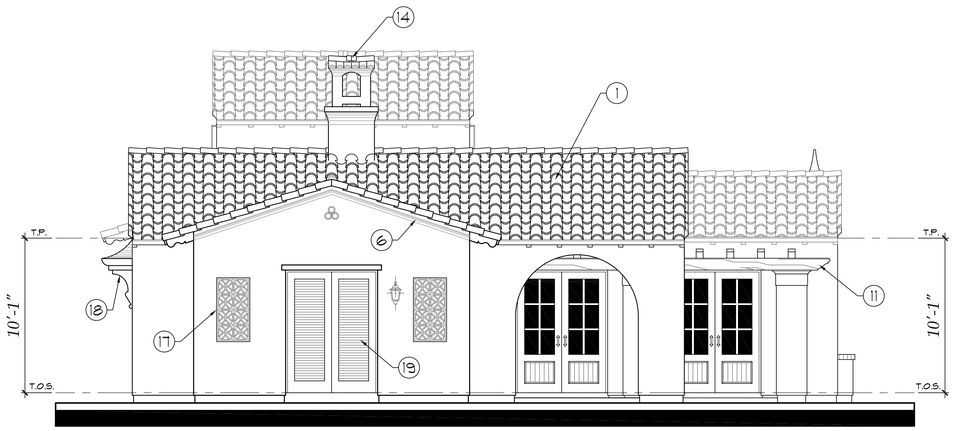
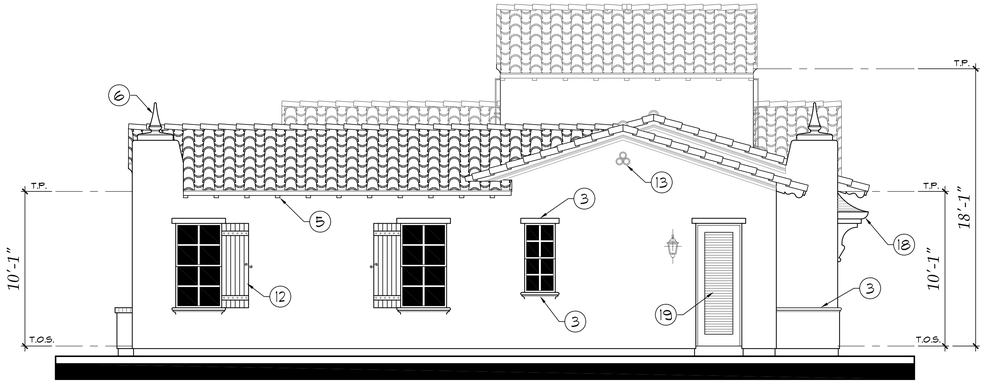


Right Elevation



Left Elevation

Exterior Materials

1. *Concrete S- Tile*
2. *Stucco w/ Sand Finish*
3. *Stucco o/ Foam Trim*
4. *Hardie Trim Fascia*
5. *Fire Retardant Class A Polyurethane Tail*
6. *Stucco Rake Detail*
7. *Precast Concrete Finial*
8. *Precast Concrete Column*
9. *Precast Concrete Rosette / Metal Accent*
10. *Precast Concrete Surround*
11. *Heavy Timber Trellis and Beams*
12. *Fire Retardant Class A Polyurethane Shutter*
13. *False Clay Pipe Vent*
14. *Metal Chimney Shroud*
15. *Brick Shelf*
17. *Decorative Concrete Screen Block*
18. *Stucco Eyebrow Roof*
19. *Metal Louvered Doors*
20. *Metal Gates*

Continental East Development

Planning Area 21

Apartments

Continental Villages

Moreno Valley, CA

Clubhouse/ Sales Center

Exterior Elevations

Spanish

Scale: 1/4" = 1'-0"

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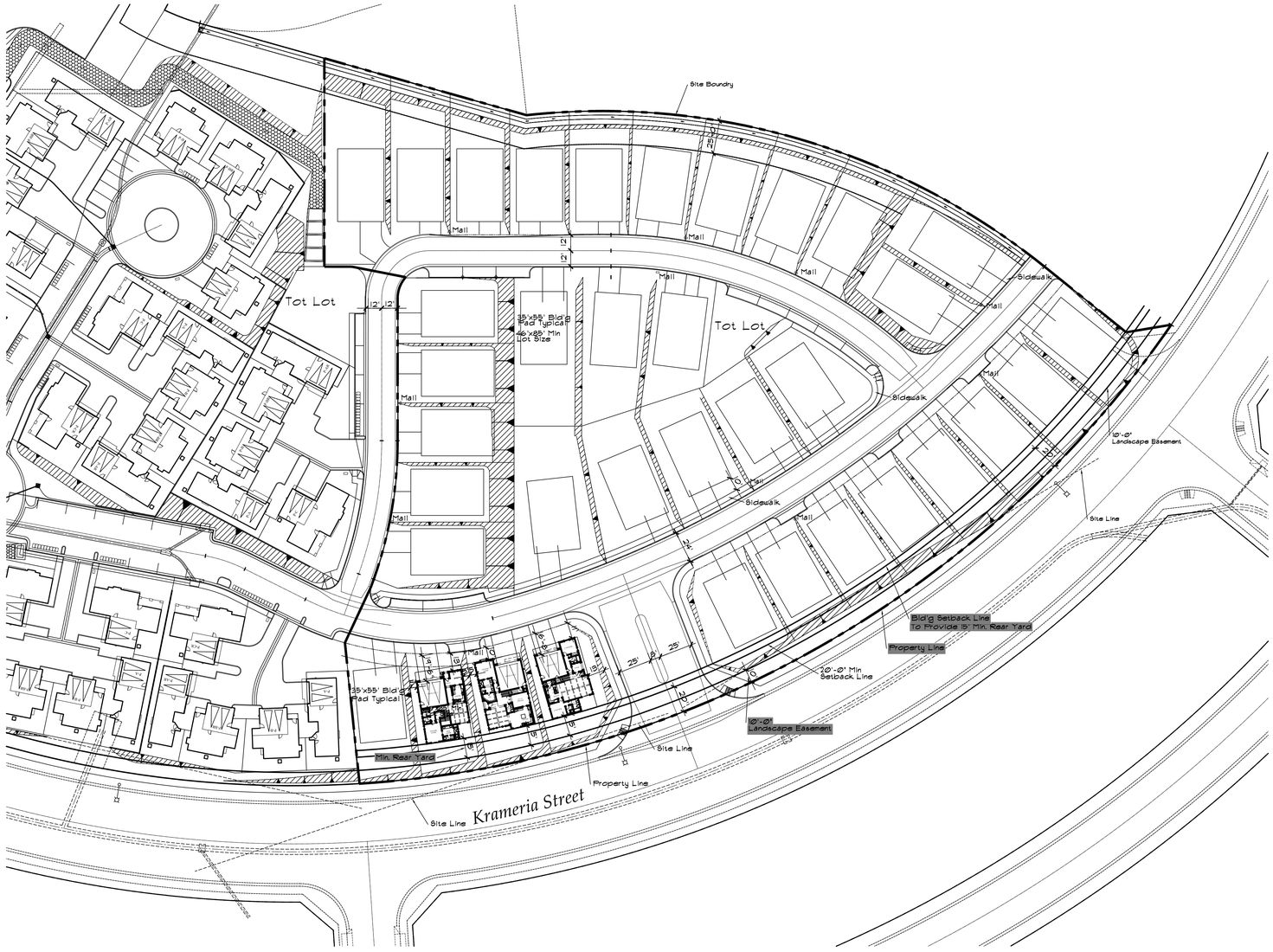
RESIDENTIAL 20 DISTRICT (R20)
THE PRIMARY PURPOSE OF THE R20 DISTRICT IS TO PROVIDE A BROADENED RANGE OF HOUSING TYPES IN A MORE URBAN SETTING THAN IS TYPICALLY FOUND WITHIN OTHER AREAS OF THE CITY. THIS DISTRICT IS INTENDED AS AN AREA FOR DEVELOPMENT OF MULTIFAMILY RESIDENTIAL DWELLING UNITS, AS WELL AS MOBILEHOME PARKS, AT A MAXIMUM ALLOWABLE DENSITY OF TWENTY (20) DUs PER NET ACRE IN ACCORDANCE WITH THE PROVISIONS OUTLINED HEREIN.

R20 MULTIFAMILY STANDARDS	
REQUIREMENTS	R20
1. MAXIMUM DENSITY (DUs/NET ACRE)	20
2. MINIMUM LOT SIZE (NET AREA IN SQ. FT.)	1 ACRE
3. MINIMUM LOT WIDTH IN FEET	200
4. MINIMUM LOT DEPTH IN FEET	175
5. MINIMUM FRONT YARD SETBACK, IN FT.	30
6. MINIMUM SIDE YARD SETBACK, IN FT.	
INTERIOR SIDE YARD	10
STREET SIDE YARD	20
7. MINIMUM REAR YARD SETBACK, IN FT.	20
8. MAXINUM LOT COVERAGE	45%
9. MAXIMUM BUILDING HEIGHT, IN FT.	50
10. MINIMUM DWELLING SIZE (SQ. FT.)	
ONE BEDROOM	450
TWO BEDROOM	800
THREE BEDROOM	1,000
11. MINIMUM DISTANCE BETWEEN, BUILDINGS, IN FT.	20
12. FLOOR AREA RATIO	.75

PROPOSED SMALL LOT SINGLE FAMILY	
REQUIREMENTS	R20
1. MAXIMUM DENSITY (DUs/NET ACRE)	7.5
2. MINIMUM LOT SIZE (NET AREA IN SQ. FT.)	3,600 S.F.
3. MINIMUM LOT WIDTH IN FEET	45
4. MINIMUM LOT DEPTH IN FEET	80
5. MINIMUM FRONT YARD SETBACK, IN FT.	10+8
6. MINIMUM SIDE YARD SETBACK, IN FT.	
INTERIOR SIDE YARD	5
STREET SIDE YARD	10
7. MINIMUM REAR YARD SETBACK, IN FT.	15
8. MAXINUM LOT COVERAGE	45%
9. MAXIMUM BUILDING HEIGHT, IN FT.	50
10. MINIMUM DWELLING SIZE (SQ. FT.)	
ONE BEDROOM	NONE
TWO BEDROOM	1,500
THREE BEDROOM	1,800
11. MINIMUM DISTANCE BETWEEN, BUILDINGS, IN FT.	10
12. FLOOR AREA RATIO	.75



City Setback Requirement

Krameria Street *20′-0″ Min.*

Site Tabulation

No. of Lots:	*36*
Corner Lots: 50′ X 80′	*4000 sq. ft.*
Interior Lots: 45′ X 80′	*3600 sq. ft.*
Site Acreage: 4.91 acres	
Density: 7.5 Units/Acre	
Parking at Street: 19 spaces	

See Civil Engineer's Drawings For More Detailed Information on Grades, Slopes, Property Lines, etc.

Continental East Development

Planning Area 21

Small Lot SFD

Continental Villages

Moreno Valley, CA

0 20′ 40′ 80′ 120′ 160′

Site Study

Scale: 1″ = 40′-0″

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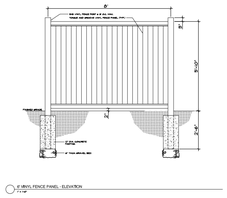
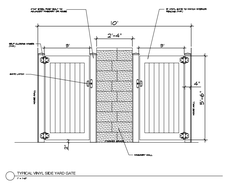
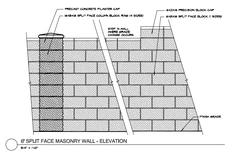
7-5-12 *#11-07*



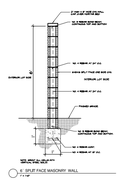
6' VINYL FENCE PANEL - ELEVATION



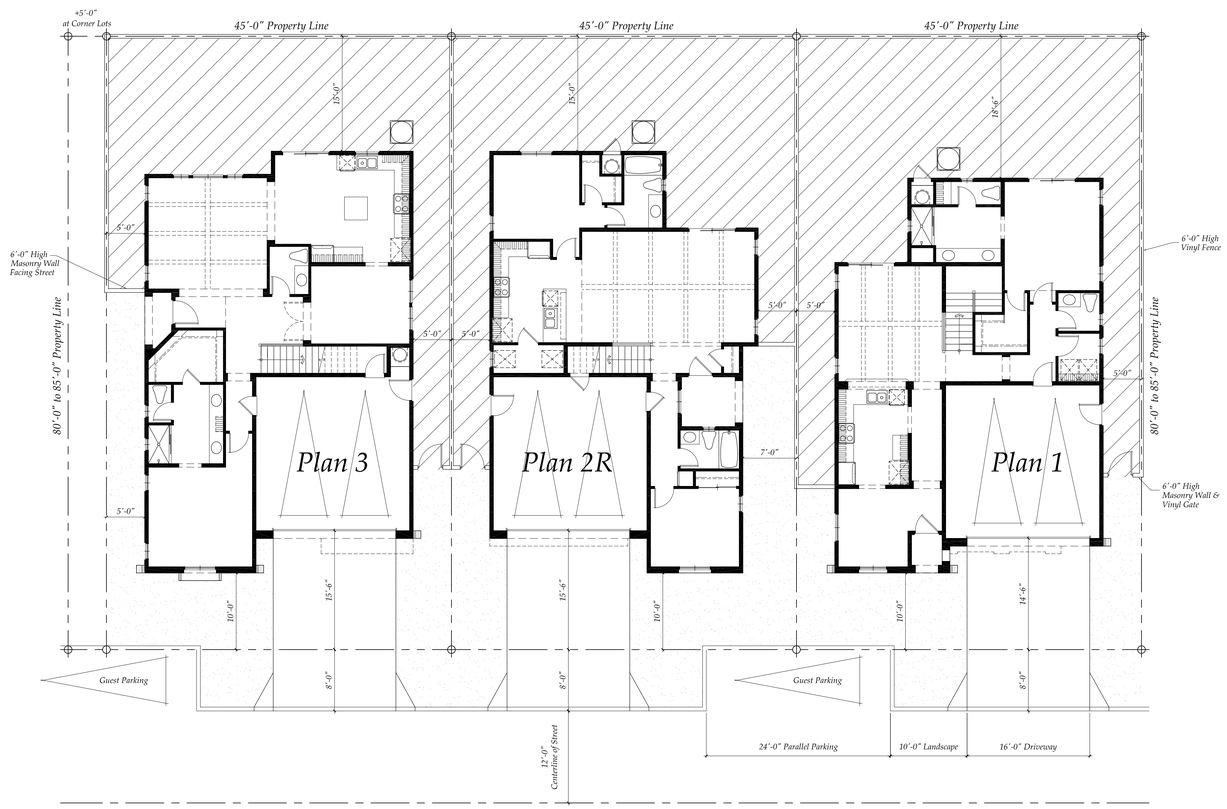
TYPICAL VINYL SIDE YARD GATE



6' SPLIT FACE MASONRY WALL - ELEVATION



6' SPLIT FACE MASONRY WALL



Small Lot SFD Setbacks (From Property Line)

Front:	10′-0″ Min.
Rear:	15″-0″ Min.
Sides:	5′-0″ Min.
Garage:	15′-6″

Legend

Owner Maintained Yard

HOA Maintained Yard

Typical 3 Lot Plot Plan

Scale: 1/8″ = 1′-0″

Planning Area 21

Small Lot SFD

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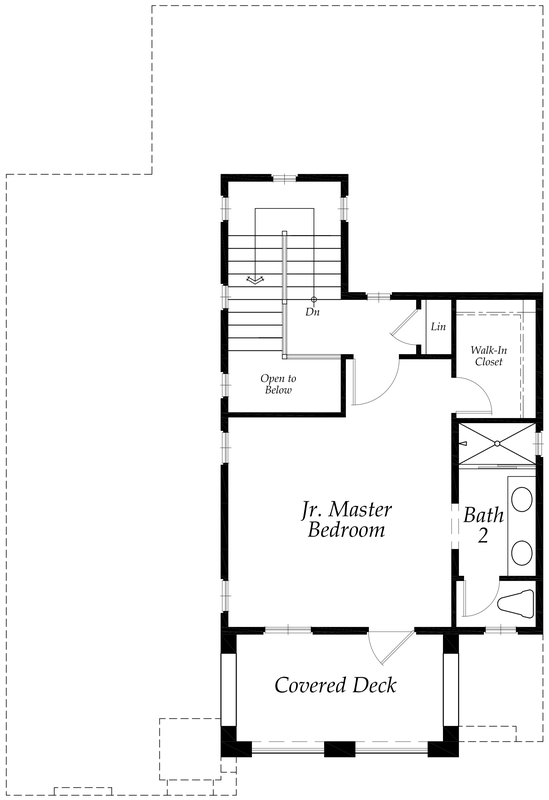
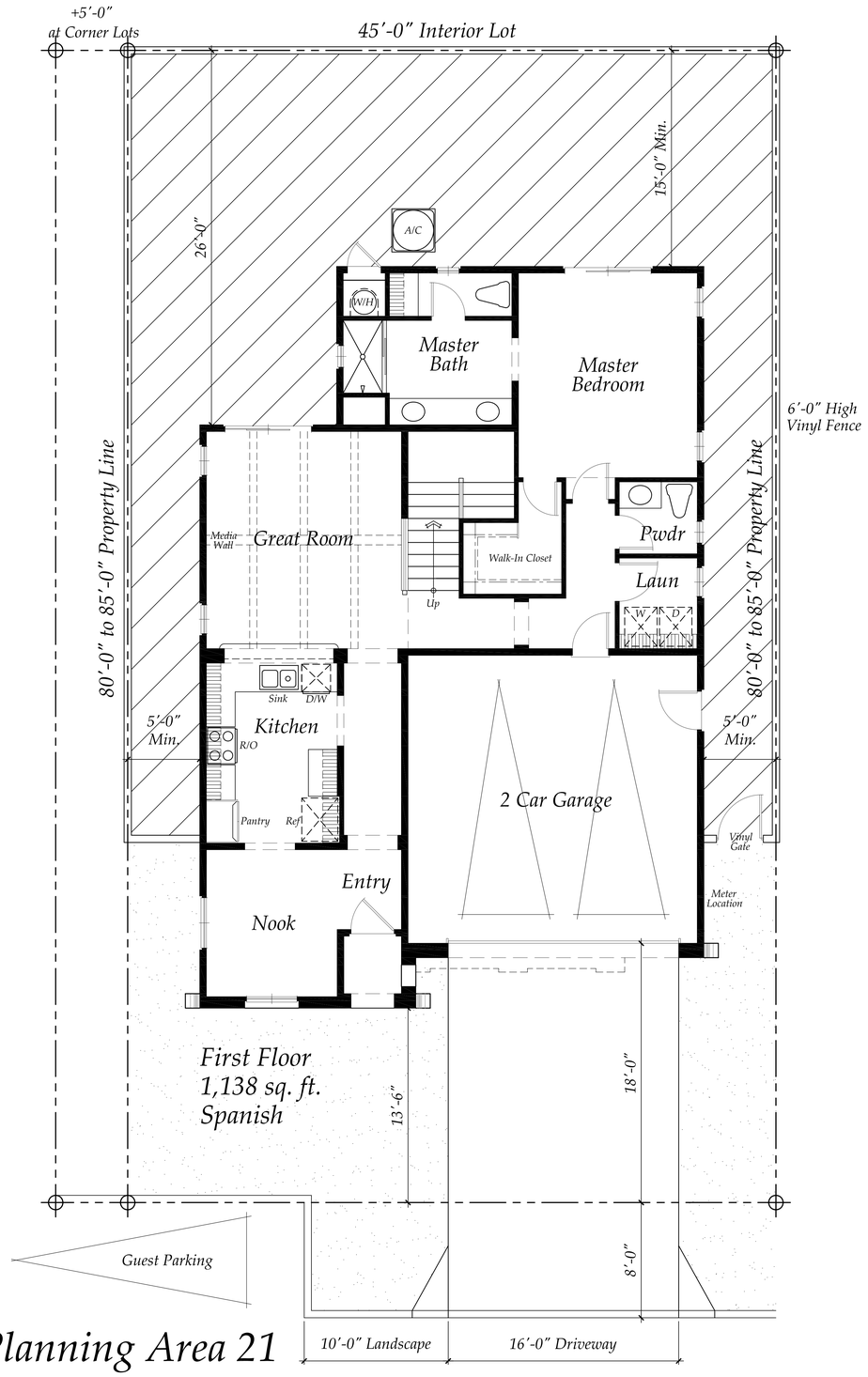


Second Floor
422 sq. ft.
Spanish



First Floor
1,138 sq. ft.
Spanish

Planning Area 21

Small Lot SFD

Continental Villages

Moreno Valley, CA

Legend

Owner Maintained Yard

HOA Maintained Yard

Plan 1

1,560 sq. ft.

Dual Master Suites/ 2.5 Bath

Scale: 1/4" = 1'-0"

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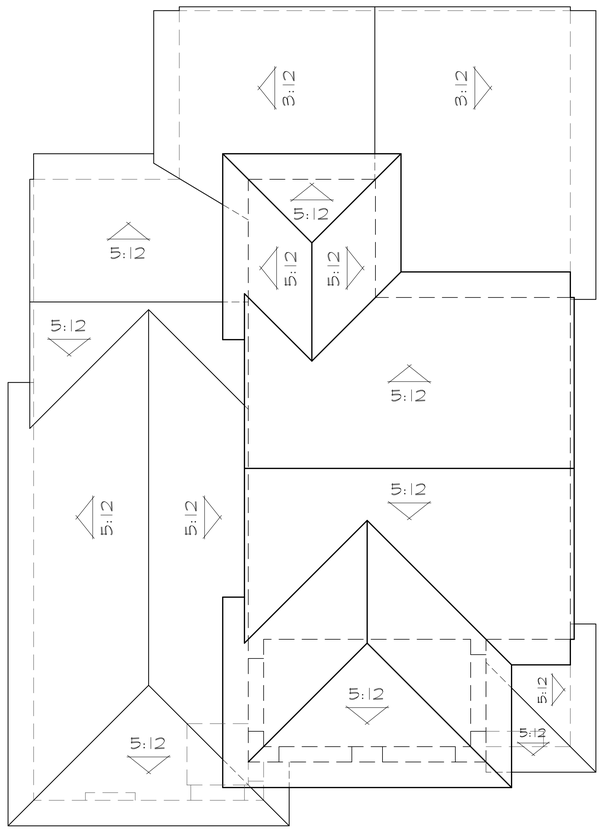

Spanish

Plan 1
Roof Plan

Scale: 1/4" = 1'-0"

Planning Area 21

Small Lot SFD

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#11-07
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Spanish

Monterey

Exterior Materials

1. *Concrete "S" Tile*
2. *Concrete Flat Tile*
3. *Stucco w/ Sand Finish*
4. *Hardie Trim Fascia/Barge Board*
5. *Stucco o/ Foam Trim*
6. *Stucco Eave Detail*
7. *False Clay Pipe Vent*
8. *Fire Retardant Class A Shutter*
9. *Precast Concrete Finial*
10. *Metal Railing*
11. *Fire Retardant Class A Corbel*
12. *8 X 8 Wood Post*
13. *Heavy Timber Beam*
14. *Brick Veneer*
15. *Vertical Hardie Panel Siding*
16. *Hardie Trim*
17. *Metal Louvered Door*
18. *Metal Louvered Vent*
19. *Roll-up Metal Garage Door*
20. *Entry Door per Builder*
21. *Decorative Metal Grille*
22. *Metal Gate*
23. *5'-6" High Concrete Block Wall*

Plan 1
Front Elevations

Scale: 1/4" = 1'-0"

Planning Area 21

Small Lot SFD

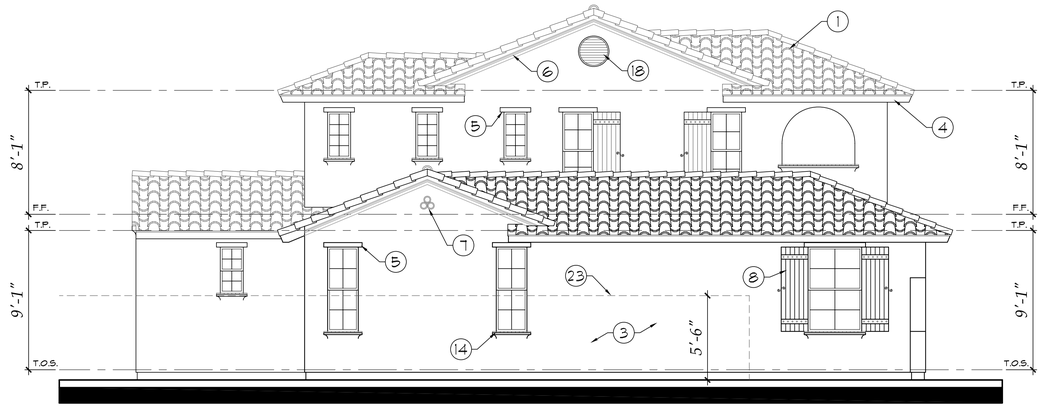
Continental Villages

Moreno Valley, CA

Continental East Development

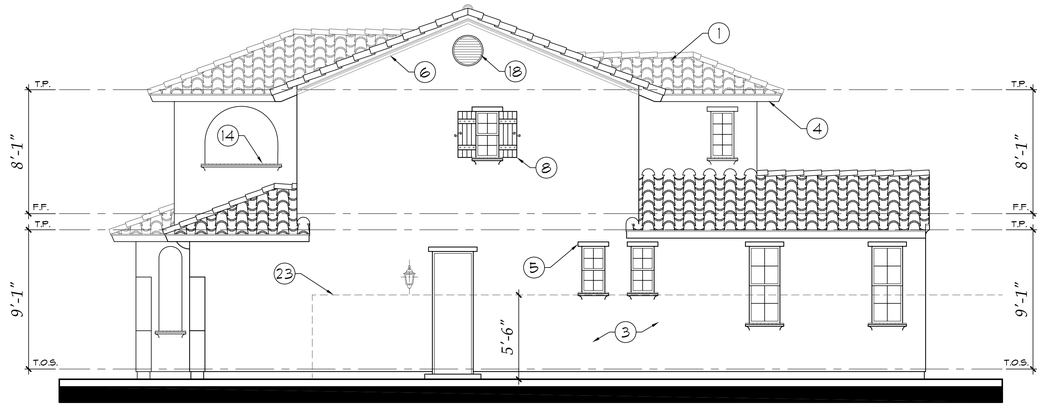
PEKAREK-CRANDELL, Inc.
architecture - planning
31411 camino capistrano, suite 300 949/ 487-2320
san juan capistrano, ca 92675 fax 949/ 487-2321

7-5-12 *#11-07*
5 of 14



Left Elevation

Rear Elevation



Right Elevation

Exterior Materials

1. *Concrete "S" Tile*
2. *Concrete Flat Tile*
3. *Stucco w/ Sand Finish*
4. *Hardie Trim Fascia/Barge Board*
5. *Stucco o/ Foam Trim*
6. *Stucco Eave Detail*
7. *False Clay Pipe Vent*
8. *Fire Retardant Class A Shutter*
9. *Precast Concrete Finial*
10. *Metal Railing*
11. *Fire Retardant Class A Corbel*
12. *8 X 8 Wood Post*
13. *Heavy Timber Beam*
14. *Brick Veneer*
15. *Vertical Hardie Panel Siding*
16. *Hardie Trim*
17. *Metal Louvered Door*
18. *Metal Louvered Vent*
19. *Roll-up Metal Garage Door*
20. *Entry Door per Builder*
21. *Decorative Metal Grille*
22. *Metal Gate*
23. *5'-6" High Concrete Block Wall*

Plan 1
Elevations
Spanish

Scale: 1/4" = 1'-0"

Planning Area 21
Small Lot SFD
Continental Villages
Moreno Valley, CA

Continental East Development

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architecture - planning
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san juan capistrano, ca 92675
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fax 949/ 487-2321

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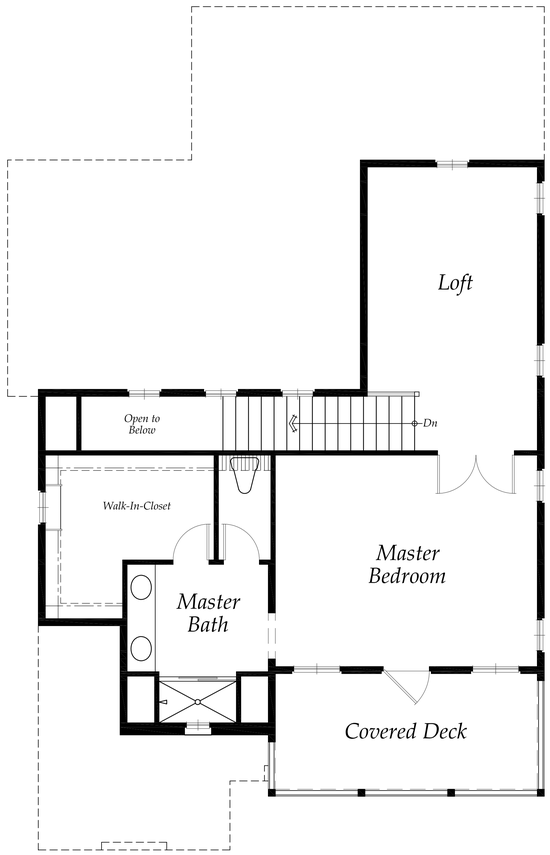
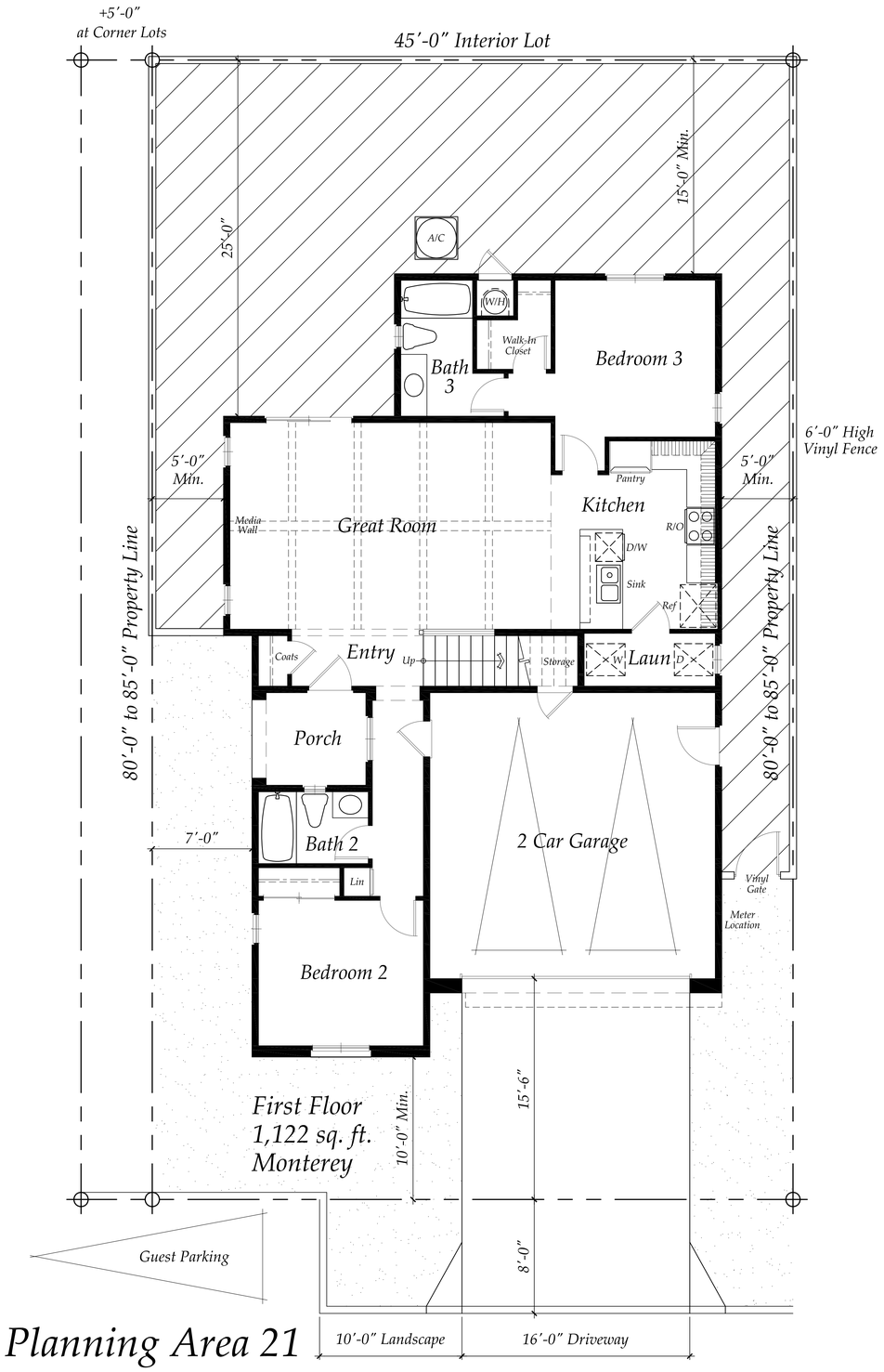


Second Floor
698 sq. ft.
Monterey



First Floor
1,122 sq. ft.
Monterey

Planning Area 21

Small Lot SFD

Continental Villages

Moreno Valley, CA

Legend

Owner Maintained Yard

HOA Maintained Yard

Plan 2

1,820 sq. ft.

3 Bedroom + Loft/ 3 Bath

Scale: 1/4" = 1'-0"

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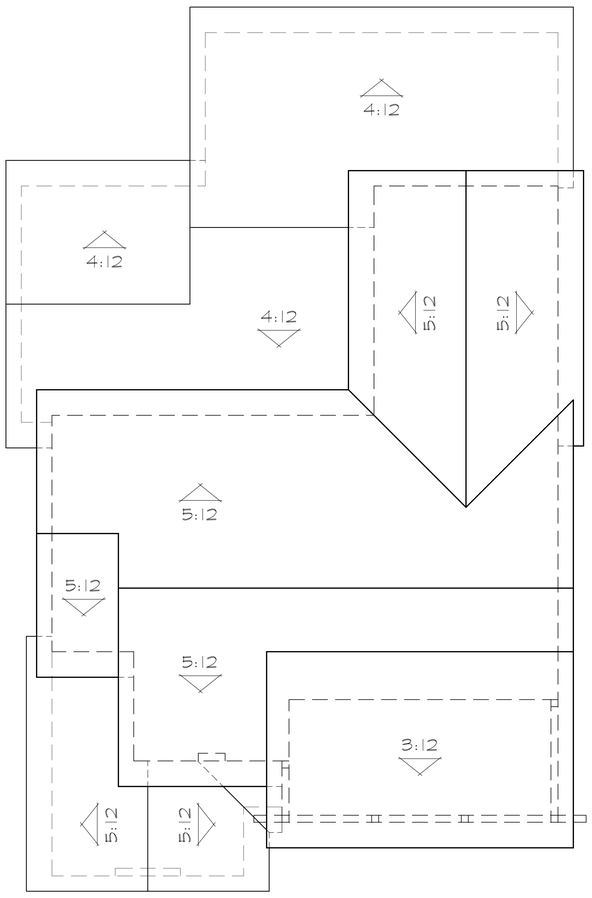

Monterey

Plan 2
Roof Plan

Scale: 1/4" = 1'-0"

Planning Area 21

Small Lot SFD

Continental Villages

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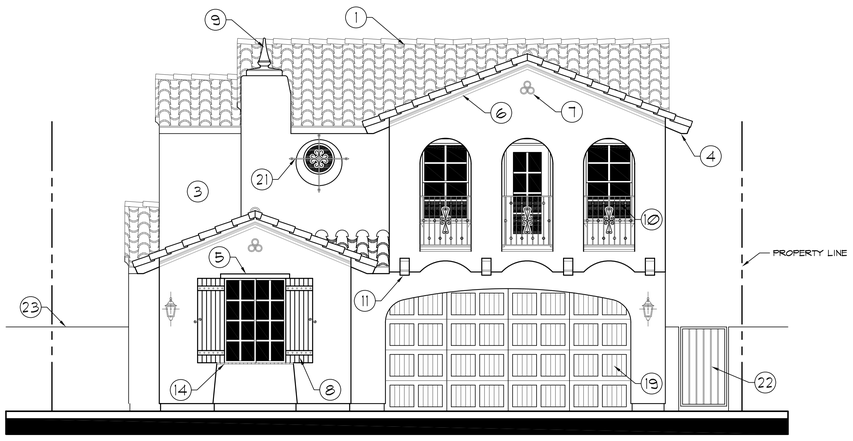
Monterey



Spanish

Exterior Materials

1. *Concrete "S" Tile*
2. *Concrete Flat Tile*
3. *Stucco w/ Sand Finish*
4. *Hardie Trim Fascia/Barge Board*
5. *Stucco o/ Foam Trim*
6. *Stucco Eave Detail*
7. *False Clay Pipe Vent*
8. *Fire Retardant Class A Shutter*
9. *Precast Concrete Finial*
10. *Metal Railing*
11. *Fire Retardant Class A Corbel*
12. *8 X 8 Wood Post*
13. *Heavy Timber Beam*
14. *Brick Veneer*
15. *Vertical Hardie Panel Siding*
16. *Hardie Trim*
17. *Metal Louvered Door*
18. *Metal Louvered Vent*
19. *Roll-up Metal Garage Door*
20. *Entry Door per Builder*
21. *Decorative Metal Grille*
22. *Metal Gate*
23. *5'-6" High Concrete Block Wall*

Plan 2
Front Elevations

Scale: 1/4" = 1'-0"

Planning Area 21

Small Lot SFD

Continental Villages

Moreno Valley, CA

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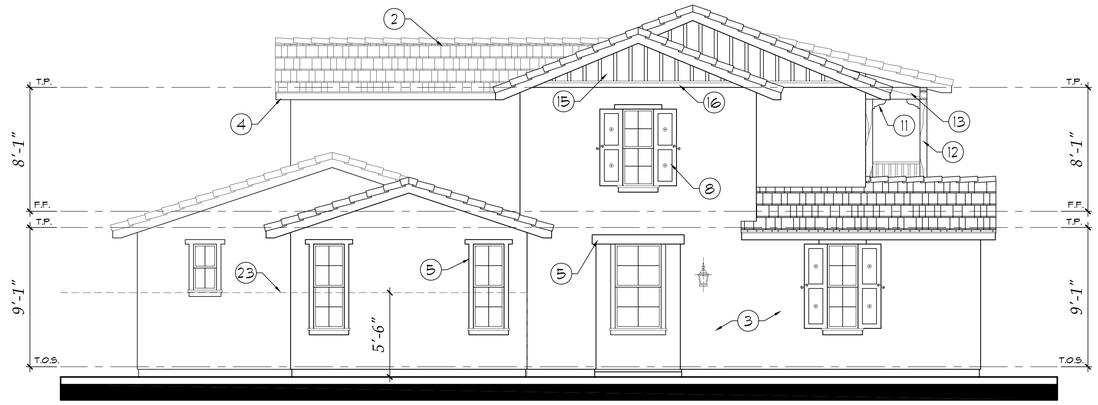
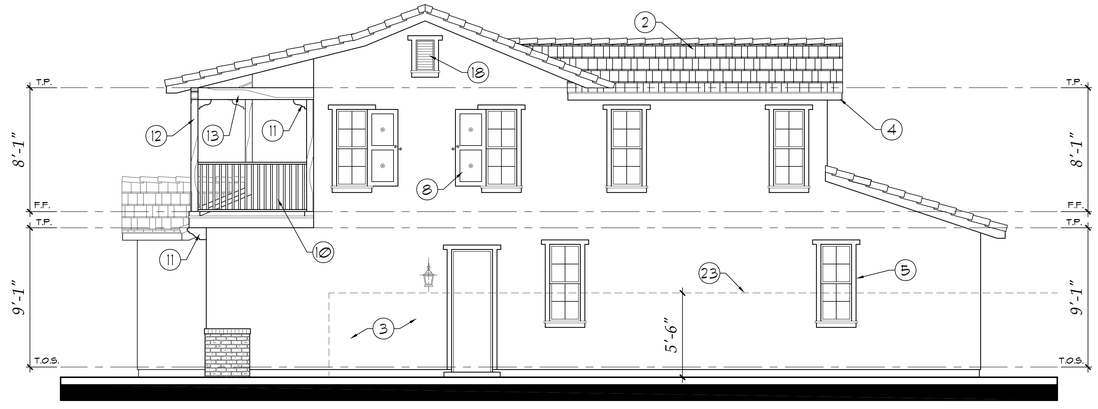


Left Elevation

Rear Elevation



Right Elevation

Exterior Materials

1. *Concrete "S" Tile*
2. *Concrete Flat Tile*
3. *Stucco w/ Sand Finish*
4. *Hardie Trim Fascia/Barge Board*
5. *Stucco o/ Foam Trim*
6. *Stucco Eave Detail*
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Continental East Development

Planning Area 21

Small Lot SFD

Continental Villages

Moreno Valley, CA

Plan 2

Elevations

Monterey

Scale: 1/4" = 1'-0"

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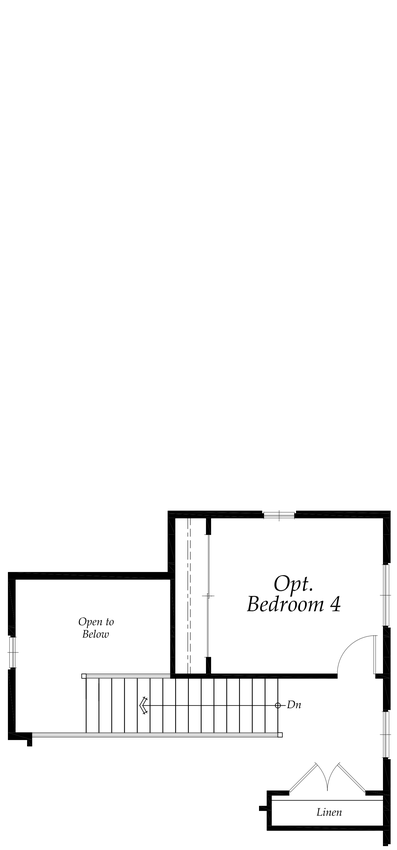
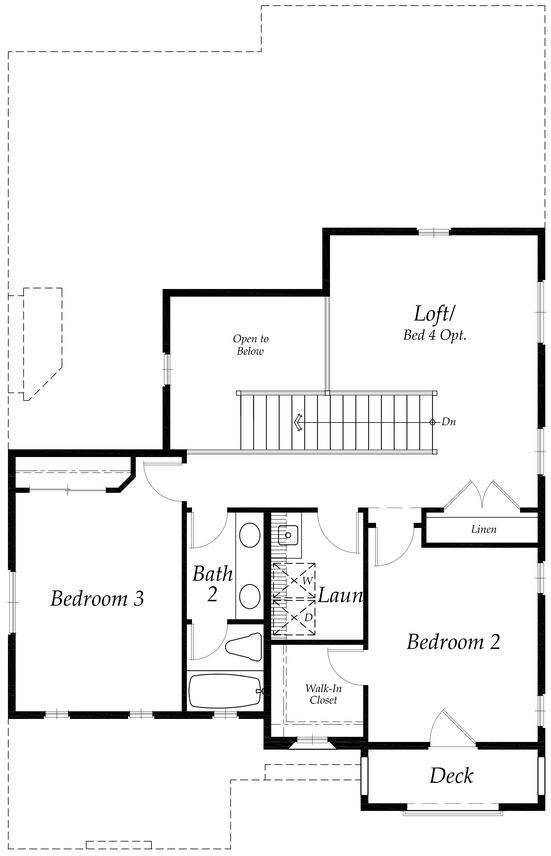
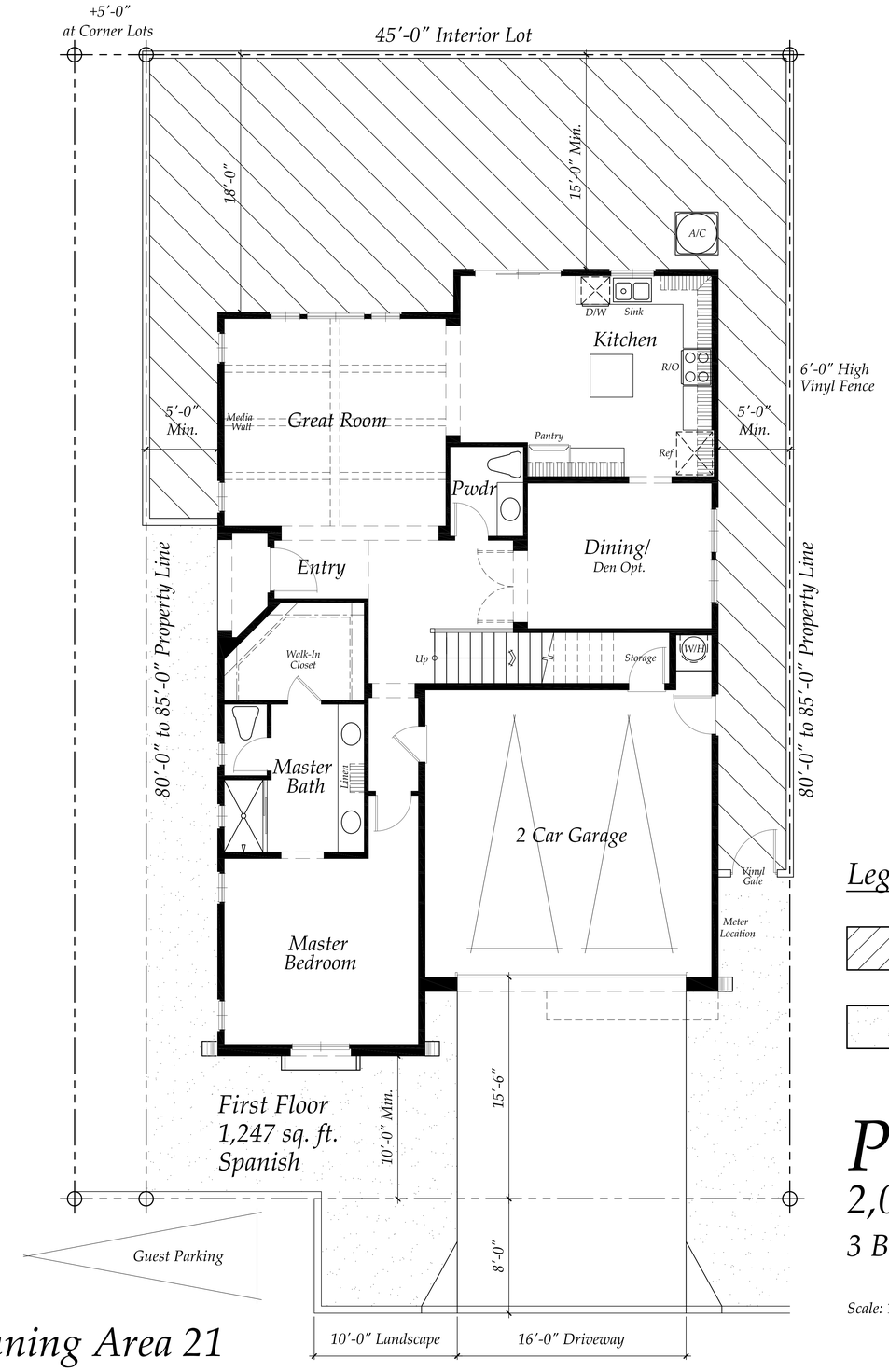




First Floor
834 sq. ft.
Spanish



First Floor
1,247 sq. ft.
Spanish

Legend

Owner Maintained Yard

HOA Maintained Yard

Plan 3

2,090 sq. ft.

3 Bedroom + Loft/ 2.5 Bath

Scale: 1/4″ = 1′-0″

Planning Area 21

Small Lot SFD

Continental Villages

Moreno Valley, CA

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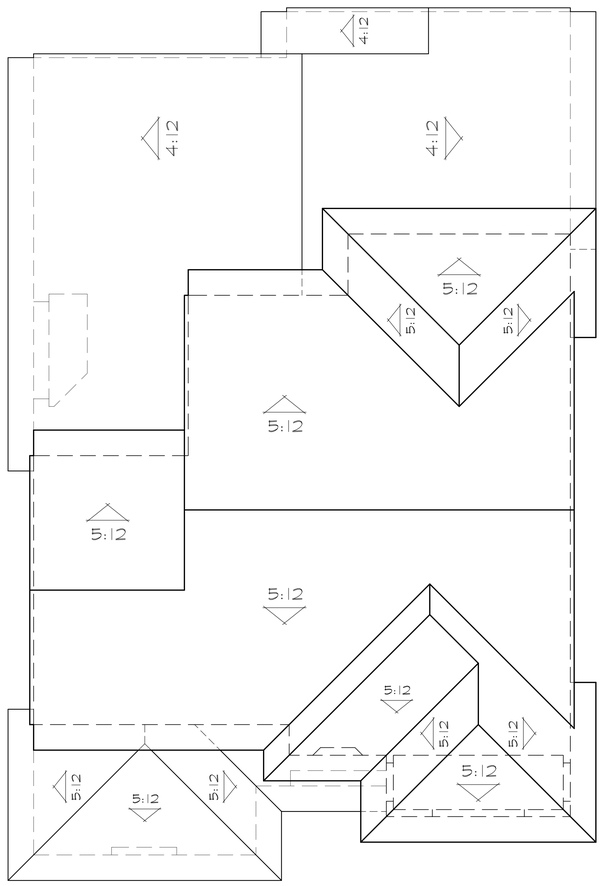

Spanish

Plan 3
Roof Plan

Scale: 1/4" = 1'-0"

Planning Area 21

Small Lot SFD

Continental Villages

Moreno Valley, CA

Continental East Development

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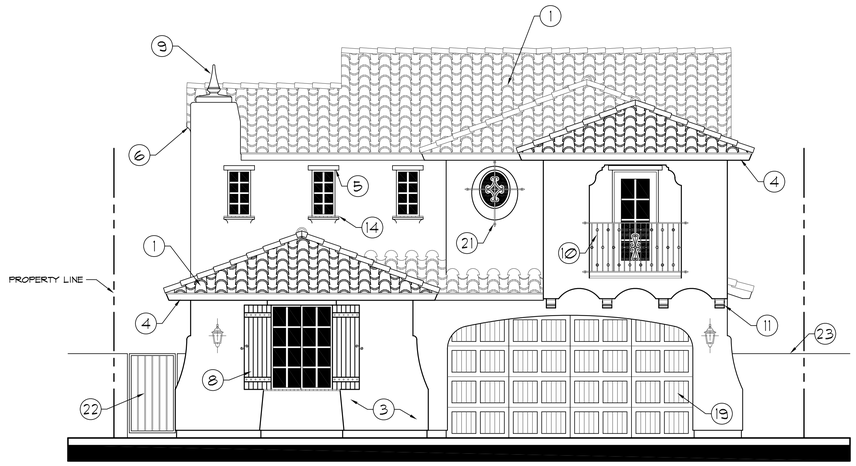

Spanish

Monterey

Exterior Materials

1. *Concrete "S" Tile*
2. *Concrete Flat Tile*
3. *Stucco w/ Sand Finish*
4. *Hardie Trim Fascia/Barge Board*
5. *Stucco o/ Foam Trim*
6. *Stucco Eave Detail*
7. *False Clay Pipe Vent*
8. *Fire Retardant Class A Shutter*
9. *Precast Concrete Finial*
10. *Metal Railing*
11. *Fire Retardant Class A Corbel*
12. *8 X 8 Wood Post*
13. *Heavy Timber Beam*
14. *Brick Veneer*
15. *Vertical Hardie Panel Siding*
16. *Hardie Trim*
17. *Metal Louvered Door*
18. *Metal Louvered Vent*
19. *Roll-up Metal Garage Door*
20. *Entry Door per Builder*
21. *Decorative Metal Grille*
22. *Metal Gate*
23. *5'-6" High Concrete Block Wall*

Plan 3
Front Elevations

Scale: 1/4" = 1'-0"

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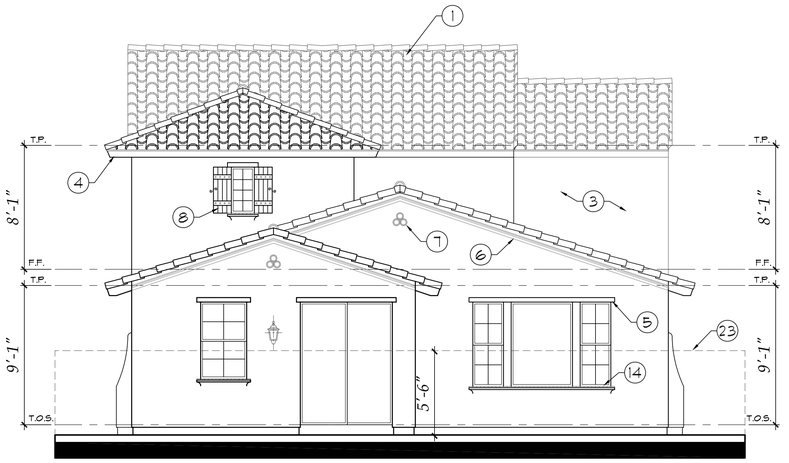
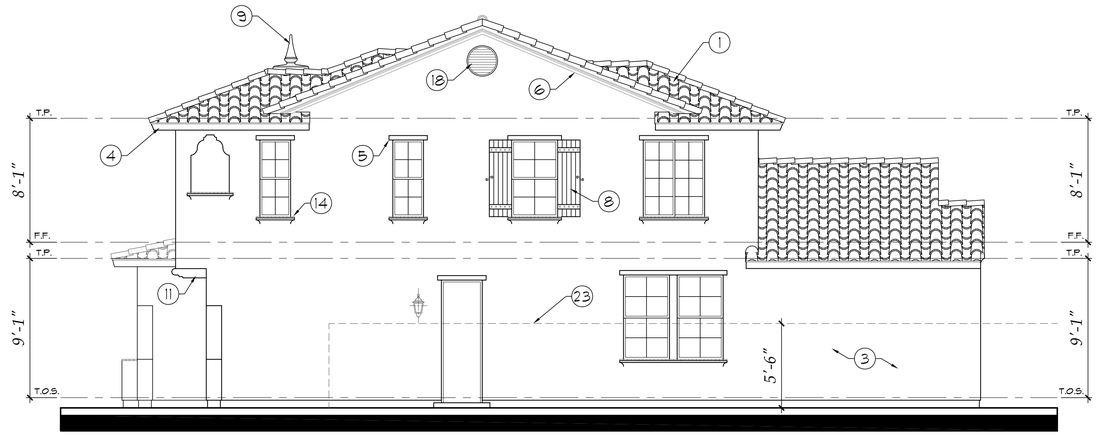
Planning Area 21
Small Lot SFD
Continental Villages
Moreno Valley, CA

Continental East Development

Left Elevation



Rear Elevation



Right Elevation

Exterior Materials

1. *Concrete "S" Tile*
2. *Concrete Flat Tile*
3. *Stucco w/ Sand Finish*
4. *Hardie Trim Fascia/Barge Board*
5. *Stucco o/ Foam Trim*
6. *Stucco Eave Detail*
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8. *Fire Retardant Class A Shutter*
9. *Precast Concrete Finial*
10. *Metal Railing*
11. *Fire Retardant Class A Corbel*
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13. *Heavy Timber Beam*
14. *Brick Veneer*
15. *Vertical Hardie Panel Siding*
16. *Hardie Trim*
17. *Metal Louvered Door*
18. *Metal Louvered Vent*
19. *Roll-up Metal Garage Door*
20. *Entry Door per Builder*
21. *Decorative Metal Grille*
22. *Metal Gate*
23. *5'-6" High Concrete Block Wall*

Plan 3
Elevations
Spanish

Scale: 1/4" = 1'-0"

Planning Area 21

Small Lot SFD

Continental Villages

Moreno Valley, CA

Continental East Development

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RESIDENTIAL 20 DISTRICT (R20)
THE PRIMARY PURPOSE OF THE R20 DISTRICT IS TO PROVIDE A BROADENED RANGE OF HOUSING TYPES IN A MORE URBAN SETTING THAN IS TYPICALLY FOUND WITHIN OTHER AREAS OF THE CITY. THIS DISTRICT IS INTENDED AS AN AREA FOR DEVELOPMENT OF MULTIFAMILY RESIDENTIAL DWELLING UNITS, AS WELL AS MOBILEHOME PARKS, AT A MAXIMUM ALLOWABLE DENSITY OF TWENTY (20) DUs PER NET ACRE IN ACCORDANCE WITH THE PROVISIONS OUTLINED HEREIN.

R20 MULTIFAMILY STANDARDS	
REQUIREMENTS	R20
1. MAXIMUM DENSITY (DUs/NET ACRE)	20
2. MINIMUM LOT SIZE (NET AREA IN SQ. FT.)	1 ACRE
3. MINIMUM LOT WIDTH IN FEET	200
4. MINIMUM LOT DEPTH IN FEET	175
5. MINIMUM FRONT YARD SETBACK, IN FT.	30
6. MINIMUM SIDE YARD SETBACK, IN FT.	
INTERIOR SIDE YARD	10
STREET SIDE YARD	20
7. MINIMUM REAR YARD SETBACK, IN FT.	20
8. MAXINUM LOT COVERAGE	45%
9. MAXIMUM BUILDING HEIGHT, IN FT.	50
10. MINIMUM DWELLING SIZE (SQ. FT.)	
ONE BEDROOM	450
TWO BEDROOM	800
THREE BEDROOM	1,000
11. MINIMUM DISTANCE BETWEEN, BUILDINGS, IN FT.	20
12. FLOOR AREA RATIO	.75

PROPOSED CLUSTER SINGLE FAMILY	
REQUIREMENTS	R20
1. MAXIMUM DENSITY (DUs/NET ACRE)	8.05
2. MINIMUM LOT SIZE (NET AREA IN SQ. FT.)	19,000 S.F.
3. MINIMUM LOT WIDTH IN FEET	150
4. MINIMUM LOT DEPTH IN FEET	124
5. MINIMUM FRONT YARD SETBACK, IN FT.	10
6. MINIMUM SIDE YARD SETBACK, IN FT.	
INTERIOR SIDE YARD	4
STREET SIDE YARD	10
7. MINIMUM REAR YARD SETBACK, IN FT.	5
8. MAXINUM LOT COVERAGE	45%
9. MAXIMUM BUILDING HEIGHT, IN FT.	50
10. MINIMUM DWELLING SIZE (SQ. FT.)	
ONE BEDROOM	NONE
TWO BEDROOM	800
THREE BEDROOM	1,000
11. MINIMUM DISTANCE BETWEEN, BUILDINGS, IN FT.	8
12. FLOOR AREA RATIO	.75

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Site Tabulation

Site Area 6.96 Acres

- *Plan 1:* *26 Units*
- *Plan 2:* *18 Units*
- *Plan 3:* *12 Units*

Total: *56 Units*

Density: *8.05 Units/Acre*

Parking Tabulation

Required Parking:

- *56 Units @ 2.5 spaces/unit: 140*

Provided Parking: 155

Acreage: 6.96 Acres

Density: 8.05 Units per Acre

Note
This project is in a "Very High Fire Hazard Zone." All buildings shall comply with Chapter 7A of the California Building Code.

Note:
See Cluster Architectural Plans for More Detail and Dimensions

Note:
See Civil Engineer's Drawings For More Detailed Information on Grades, Slopes, Property Lines, etc.

Continental East Development

Planning Area 21

Cluster Product

Continental Villages

Moreno Valley, CA

0 20′ 40′ 80′ 120′ 160′

Site Study

Scale: 1" = 40'-0"

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7-5-12 *#11-06*

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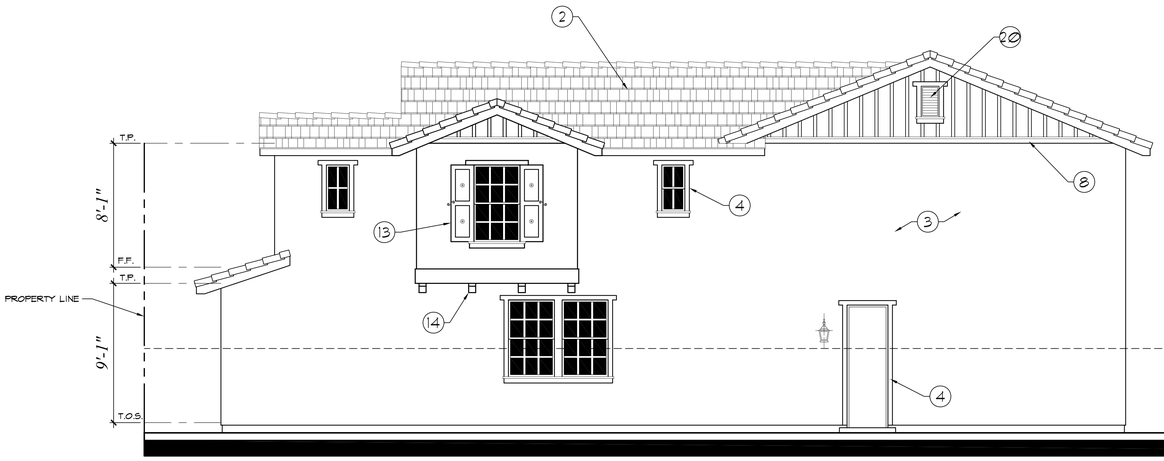
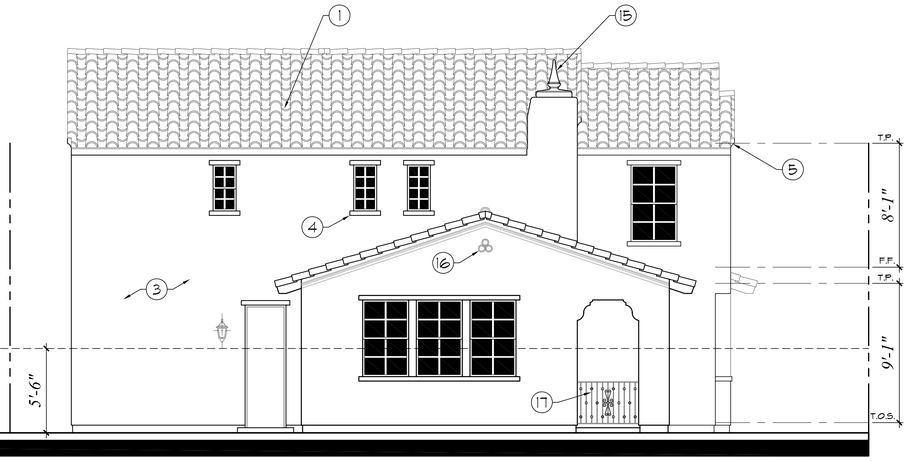


Plan 2
Monterey
Typical Left Elevation - View "E"



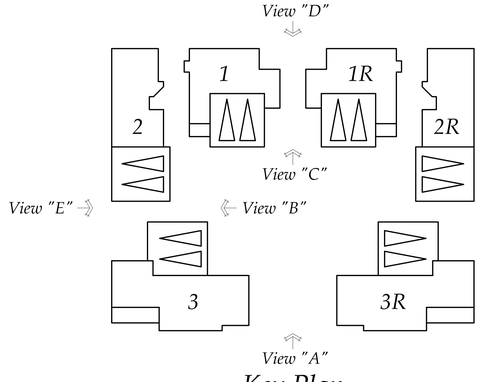
Plan 3
Spanish

Exterior Materials

1. *Concrete "S" Tile*
2. *Concrete Flat Tile*
3. *Stucco w/ Sand Finish*
4. *Stucco o/ Foam Trim*
5. *Stucco Rake Detail*
6. *Hardie Trim Fascia/ Barge Board*
7. *Hardie Vertical Panel Siding*
8. *Hardie Trim*
9. *8 x 8 Wood Post*
10. *Heavy Timber Construction*
11. *Entry Door per Builder*
12. *Brick Veneer*
13. *Fire Retardant Class A Shutter*
14. *Fire Retardant Class A Corbel*
15. *Precast Concrete Finial*
16. *False Clay Pipe Vent*
17. *Metal Railing*
18. *Metal Shutter*
19. *Metal Potshelf*
20. *Metal Louvered Vent*
21. *Metal Sectional Garage Door*
22. *Decorative Metal Grille*
23. *Metal Gate*
24. *5'-6" High Concrete Block Wall*

Continental East Development

Planning Area 21
Cluster Product
Continental Villages
Moreno Valley, CA



Key Plan

Typical 6 Unit Cluster Layout Exterior Elevations

Scale: 1/4" = 1'-0"

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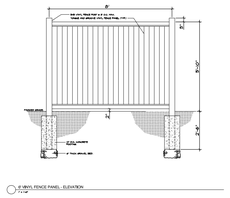
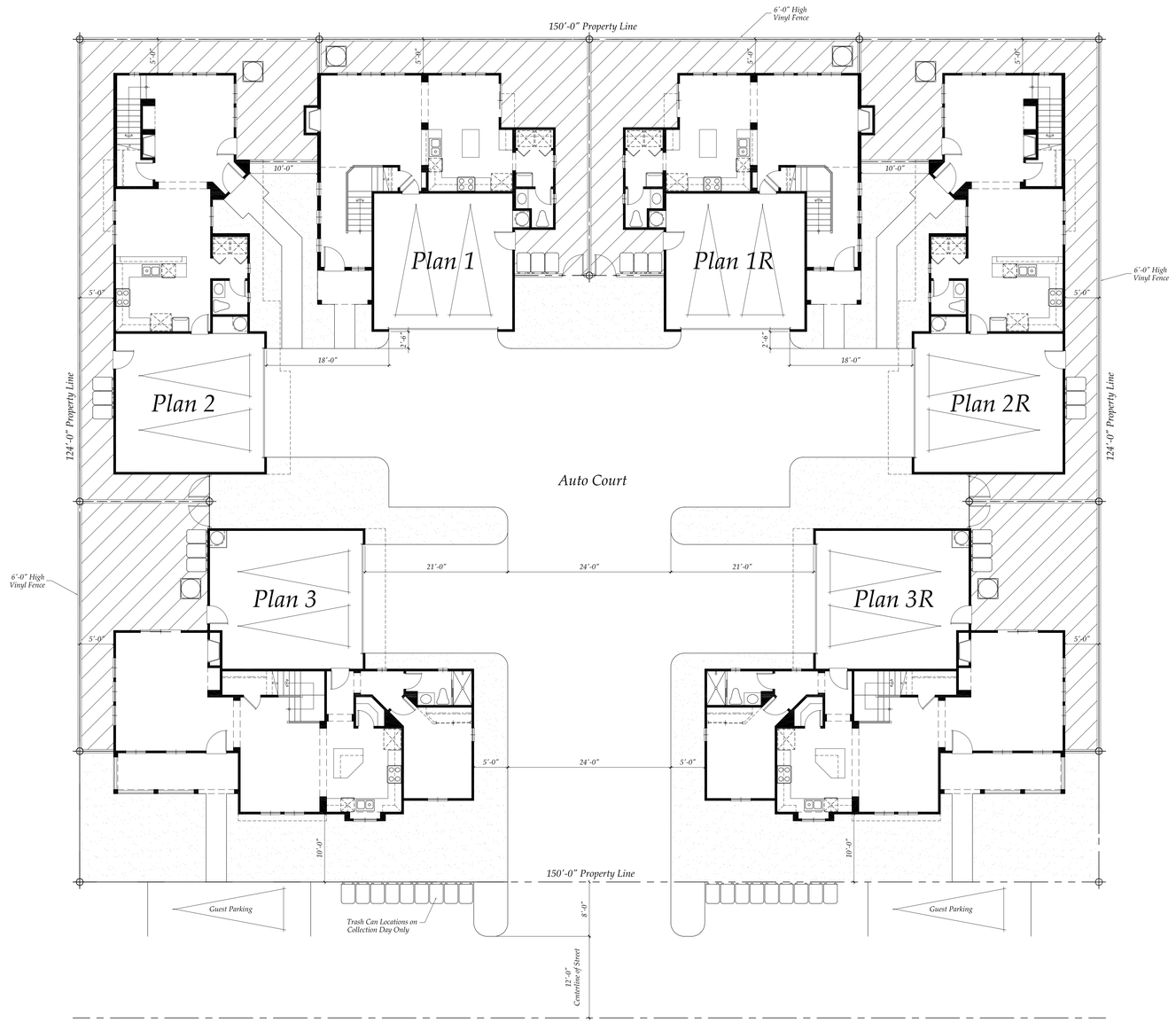


6'-VINYL FENCE PANEL - ELEVATION



Cluster Product Setbacks (From Property Line)

Front:	*10′-0″ Min.*
Rear:	*5″-0″ Min.*
Sides:	*4′-0″ Min.*
Garage:	*2′-6″ Min.*

Legend

Owner Maintained Yard

HOA Maintained Yard

Typical 6 Unit Cluster Layout First Floor

Scale: 1/8″ = 1′-0″

Planning Area 21

Cluster Product

Continental Villages

Moreno Valley, CA

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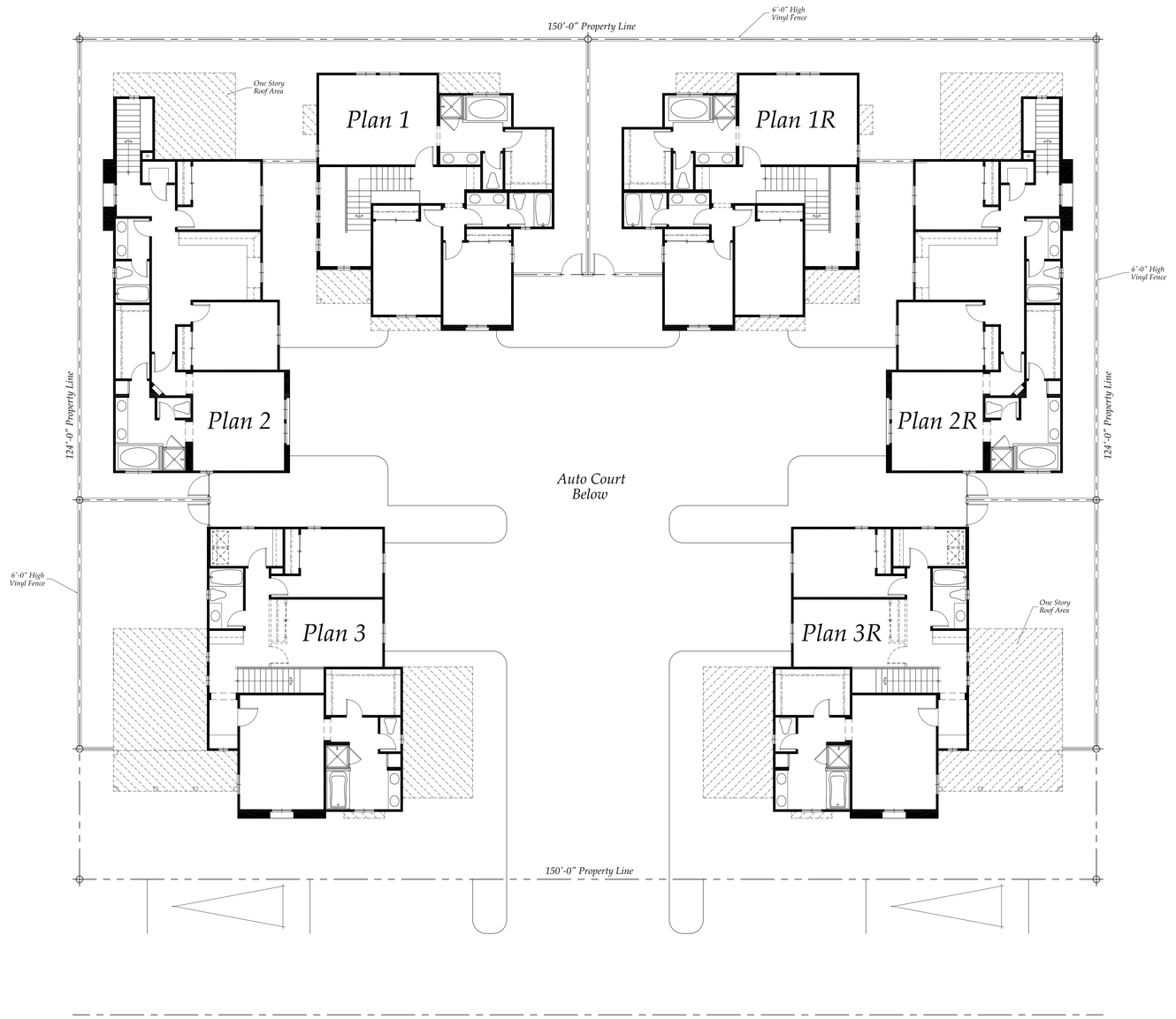
7-5-12 *#11-06*



Cluster Product Setbacks (From Property Line)

Front:	10'-0" Min.
Rear:	5"-0" Min.
Sides:	4'-0" Min.
Garage:	2'-6" Min.

Legend

Owner Maintained Yard

HOA Maintained Yard

Typical 6 Unit Cluster Layout Second Floor

Scale: 1/8" = 1'-0"

Planning Area 21

Cluster Product

Continental Villages

Moreno Valley, CA

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#11-06
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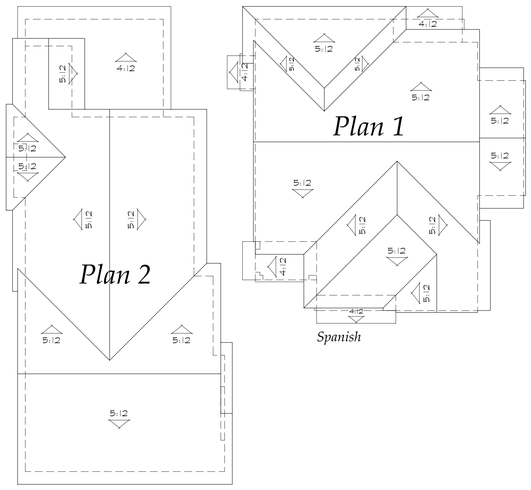

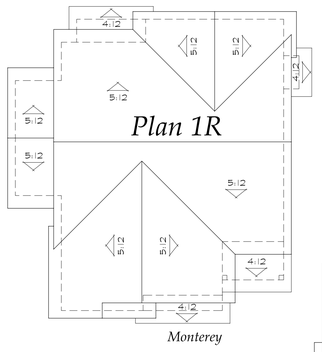

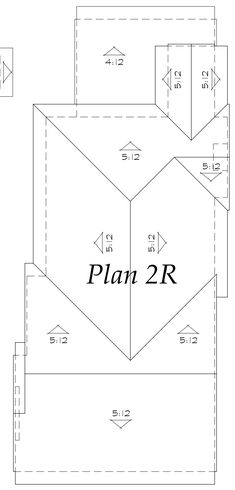

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Typical 6 Unit Cluster Layout Roof Plan

Scale: 1/8" = 1'-0"

Continental East Development

Planning Area 21

Cluster Product

Continental Villages

Moreno Valley, CA

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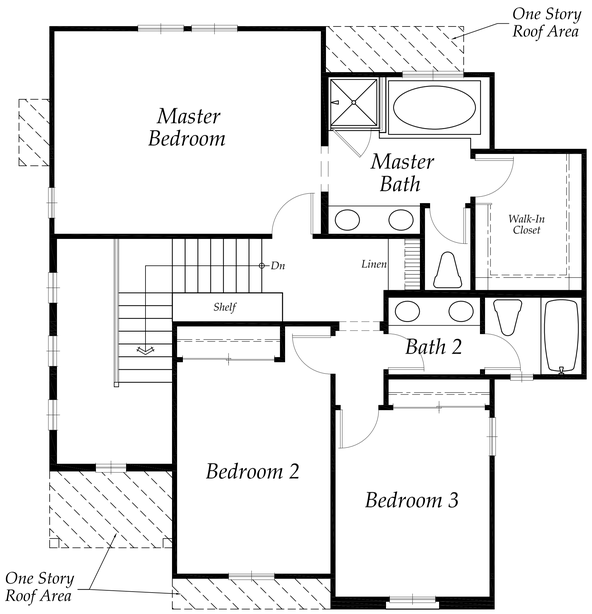
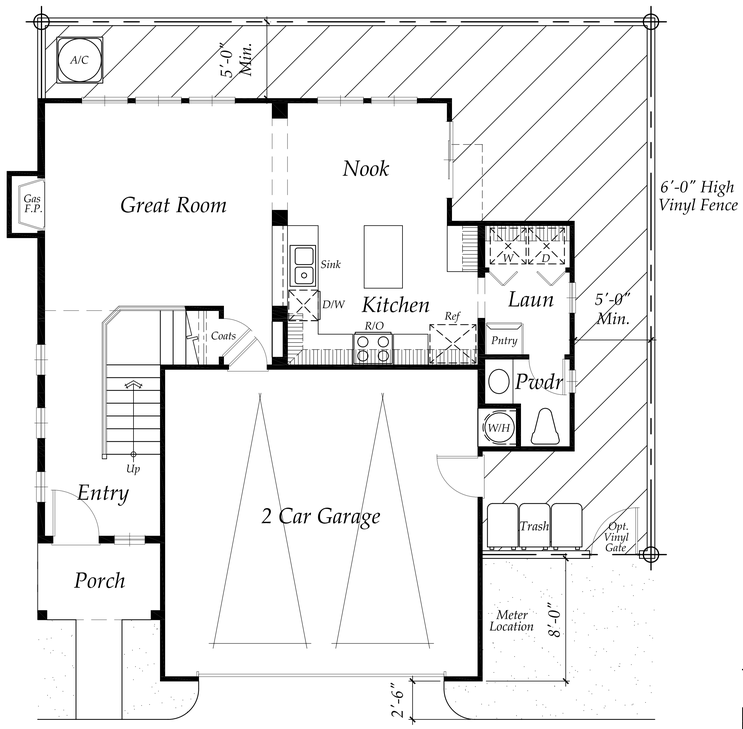
san juan capistrano, ca 92675 fax 949/ 487-2321

7-5-12 *#11-06*



Second Floor
924 sq. ft.



First Floor
676 sq. ft.

Legend

Owner Maintained Yard

HOA Maintained Yard

Plan 1

1,600 sq. ft.

3 bedroom/2.5 bath

Scale: 1/4" = 1'-0"

Planning Area 21

Cluster Product

Continental Villages

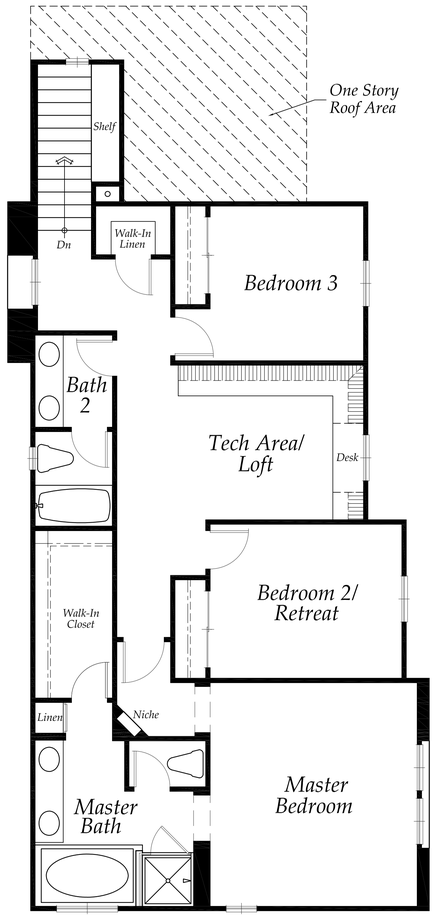
Moreno Valley, CA

Continental East Development

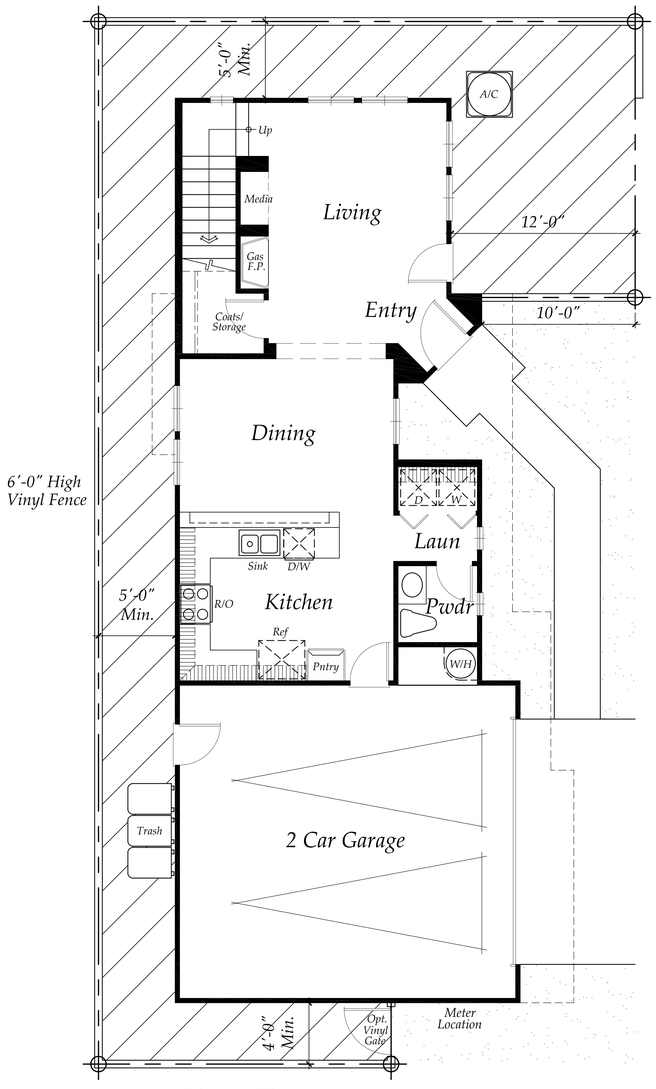
PEKAREK-CRANDELL, Inc.
architecture - planning
31411 camino capistrano, suite 300 949/ 487-2320
san juan capistrano, ca 92675 fax 949/ 487-2321

7-5-12

#11-06
5 of 10



Second Floor
1,090 sq. ft.



First Floor
685 sq. ft.

Legend

Owner Maintained Yard

HOA Maintained Yard

Plan 2

1,775 sq. ft.

3 bedroom/2.5 bath

Scale: 1/4" = 1'-0"

Planning Area 21

Cluster Product

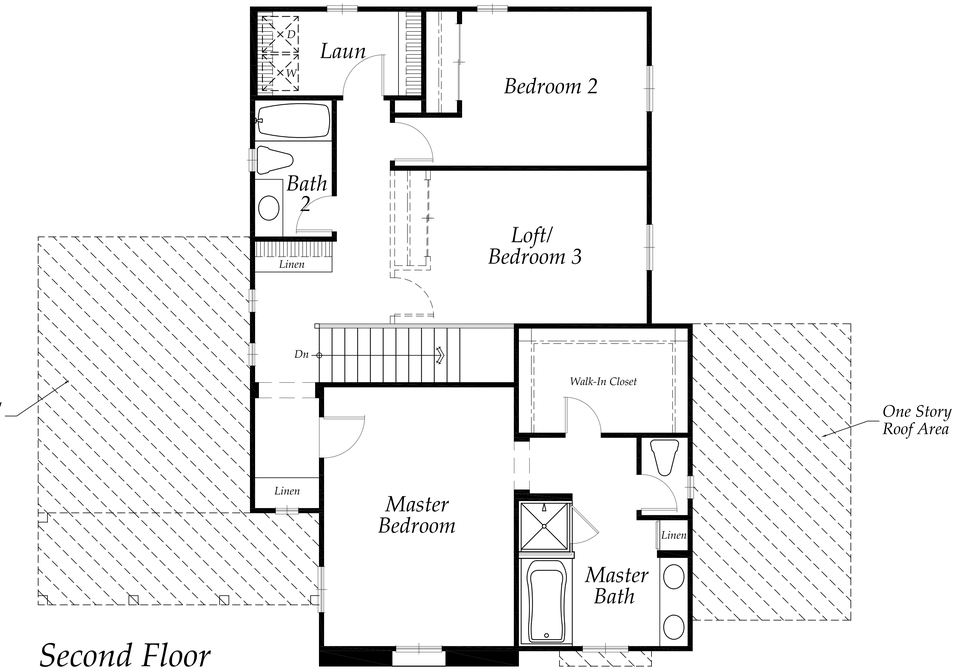
Continental Villages

Moreno Valley, CA

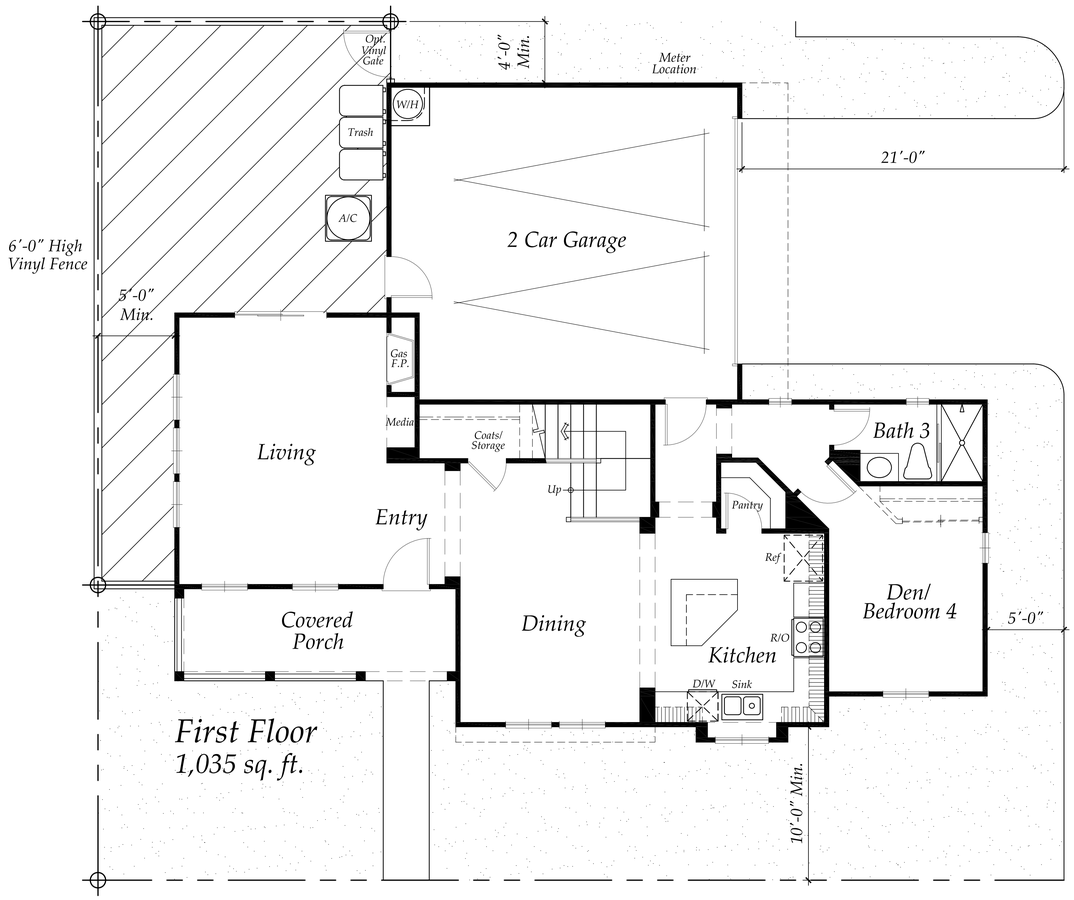
Continental East Development

PEKAREK-CRANDELL, Inc.
architecture - planning
31411 camino capistrano, suite 300 949/ 487-2320
san juan capistrano, ca 92675 fax 949/ 487-2321

7-5-12 *#11-06*



Second Floor
1,055 sq. ft.



First Floor
1,035 sq. ft.

-208-

Legend

Owner Maintained Yard

HOA Maintained Yard

Plan 3

2,090 sq. ft.

4 bedroom/3 bath

Scale: 1/4" = 1'-0"

Planning Area 21

Cluster Product

Continental Villages

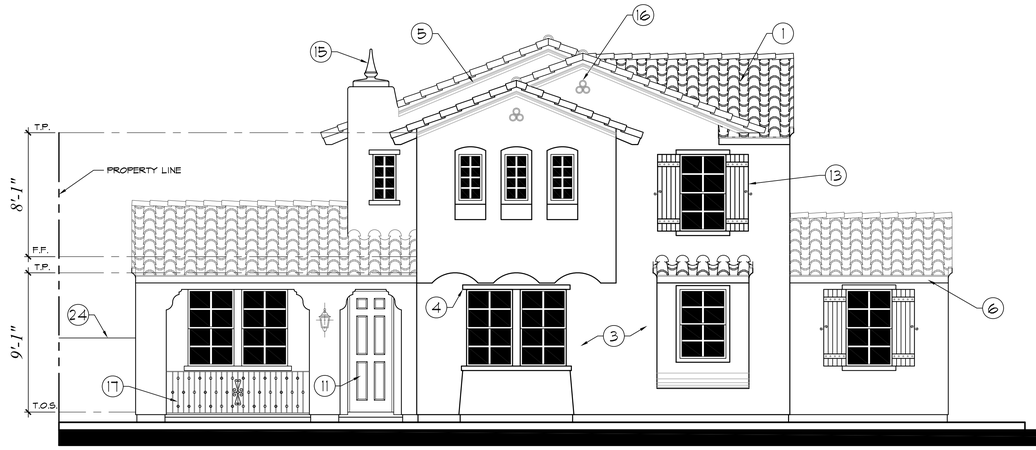
Moreno Valley, CA

Continental East Development

PEKAREK-CRANDELL, Inc.
architecture - planning
31411 camino capistrano, suite 300 949/ 487-2320
san juan capistrano, ca 92675 fax 949/ 487-2321

7-5-12

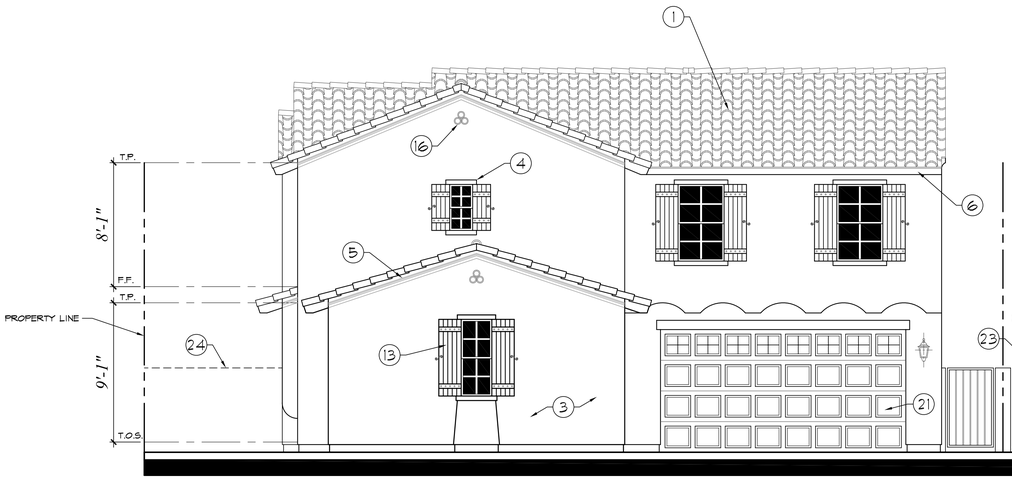
#11-06
7 of 10



Plan 3
Spanish
Typical Street Elevation - View "A"

Entrance

Plan 3
Monterey



Plan 3
Spanish
Typical Court Elevation - View "B"

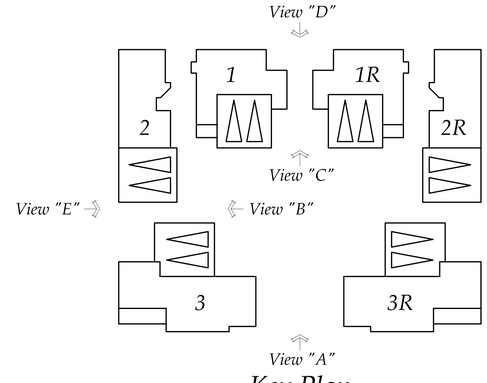
Plan 2
Monterey

Exterior Materials

1. *Concrete "S" Tile*
2. *Concrete Flat Tile*
3. *Stucco w/ Sand Finish*
4. *Stucco o/ Foam Trim*
5. *Stucco Rake Detail*
6. *Hardie Trim Fascia/ Barge Board*
7. *Hardie Vertical Panel Siding*
8. *Hardie Trim*
9. *8 x 8 Wood Post*
10. *Heavy Timber Construction*
11. *Entry Door per Builder*
12. *Brick Veneer*
13. *Fire Retardant Class A Shutter*
14. *Fire Retardant Class A Corbel*
15. *Precast Concrete Finial*
16. *False Clay Pipe Vent*
17. *Metal Railing*
18. *Metal Shutter*
19. *Metal Potshelf*
20. *Metal Louvered Vent*
21. *Metal Sectional Garage Door*
22. *Decorative Metal Grille*
23. *Metal Gate*
24. *5'-6" High Concrete Block Wall*

Continental East Development

Planning Area 21
Cluster Product
Continental Villages
Moreno Valley, CA



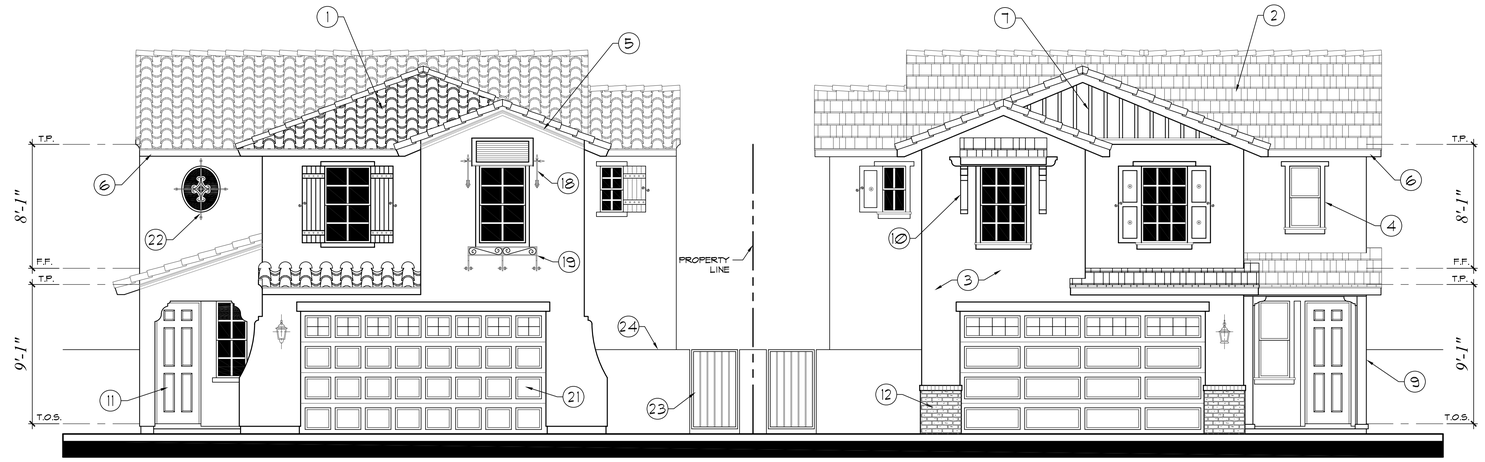
Key Plan

Typical 6 Unit Cluster Layout Exterior Elevations

Scale: 1/4" = 1'-0"

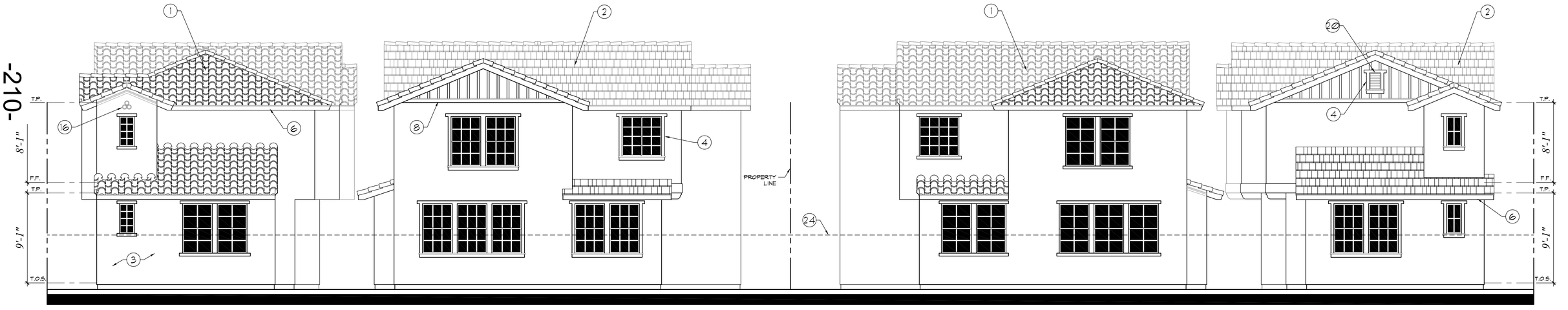
PEKAREK-CRANDELL, Inc.
architecture - planning
31411 camino capistrano, suite 300 949/ 487-2320
san juan capistrano, ca 92675 fax 949/ 487-2321

7-5-12 *#11-06*



Plan 1
Spanish
Typical Court Elevation - View "C"

Plan 1
Monterey



Plan 2
Spanish
Typical Rear Elevation - View "D"

Plan 1
Monterey

Plan 1
Spanish

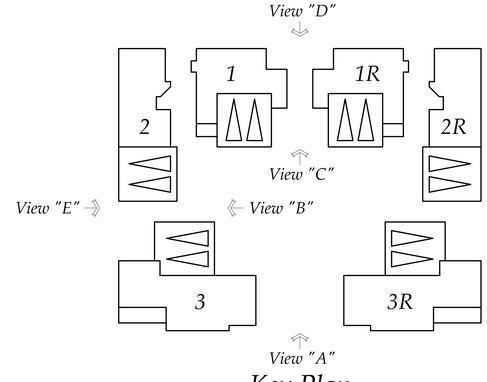
Plan 2
Monterey

Exterior Materials

1. *Concrete "S" Tile*
2. *Concrete Flat Tile*
3. *Stucco w/ Sand Finish*
4. *Stucco o/ Foam Trim*
5. *Stucco Rake Detail*
6. *Hardie Trim Fascia/ Barge Board*
7. *Hardie Vertical Panel Siding*
8. *Hardie Trim*
9. *8 x 8 Wood Post*
10. *Heavy Timber Construction*
11. *Entry Door per Builder*
12. *Brick Veneer*
13. *Fire Retardant Class A Shutter*
14. *Fire Retardant Class A Corbel*
15. *Precast Concrete Finial*
16. *False Clay Pipe Vent*
17. *Metal Railing*
18. *Metal Shutter*
19. *Metal Potshelf*
20. *Metal Louvered Vent*
21. *Metal Sectional Garage Door*
22. *Decorative Metal Grille*
23. *Metal Gate*
24. *5'-6" High Concrete Block Wall*

Continental East Development

Planning Area 21
Cluster Product
Continental Villages
Moreno Valley, CA



Key Plan

Typical 6 Unit Cluster Layout Exterior Elevations

Scale: 1/4" = 1'-0"

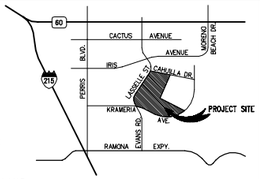
PEKAREK-CRANDELL, Inc.
architecture - planning
31411 camino capistrano, suite 300 949/ 487-2320
san juan capistrano, ca 92675 fax 949/ 487-2321

7-5-12

#11-06
9 of 10

-210-

TENTATIVE TRACT MAP No. 36401



VICINITY MAP

NOT TO SCALE

SEC. 28, T.3S, R.3W

OWNER/APPLICANT

CONTINENTAL EAST DEVELOPMENT, INC.
25467 MEDICAL CENTER DR., SUITE 201
MURRIETA, CA 92562
TEL: (951) 600-8600

ENGINEER:

CONTACT NAME: JEI KIM

PACIFIC COAST LAND CONSULTANTS, INC.
25096 JEFFERSON AVENUE, SUITE "D"
MURRIETA, CA 92562
TELEPHONE NO.: (951) 698-1350
FAX NO.: (951) 698-8657

UTILITY PURVEYORS

SEWER	: EASTERN MUNICIPAL WATER DISTRICT
WATER	: EASTERN MUNICIPAL WATER DISTRICT
GAS	: SOUTHERN CALIFORNIA GAS COMPANY
TELEPHONE	: VERIZON
ELECTRIC	: SOUTHERN CALIFORNIA EDISON COMPANY
CABLE TV	: COMCAST
SCHOOL	: VAL VERDE UNIFIED SCHOOL DISTRICT

GENERAL NOTES:

THOMAS BROS. COORD'S	: 747-J5
EXISTING ZONING	: SP
PROPOSED ZONING	: SP
PROPOSED LAND USE	: RESIDENTIAL
EXISTING LAND USE	: RESIDENTIAL
EXISTING SURROUNDING LAND USE	: RESIDENTIAL AND PUBLIC INSTITUTION
F.E.M.A FLOOD ZONE	: ZONE "X"
TOTAL SINGLE FAMILY LOTS	: 36 UNIT/5.14 AC
TOTAL CLUSTER LOTS	: 56 UNIT/6.84 AC
TOTAL MULTI-FAMILY LOTS	: 125 UNIT/7.14 AC
TOTAL LOTS	: 217 UNITS
OPEN SPACE LOTS	: 31 LOTS
PROJECT ACREAGE	: 19.12 GROSS
ASSESSOR PARCEL NUMBER	: 308-040-050

EARTHWORK QUANTITIES"

CUT: 29,391 CY., FILL: 29,519 CY.

EASEMENT NOTES:

1. AN EASEMENT FOR DRAINAGE AND FLOWAGE PURPOSES AND CONSTRUCTING AND MAINTAINING DRAINAGE FACILITIES AND INCIDENTAL PURPOSES IN FAVOR OF CITY OF MORENO VALLEY AS SHOWN BY MAP BOOK 159 PAGE 3 THROUGH 14 INCLUSIVE OF PARCEL MAP 22701. (TO BE VACATED)
2. AN EASEMENT FOR PERPETUAL EASEMENT AND RIGHT OF WAY FOR PUBLIC HIGHWAY INCLUDING UTILITY AND PUBLIC SERVICE FACILITIES AND INCIDENTAL PURPOSES, IN FAVOR OF CITY OF MORENO VALLEY PER INSTRUMENT NO. 391594, RECORDED OCTOBER 25, 1990, OFFICIAL RECORDS.

ADDITIONAL NOTES:

1. MINIMUM FINISHED FLOOR ELEVATION IS 0.5' ABOVE PAD ELEVATION
2. ALL ROOF DRAINS SHALL BE DIRECTED TO THE LANDSCAPE AREA.
3. PROPOSED TRASH ENCLOSURES ON LOT 93 SHALL BE DUAL BIN AND COVERED WITH SOLID ROOF PER CITY STANDARD PLAN 627

LEGAL DESCRIPTION:

A PORTION OF PARCEL 9 OF PARCEL MAP NO. 22701, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 159 OF PARCEL MAPS, PAGES 3 THROUGH 14 INCLUSIVE, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND SHOWN AS PARCEL A OF LLA NO. 907 RECORDED FEBRUARY 1, 2002, AS INSTRUMENT NO. 02-060024, OFFICIAL RECORDS.

SOURCE OF TOPO:

PACIFIC LAND CONSULTANT'S, INC.
P.O. BOX 3762
RANCHO PALOS VERDES, CA 90274

DATED: MARCH 25, 2011
TELEPHONE NO.: (310) 544-8689
FAX NO.: (310) 544-5039

SOILS ENGINEER:

EARTH-STRATA, INC.
26047 JEFFERSON AVENUE, SUITE "C"
MURRIETA, CA 92502
PHONE: (951) 461-4028
FAX: (951) 461-4058

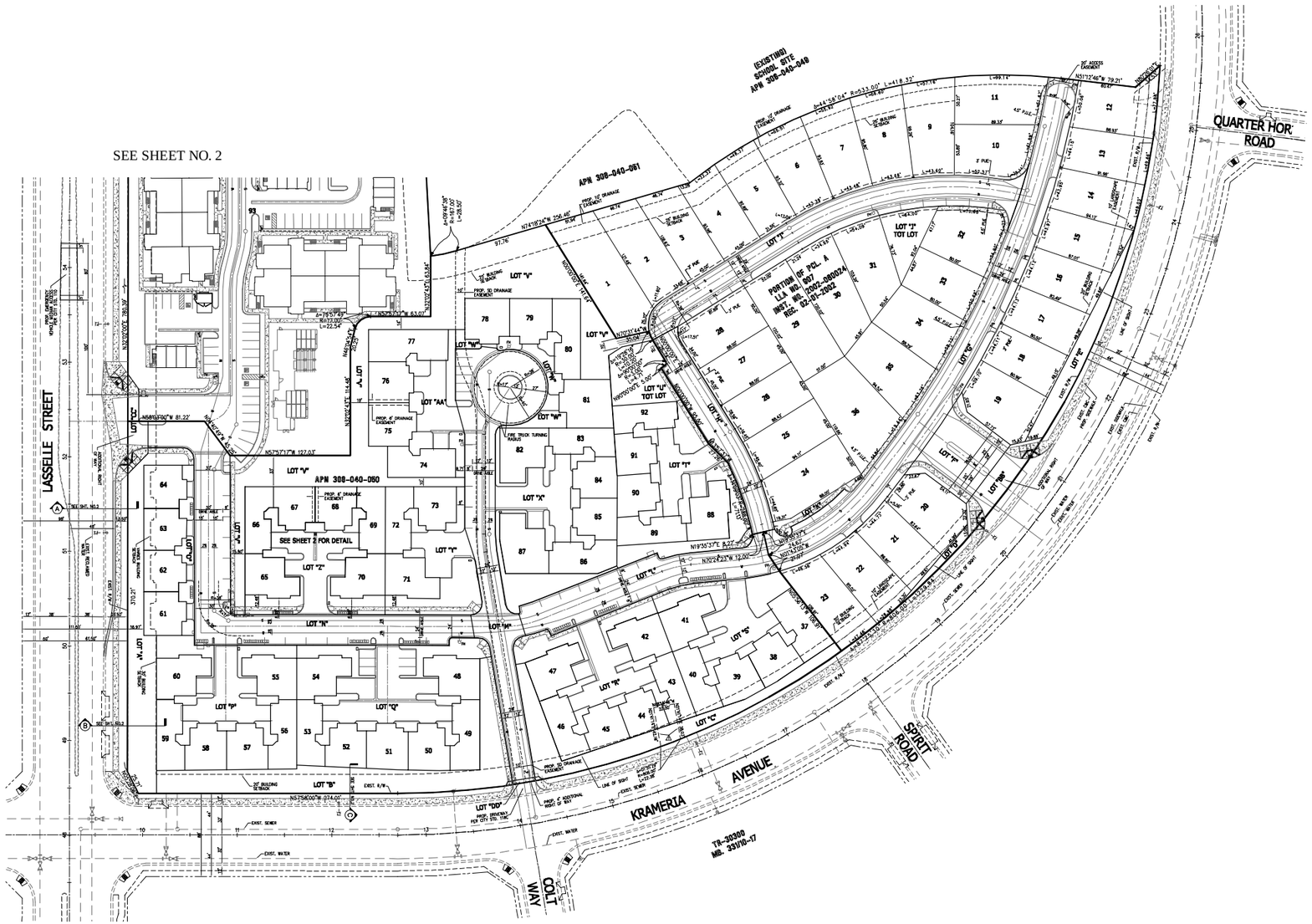
BENCHMARK:

AT THE INTERSECTION OF PERRIS BOULEVARD AND IRIS AVENUE, 58.55 FEET SOUTHWEST OF A CHISELED "X" IN A 3" IRON CORNER POST; 40.89 FEET NORTHEAST OF NAIL AND TAG IN THE WEST SIDE POWER POLE #213136; 34.39 FEET NORTHWEST OF A NAIL AND TAG SET IN SOUTHWEST SIDE TELEPHONE POLE #15160; A 1" IRON PIPE AND TAG AND MARKED COUNTY SURVEYOR IN A HANDWELL MONUMENT; M-32, DATE 1963.

ELEV. 1503.526 FT.

LEGEND:

———	Project Boundary
— — —	Existing Right of Way
———	Existing/Proposed Centerline
———W———	Proposed Water Line
———S———o	Proposed Sewer Line
	Proposed Retaining Wall
	Proposed 2:1 Slope
1234	Existing Contour
(1228.94)	Existing Grades
	Restricted Access
	3" Ribbon Gutter
LOT "A"	Proposed Open Space/Lettered Lot
5 (5)	Proposed Lot Number
IFT	In-Filtration Trench
RSP	Rock Slope Protection
T.E.	Trash Enclosure



GRAPHIC SCALE

40 0 20 40 80 120

1 inch = 40 ft.

ATTACHMENT 10

CASE NUMBERS: PA11-0025 PLOT PLAN
PA11-0026 TTM 36401
PA11-0027 CUP

DATE PREPARED: JUNE 2011

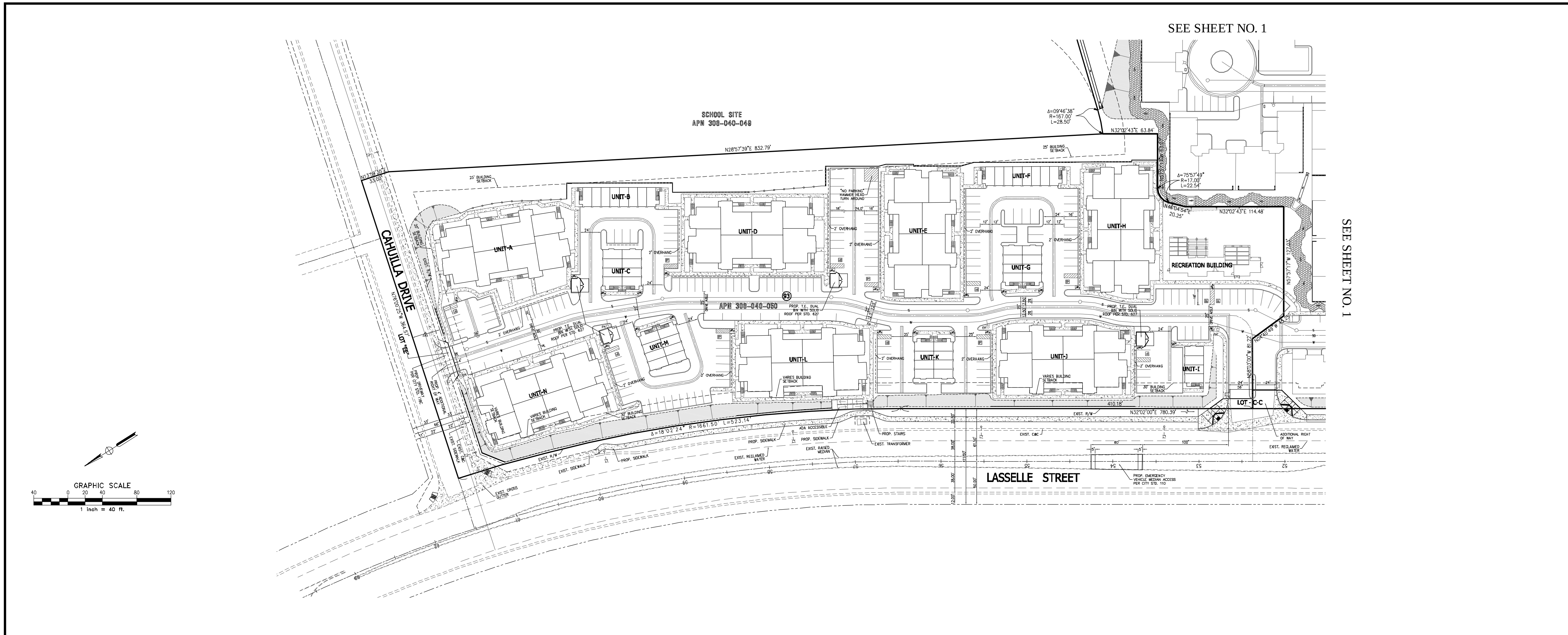
PACIFIC COAST LAND CONSULTANTS, Inc.
Civil Engineering • Land Planning • Land Surveying
25096 Jefferson Avenue, Suite "D" Murrieta, Ca. 92562
Tel: (951) 698-1350 Fax: (951) 698-8657

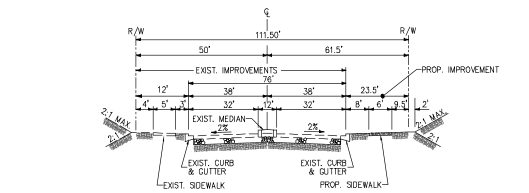
NO.	REVISION	DATE:

PROFESSIONAL LAND SURVEYOR — JEI KIM — No. 5928 — EXP. 12-31-12 — STATE OF CALIFORNIA

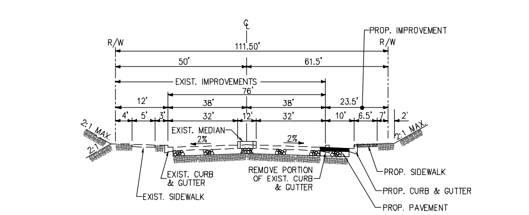
MORENO VALLEY RESIDENTIAL
TENTATIVE TRACT MAP No. 36401
CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE STATE OF CALIFORNIA
MULTI-FAMILY & CLUSTER UNITS

SHEET NO.: 1 OF 2 SHEETS

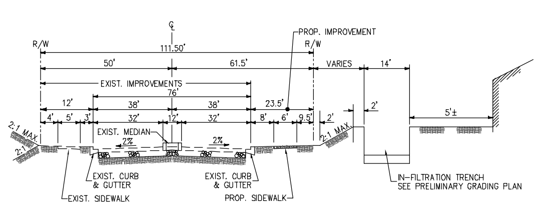




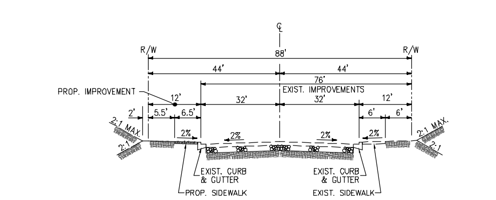
LASSELLE STREET (TYPICAL SECTION)
N.T.S
ARTERIAL CITY STD. 104A



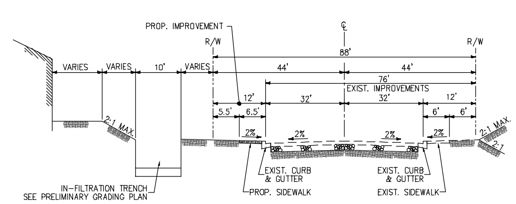
LASSELLE STREET (SECTION "A-A")
N.T.S
ARTERIAL CITY STD. 104A



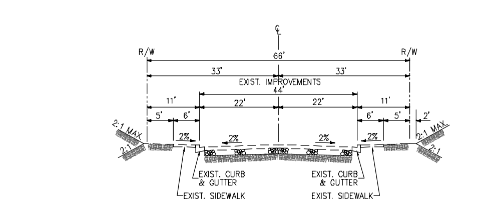
LASSELLE STREET (SECTION "B-B")
N.T.S
ARTERIAL CITY STD. 104A



KRAMERIA AVENUE (TYPICAL SECTION)
N.T.S
MINOR ARTERIAL CITY STD. 105A

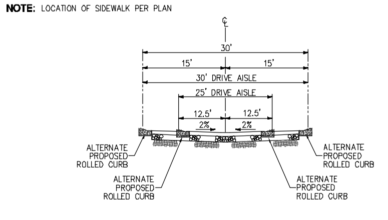


KRAMERIA AVENUE (SECTION "C-C")
N.T.S
MINOR ARTERIAL CITY STD. 105A

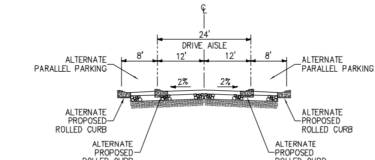


CAHUILLA DRIVE
N.T.S
COLLECTOR CITY STD. 107

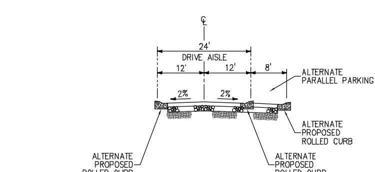
NOTE: LOCATION OF SIDEWALK PER PLAN



APARTMENT STREET
N.T.S
SEE HEREON



CLUSTER STREET
N.T.S
SEE SHEET 2 FOR LOCATION



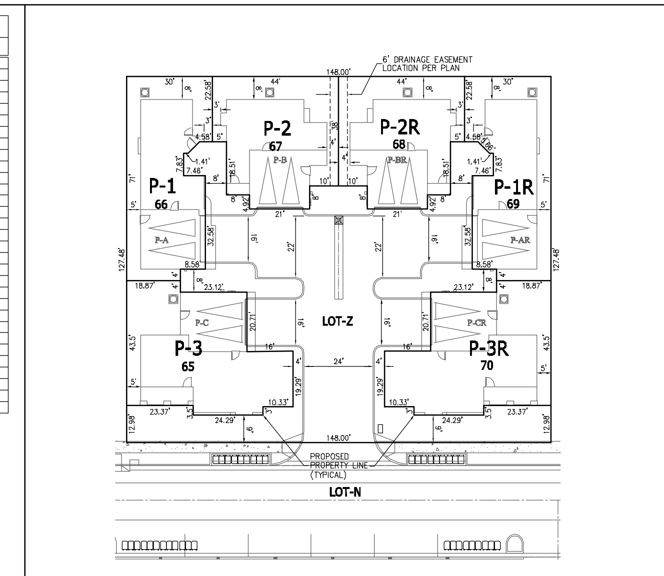
MULTI-FAMILY STREET
N.T.S
SEE SHEET 2 FOR LOCATION

LOT DATA SINGLE FAMILY	
LOT NO.	AREA SQ. FT.
1	6927
2	5090
3	4513
4	4136
5	4338
6	4621
7	4704
8	4879
9	5108
10	4569
11	4920
12	4749
13	4240
14	4360
15	4221
16	3949
17	3792
18	3755
19	4679
20	4321
21	3973
22	4316
23	4618
24	4960
25	4082
26	3962
27	3960
28	4369
29	6181
30	5491
31	4435
32	4904
33	3830
34	4638
35	4981
36	6513
TOTAL	167084
AVERAGE	4641.22

LOT DATA CLUSTER	
LOT NO.	AREA SQ. FT.
37	2496
38	1970
39	1989
40	1955
41	2125
42	2125
43	1939
44	1792
45	1726
46	1953
47	2212
48	2212
49	2155
50	1952
51	1973
52	1811
53	1862
54	2125
55	2125
56	1967
57	1911
58	1937
59	2015
60	2125
61	1933
62	1812
63	1812
64	1933
65	2125
66	1898
67	1788
68	1788
69	1898
70	2125
71	2156
72	1898
73	1826
74	2176
75	2169
76	1942
77	2721
78	2094
79	1969
80	2312
81	2685
82	2528
83	1853
84	1816
85	1830
86	2255
87	2704
88	2289
89	1966
90	1745
91	1678
92	1823
TOTAL	113999
AVERAGE	2072.71

LOT DATA APARTMENT	
LOT NO.	AREA SQ. FT.
93	311131

OPEN SPACE/ LETTERED LOT	
LOT	AREA SQ. FT.
A	8945
B	11813
C	7347
D	642
E	3370
F	5834
G	20500
H	6564
I	13771
J	2494
K	1021
L	10026
M	17961
N	17909
O	2125
P	7787
Q	11670
R	8524
S	7536
T	9443
U	3752
V	25511
W	3117
X	8912
Y	6554
Z	8429
AA	5302
BB	2641
CC	1448
DD	144
EE	166



TYPICAL CLUSTER DETAIL
SCALE: 1=20'

CASE NUMBERS: PA11-0025 PLOT PLAN
PA11-0026 TTM 36401
PA11-0027 CUP

DATE PREPARED: JUNE 2011

PACIFIC COAST LAND CONSULTANTS, Inc.
Civil Engineering • Land Planning • Land Surveying
25096 Jefferson Avenue, Suite "D" Murrieta, Ca. 92562
Tel: (951) 698-1350 Fax: (951) 698-8657
Benjie

NO.	REVISION	DATE:

PROFESSIONAL LAND SURVEYOR HEUNG JEI KIM No. 5928 EXP.12-31-12 STATE OF CALIFORNIA

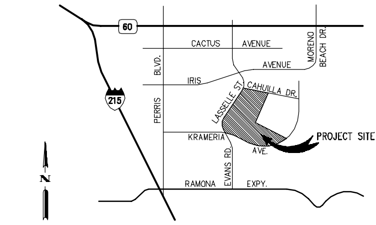
MORENO VALLEY RESIDENTIAL
TENTATIVE TRACT MAP No. 36401
CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE STATE OF CALIFORNIA
APARTMENT UNITS & DETAILS

SHEET NO.: 2
OF 2 SHEETS

S:\Land Projects 2004\22701 MORENO VALLEY\dwg\TENTATIVE\PM22701_TM-2.dwg 7-05-12

-213-

TENTATIVE TRACT MAP No. 36401
PRELIMINARY GRADING PLAN



VICINITY MAP

NOT TO SCALE

SEC. 28, T.3S, R.3W

OWNER/APPLICANT

CONTINENTAL EAST DEVELOPMENT, INC.
25467 MEDICAL CENTER DR., SUITE 201
MURRIETA, CA. 92562
TEL: (951) 600-8600

ENGINEER:

CONTACT NAME: JEI KIM

PACIFIC COAST LAND CONSULTANTS, INC.
25096 JEFFERSON AVENUE, SUITE "D"
MURRIETA, CA. 92562
TELEPHONE NO.: (951) 698-1350
FAX NO.: (951) 698-8657

UTILITY PURVEYORS

SEWER	: EASTERN MUNICIPAL WATER DISTRICT
WATER	: EASTERN MUNICIPAL WATER DISTRICT
GAS	: SOUTHERN CALIFORNIA GAS COMPANY
TELEPHONE	: VERIZON
ELECTRIC	: SOUTHERN CALIFORNIA EDISON COMPANY
CABLE TV	: COMCAST
SCHOOL	: VAL VERDE UNIFIED SCHOOL DISTRICT

GENERAL NOTES:

THOMAS BROS. COORD'S	: 747-J3
EXISTING ZONING	: SP
PROPOSED ZONING	: SP
PROPOSED LAND USE	: RESIDENTIAL
EXISTING LAND USE	: RESIDENTIAL
EXISTING SURROUNDING LAND USE	: RESIDENTIAL AND PUBLIC INSTITUTION
F.E.M.A FLOOD ZONE	: ZONE "X"
TOTAL SINGLE FAMILY LOTS	: 36 UNIT/5.14 AC
TOTAL CLUSTER LOTS	: 56 UNIT/6.84 AC
TOTAL MULTI-FAMILY LOTS	: 125 UNIT/7.14 AC
TOTAL LOTS	: 217 UNITS
OPEN SPACE LOTS	: 31 LOTS
PROJECT ACREAGE	: 19.12 GROSS
ASSESSOR PARCEL NUMBER	: 308-040-050

EARTHWORK QUANTITIES"

CUT: 29,391 CY., FILL: 29,519 CY.

EASEMENT NOTES:

1. AN EASEMENT FOR DRAINAGE AND FLOWAGE PURPOSES AND CONSTRUCTING AND MAINTAINING DRAINAGE FACILITIES AND INCIDENTAL PURPOSES IN FAVOR OF CITY OF MORENO VALLEY AS SHOWN BY MAP BOOK 159 PAGE 3 THROUGH 14 INCLUSIVE OF PARCEL MAP 22701. (TO BE VACATED)
2. AN EASEMENT FOR PERPETUAL EASEMENT AND RIGHT OF WAY FOR PUBLIC HIGHWAY INCLUDING UTILITY AND PUBLIC SERVICE FACILITIES AND INCIDENTAL PURPOSES, IN FAVOR OF CITY OF MORENO VALLEY PER INSTRUMENT NO. 391594, RECORDED OCTOBER 25, 1990, OFFICIAL RECORDS.

ADDITIONAL NOTES:

1. MINIMUM FINISHED FLOOR ELEVATION IS 0.5' ABOVE PAD ELEVATION
2. ALL ROOF DRAINS SHALL BE DIRECTED TO THE LANDSCAPE AREA.
3. PROPOSED TRASH ENCLOSURES ON LOT 93 SHALL BE DUAL BIN AND COVERED WITH SOLID ROOF PER CITY STANDARD PLAN 627

LEGAL DESCRIPTION:

A PORTION OF PARCEL 9 OF PARCEL MAP NO. 22701, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 159 OF PARCEL MAPS, PAGES 3 THROUGH 14 INCLUSIVE, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. AND SHOWN AS PARCEL A OF LLA NO. 907 RECORDED FEBRUARY 1, 2002, AS INSTRUMENT NO. 02-060024, OFFICIAL RECORDS.

SOURCE OF TOPO:

PACIFIC LAND CONSULTANT'S, INC.
P.O. BOX 3762
RANCHO PALOS VERDES, CA. 90274

DATED: MARCH 25, 2011
TELEPHONE NO.: (310) 544-8689
FAX NO.: (310) 544-5039

SOILS ENGINEER:

EARTH-STRATA, INC.
26047 JEFFERSON AVENUE, SUITE "C"
MURRIETA, CA 92502
PHONE: (951) 461-4028
FAX: (951) 461-4058

BENCHMARK:

AT THE INTERSECTION OF PERRIS BOULEVARD AND IRIS AVENUE, 58.55 FEET SOUTHWEST OF A CHISELED "X" IN A 3" IRON CORNER POST; 40.89 FEET NORTHEAST OF NAIL AND TAG IN THE WEST SIDE POWER POLE #213136; 34.39 FEET NORTHWEST OF A NAIL AND TAG SET IN SOUTHWEST SIDE TELEPHONE POLE #15160; A 1" IRON PIPE AND TAG AND MARKED COUNTY SURVEYOR IN A HANDWELL MONUMENT; M-32, DATE 1963.

ELEV: 1503.526 FT.

LEGEND:

	Project Boundary
	Existing Right of Way
	Existing/Proposed Centerline
W	Proposed Water Line
S	Proposed Sewer Line
	Proposed Retaining Wall
	Proposed 2:1 Slope
1234	Existing Contour
(1228.94)	Existing Grades
	Restricted Access
	3' Ribbon Gutter
LOT "A"	Proposed Open Space/Lettered Lot
5 (5)	Proposed Lot Number
8367.7	Proposed Pad Elevation
IFT	In-Filtration Trench
RSP	Rock Slope Protection
T.E.	Trash Enclosure
W.Q. INLET	Water Quality Inlet

GRAPHIC SCALE

50 0 25 50 100 150

1 inch = 50 ft.
(IN FEET)

LINE TABLE		
LINE	BEARING	LENGTH
L1	N05°56'13"W	106.91'
L2	N01°43'05"W	21.07'
L3	N19°35'37"E	24.67'
L4	N70°24'23"W	12.00'
L5	N19°35'37"E	8.27'
L6	N13°57'37"W	27.26'
L7	N00°00'00"W	95.00'
L8	N90°00'00"W	5.00'
L9	N00°00'00"E	26.74'
L10	N70°31'44"W	35.04'
L11	N00°00'00"E	141.64'
L12	N32°02'43"E	63.84'
L13	N57°57'17"W	63.07'
L14	N46°04'54"E	20.25'
L15	N32°02'43"E	114.48'
L16	N57°57'17"W	127.03'
L17	N04°40'49"W	45.25'
L18	N58°03'00"W	81.22'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	Δ=14°09'03"	288.00'	71.13'
C2	Δ=90°00'00"	3.00'	4.71'
C3	Δ=19°28'16"	30.00'	10.20'
C4	Δ=75°57'49"	17.00'	22.54'

ATTACHMENT 11

CASE NUMBERS: PA11-0025 PLOT PLAN
PA11-0026 TTM 36401
PA11-0027 CUP

DATE PREPARED: JUNE 2011

PACIFIC COAST LAND CONSULTANTS, Inc.
Civil Engineering • Land Planning • Land Surveying
25096 Jefferson Avenue, Suite "D" Murrieta, Ca. 92562
Tel: (951) 698-1350 Fax: (951) 698-8657
Benjie

NO.	REVISION	DATE:

PROFESSIONAL LAND SURVEYOR
HEUNG JEI KIM
No. 5928
EXP. 12-31-12
STATE OF CALIFORNIA

MORENO VALLEY RESIDENTIAL
TENTATIVE TRACT MAP No. 36401
PRELIMINARY GRADING PLANS
CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE STATE OF CALIFORNIA

TITLE SHEET & INDEX MAP

SHEET NO.: 1
OF 3 SHEETS

S:\Land Projects 2004\22701 MORENO VALLEY\dwg\PGP\PM22701_PGP-1.dwg 7-05-12

SEE SHEET NO. 3

CASE NUMBERS: PA11-0025 PLOT PLAN
PA11-0026 TTM 36401
PA11-0027 CUP

DATE PREPARED: JUNE 2011

PACIFIC COAST LAND CONSULTANTS, Inc.
Civil Engineering • Land Planning • Land Surveying
25096 Jefferson Avenue, Suite "D" Murrieta, Ca. 92562
Tel: (951) 698-1350 Fax: (951) 698-8657
Benjie

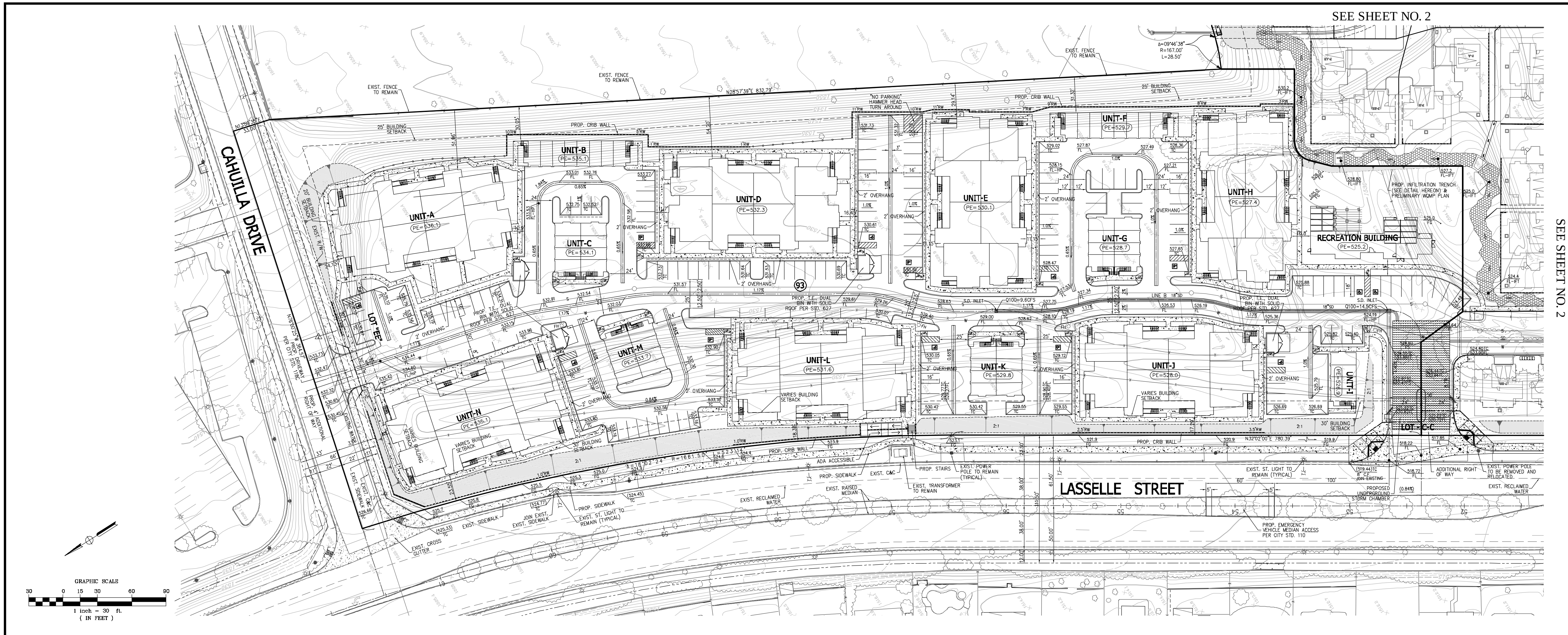
NO.	REVISION	DATE:

PROFESSIONAL LAND SURVEYOR HEUNG JEI KIM No. 5928 EXP.12-31-12 STATE OF CALIFORNIA

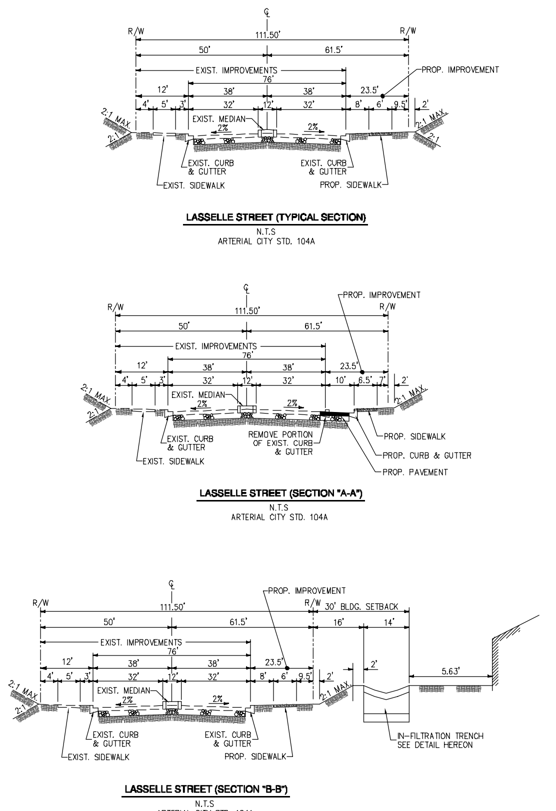
MORENO VALLEY RESIDENTIAL
TENTATIVE TRACT MAP No. 36401
PRELIMINARY GRADING PLANS
CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE STATE OF CALIFORNIA
MULTI-FAMILY & CLUSTER UNITS

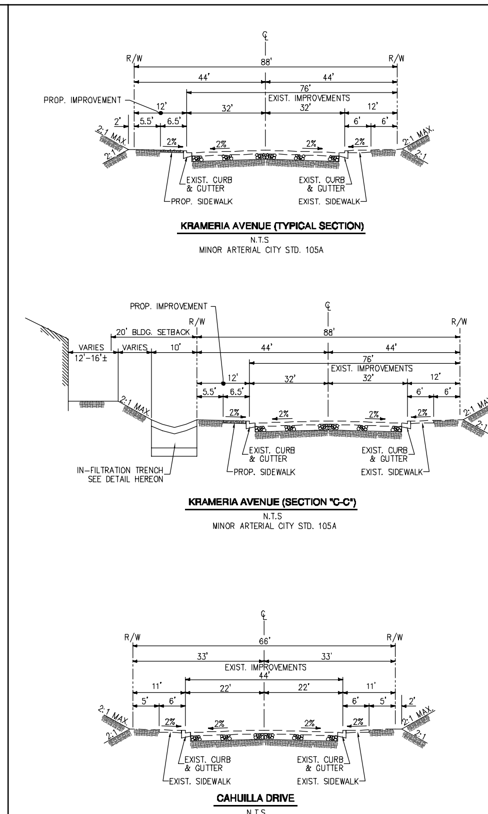
SHEET NO.: 2 OF 3 SHEETS

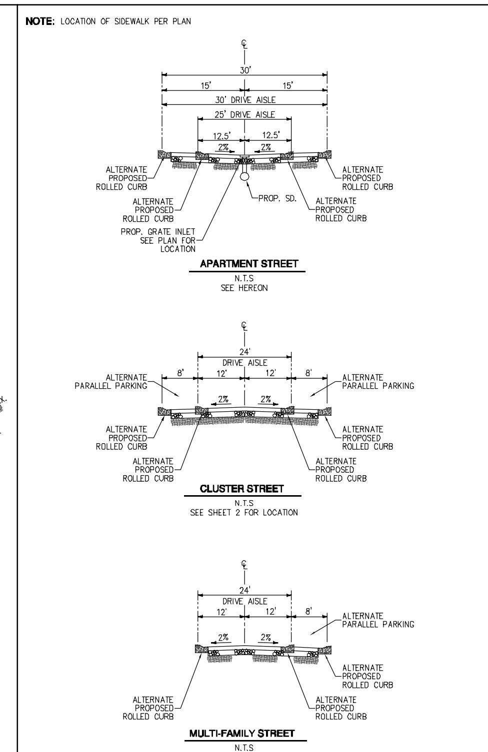
S:\Land Projects 2004\22701 MORENO VALLEY\dwg\PGP\PM22701_PGP-2.dwg 7-05-12 02:09:47 PM (benjie)

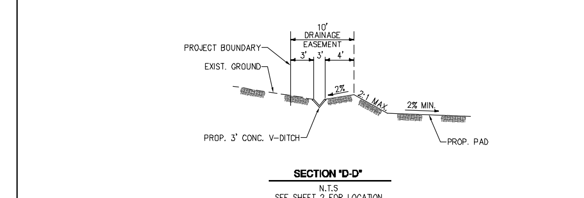


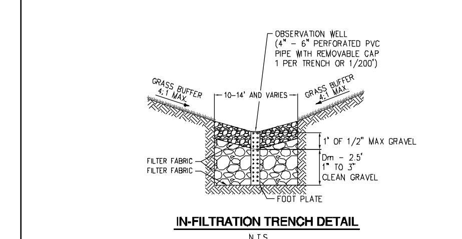
NOTE: LOCATION OF SIDEWALK PER PLAN











CASE NUMBERS: PA11-0025 PLOT PLAN
PA11-0026 TTM 36401
PA11-0027 CUP

DATE PREPARED: JUNE 2011

PACIFIC COAST LAND CONSULTANTS, Inc.
Civil Engineering • Land Planning • Land Surveying
25096 Jefferson Avenue, Suite "D" Murrieta, Ca. 92562
Tel: (951) 698-1350 Fax: (951) 698-8657

NO.	REVISION	DATE:

HEUNG JO KIM No. 5928 EXP. 12-31-12 PROFESSIONAL LAND SURVEYOR STATE OF CALIFORNIA

MORENO VALLEY RESIDENTIAL
TENTATIVE TRACT MAP No. 36401
PRELIMINARY GRADING PLANS
CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE STATE OF CALIFORNIA
APARTMENT UNITS & DETAILS

SHEET NO.: 3
OF 3 SHEETS

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PLANNING COMMISSION STAFF REPORT

Case:	PA12-0019 – Plot Plan PA12-0020 – Plot Pan PA12-0021 – Plot Plan PA12-0022 – Zone Change P12-057 – Environmental Impact Report
Date:	November 29, 20112
Applicant:	Ridge Moreno Valley, LLC
Representative:	Inland Empire Development Services
Location:	Near or at the northeast corner of Frederick Street and Cactus Avenue
Proposal:	PA12-0019 proposes either a 164,720 SF warehouse building or an enclosed truck storage yard on 7.6 acres at the northeast corner of Cactus Ave. and Frederick St. PA12-0020 proposes adding 507,720 SF to an existing 779,016 SF warehouse building for a total of 1,286,736 SF on an 18.6 acre site located at the northwest of Cactus Ave. and Graham St. This project requires the vacation of existing Joy Street between Brodiaea Ave. and Cactus Ave. PA12-0021 proposes a new 607,920 SF warehouse facility on approximately 30 acres located at the northwest corner of Graham St. and Brodiaea Ave. This project requires the vacation of existing Joy Street north of Brodiaea Ave. PA12-0022 proposes a Zone Change from BPX to LI for the 7.6 acres located at the northeast corner of Cactus Ave. and Frederick St. Approval of this project will require certification of an EIR.
Recommendation:	Approval

SUMMARY

This project proposes the development of a total of 1,280,360 square foot of warehouse distribution buildings in addition to an existing 779,016 square foot warehouse on approximately 56.2 acres. The project also requires approval of a Zone Change from BPX to LI for 7.6 acres, and certification of a Final Environmental Impact Report (FEIR).

PROJECT DESCRIPTION

The applicant, Ridge Moreno Valley, LLC has submitted five applications for development of the RPT Centerpointe West Project, which includes three plot applications, a zone change application and an EIR, in order to develop 1,280,360 square foot of warehouse distribution buildings in addition to an existing 779,016 square foot warehouse on approximately 56.2 acres. (Assessor's Parcel Numbers 297-170-027, -064, -065, -067, -075, -076, & -082) located near the northeast corner of Frederick Street and Cactus Avenue. Parcel maps or lot line adjustments/parcels mergers will be required prior to building permit issuance for each of the proposed warehouse facilities.

PA12-0019 – Plot Plan for Building 11

This application proposes two alternatives for the 7.6 acre parcel located at the northeast corner of Frederick Street and Cactus Avenue (APN 297-170-027).

Alternative 1
This alternative proposes to develop a 294 space truck storage facility for use by the adjacent warehouse distribution facility. The truck yard would be screened from view by 14 foot tall perimeter walls of concrete tilt-up construction on all property lines. The design and color of the walls will be compatible with the existing warehouse facility and adjacent screen walls.

Gated driveway access to the storage yard is provided at northwest corner of the site from Frederick Street and the southeast corner from Cactus Avenue. The gates have been conditioned to meet the City's minimum queuing requirement of 60 feet.

Development of the property will require the installation of a bus bay just north of Cactus Avenue. This will result in the loss of some existing parkway along the east side of Frederick Street. However, the design of the truck yard will protect the remainder of existing parkway and corner monumentation in place.

The project has been conditioned to replace any existing trees that are removed through development of the corner. The project is also responsible for installing parkway landscape and irrigation along the Cactus Avenue frontage that will match the established parkway to the east.

As stated previously, the current zoning for this site is Business Park Mixed-Use (BPX). A related application (PA12-0022) proposes to change the zone to Light Industrial (LI) which would permit the proposed truck storage use. Both the existing and proposed zoning classifications are consistent with the existing General Plan designation of Business Park/Industrial (BP/I).

Alternative 2
This alternative proposes 164,720 square foot warehouse distribution building. The proposed building exceeds the maximum building size of 50,000 square feet permitted under the BPX zone and will require a zone change to LI. As noted above, a zone

change application is also proposed by this project. A more detailed discussion of the proposed land use change will follow in this report.

The warehouse building includes 17 loading docks on the north elevation of the building. The truck court will be screened by 14 foot tall perimeter screen walls of concrete tilt up construction. Driveway access to the storage yard is provided at northwest corner of the site from Frederick Street and the southeast corner from Cactus Avenue.

Required parking totals 99 passenger vehicle spaces and 17 trailer spaces. Required parking is provided along the building's east and west elevations and within the truck court. Proposed parking meets the City's requirements for trucks (1 per loading dock) and exceeds the employee/visitor parking requirement for a warehouse use. The project design also meets all required parking landscape standards including landscape planters within the truck court to meet City shading requirements.

Development of the property will require the installation of a bus bay just north of Cactus Avenue. This will result in the loss of some existing parkway along the east side of Frederick Street. However, the project design will protect the remainder of existing parkway and corner monumentation in place.

The project has been conditioned to replace any existing trees and parkway landscaping that is removed through development of the corner. The project is also responsible for installing enhanced parkway landscape and irrigation along the Cactus Avenue frontage that will match the established parkway to the east.

PA12-0020 – Plot Plan for Building 4

PA12-0020 proposes to add 507,720 SF to an existing 779,016 SF warehouse building for a total of 1,286,736 SF on an 18.6 acre site located at the northwest of Cactus Avenue and Graham Street (APN 297-170-067, -075, and -076). The existing building is occupied by Harbor Freight. The construction of the building addition will require the vacation of existing Joy Street between Brodiaea Avenue and Cactus Avenue.

The warehouse addition includes 98 loading docks on the north and south elevations of the building for a total 131 dock doors at completion. The expanded truck court will be screened by 14 foot tall perimeter screen walls of concrete tilt up construction which are conditioned to match the existing perimeter screen wall.

The exterior of the warehouse addition has been designed and conditioned to match the established architectural design of the existing warehouse facility.

Driveway access to the warehouse addition will be provided at northwest and southwest corners of the site from Brodiaea Street and Cactus Avenue. The existing traffic signal at the intersection of Joy Street and Cactus Avenue will remain following the vacation of Joy Street and will function as a signalized driveway.

Required parking for the expanded facility totals 384 passenger vehicle spaces and 131 trailer spaces. Proposed parking exceeds the City's requirements for trucks (1 per loading dock) and employee/visitor parking for a warehouse use. The project design also meets all required parking landscape standards.

The project has been conditioned to replace any existing trees and parkway landscaping that is disturbed through development of the addition. The project is also responsible for installing parkway landscape and irrigation along the site's Brodiaea and Cactus Avenue frontages that will match the established parkway to the east.

This project is also conditioned to coordinate with City staff and all utilities impacted by the vacation of Joy Street to appropriately relocate existing utility lines and related easements.

PA12-0021 – Plot Plan for Building 3

PA12-0021 proposes to construct a new 607,920 SF warehouse facility on approximately 30 acres located at the northwest corner of Graham Street and Brodiaea Avenue (APN 297-170-064, -065, and -082). This project will replace an existing screened truck storage yard located at this site. This project requires the vacation of existing Joy Street north of Brodiaea Avenue.

The warehouse includes 100 loading docks on the north and south elevations of the building. The two truck courts will be screened by 14 foot tall perimeter screen walls of concrete tilt up construction which are conditioned to match the color and design of the building.

Driveway access to the warehouse addition will be provided at three locations along Brodiaea Avenue and two locations along Graham Street.

Required parking for the expanded facility totals 208 passenger vehicle spaces and 100 trailer spaces. Proposed parking exceeds the City's requirements for trucks (1 per loading dock) and employee/visitor parking for a warehouse use. The project design also meets all required parking landscape standards.

The project has been conditioned to replace any existing trees and parkway landscaping that is disturbed through development of the addition. The project is also responsible for installing parkway landscape and irrigation along the site's Brodiaea Avenue and Graham Street frontages that will match the established parkway lanscape.

This project is also conditioned to coordinate with City staff and all utilities impacted by the vacation of Joy Street to appropriately relocate existing utility lines and related easements.

PA12-0022 – Zone Change

The 7.6 acre project site at the northeast corner of Frederick Street and Cactus Avenue is currently zoned Business Park Mixed-Use (BPX) with a Business Park (BP) General

Plan land use designation. The Business Park Mixed-Use zone limits warehouse buildings to no more than 50,000 square feet and does not permit outdoor vehicle storage. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BPX and LI zones are compatible with the BP General Plan land use designation.

Surrounding properties are largely developed with large warehouse facilities with a 520,000 square foot warehouse under construction immediately to the west and existing warehouse facilities of 500,000 square feet or greater on developed properties to the east from Frederick Street to Heacock Street include.

Land uses to the north include vacant Light Industrial zone land and vacant commercial zoned parcels along Alessandro Boulevard. Land uses to the west and northwest include a mix of business park, office and retail uses with numerous governmental offices including City Hall located in close proximity.

Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

Site

The majority of the Project site is currently vacant, consisting of largely flat, disced land. A portion of the Building 3 site (Plot Plan PA12-0021) has been paved and is currently in use as an equipment/vehicle storage area for the existing portion of Building 4. This paving and any associated surface improvements will be demolished as part of the Project site preparation activities. Existing screen walls, landscaping and water quality and detention improvements will be retained and integrated into the new building site.

The major roads that provide access to the project site are Frederick Street, Brodiaea Avenue, Graham Street and Cactus Avenue, with the nearest I-215 interchanges at Alessandro Boulevard and Cactus Avenue.

Surrounding Area

The project is located near the northeast corner of Frederick Street and Cactus Avenue, northerly of the March Air Reserve Base (MARB), and approximately one mile easterly of Interstate 215 (I-215).

Land uses to the north include administrative facilities of the Riverside County Waste Management Department with City Hall and offices for the Bureau of Land Management and Social Security to the northwest. Land uses to the west include a warehouse of approximately 522,000 square feet which is under construction, a vacant retail building, and a mix of business park, office and retail uses.

Land uses to the east from Frederick Street to Heacock Street include a number of large occupied warehouse facilities. East of Heacock Street is single-family tract homes. Further to the north, to the north of Alessandro Boulevard, existing uses include commercial and residential uses.

Southerly of the Project site, across Cactus Avenue, is the March Air Reserve Base (MARB). MARB properties located opposite the Project site are currently undeveloped and are designated for "Business Park" uses under the MARB General Plan.

Design

Site design of the proposed warehouse distribution facility is consistent with requirements of the City's Municipal Code Section 9.05 Industrial Districts, the City's design guidelines, parking requirements and Landscape Standards.

The architectural design of the buildings and 14 foot tall perimeter screen walls is concrete tilt-up construction. Buildings and perimeter screen walls colors include earthtones, with varying amounts of accent colors and vertical features to break up the architecture of the buildings and walls. Roof top equipment will be screened from public view by parapet walls.

Buildings and walls will be compatible with the established design and colors of the existing warehouse facilities located in the immediate area.

Staff worked with the applicant to ensure that all sides of the buildings include architectural treatment. The loading bays and trailer storage areas along the northern and southern elevations have been screened from view by 14 foot tall perimeter screen walls.

Landscaped areas for the sites range from 8% to 17%. The City's Municipal Code does not require a minimum percentage of landscape on a site. Instead, there are requirements for landscape setback areas along perimeter streets, parking lot landscape, street trees and landscape treatments around the perimeter of the buildings where visible from the public right-of-way. The project as designed meets the City's current landscape criteria.

Signs are not a part of this approval and will be reviewed and approved under separate administrative permit.

REVIEW PROCESS

In the review of this project, consideration was given to the potential impact to surrounding land uses by the proposed Plot Plans for the warehouse facility.

Upon review at by the Project Review Staff Committee (PRSC) in June 2012, modifications were required to the site plan. Comments from staff included revisions to the layout of the parking lot, access from adjacent roads, parkways, typical street sections, grading and the submittal of required environmental and technical studies.

A subsequent PRSC review occurred in October 2012. Upon review of a final draft of the site plan and completion of the draft Final Environmental Impact Report, a determination was made to schedule this project for a Planning Commission public hearing on November 29, 2012.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was prepared, with the public comment period beginning on August 14, 2012 and ending on September 13, 2012. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on August 29, 2012.

Draft Environmental Impact Report

Subsequent to that meeting, draft environmental documents were prepared by the environmental consultant Applied Planning, Inc. and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the draft environmental documents for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on September 21, 2012, and ending on November 5, 2012.

The Draft EIR was sent to all required State and local agencies and numerous interested parties as well as to the City's Environmental and Historical Preservation Board. Ten comment letters were provided during the 45-day review period.

Final Environmental Impact Report

Responses to the ten comments received during the 45 day review period are included in the Response to Comments. The Response to Comments and related documents were mailed to all interested parties and responsible agencies on November 16, 2012,to allow for their review prior to Planning Commission hearing, to meet the notice period of 10 days required by CEQA. As was the case with the Draft EIR, the draft Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic, air quality, and noise. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of potential impacts

cannot be reduced to a less than significant level. As identified in the document, these noted impacts above are considered to be significant and unavoidable.

Although impacts to traffic, air quality, and noise cannot be reduced to less than significant levels, CEQA allows a decision making body to consider a statement of overriding considerations and findings. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs or other beneficial project features versus project impacts that cannot be mitigated to less than significant levels. If the decision making body determines that the benefits of a proposed project outweigh the unavoidable adverse environmental effects, it may approve a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality, Noise, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant without mitigation. With mitigation, anticipated impacts to Biological Resources are anticipated to be below significant thresholds.

Mitigation measures are included to reduce the environmental impacts where possible, even where the impacts could not be reduced to less than significant levels. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

The Planning Commission will take public testimony on the EIR and project. Before the proposed project can be acted upon, the Planning Commission will need to review the final environmental document and make a recommendation to the City Council to either certify or reject the EIR and project Mitigation Monitoring Program.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all responsible reviewing agencies.

Agency	Response Date	Comments
Riverside County Flood Control	May 29, 2012	District Master Plan Facilities

Staff has coordinated with the responsible agencies listed above and where applicable, conditions of approval have been included to address concerns from the responding agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

1. **APPROVE** Resolution No. 2012-29 recommending that the City Council **CERTIFY** that the Environmental Impact Report (EIR) for the RPT Centerpointe West Project has been completed in compliance with the California Environmental Quality Act.

2. **APPROVE** Resolution No. 2012-30 recommending that the City Council **APPROVE** Zone Change application PA12-0022, Plot Plan PA12-0019, Plot Plan PA12-0020, and Plot Plan PA12-0021, subject to the attached zone change map and conditions of approval included as Exhibits A, B, C and D.

Prepared by:	Approved by:
Jeff Bradshaw Associate Planner	John C. Terell, AICP Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2012-29
   Exhibit A – Statement of Overriding Considerations
   Exhibit B – Mitigation Monitoring Program
3. Planning Commission Resolution No. 2012-30
   Exhibit A – Zone Change Map
   Exhibit B – Plot Plan PA12-0019 Conditions of Approval
   Exhibit C – Plot Plan PA12-0020 Conditions of Approval
   Exhibit D – Plot Plan PA12-0021 Conditions of Approval
4. Aerial Map
5. Final EIR
6. Draft EIR
7. PA12-0019 – Project Plans
8. PA12-0020 – Project Plans
9. PA12-0021 – Project Plans

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Notice of PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the Planning Commission of the City of Moreno Valley on the following item(s):

CASE: **PA12-0019 (Plot Plan)**
PA12-0020 (Plot Plan)
PA12-0021 (Plot Plan)
PA12-0022 (Zone Change)
P12-057 (Environmental Impact Report)

APPLICANT: Ridge Moreno Valley, LLC

OWNER: Ridge Moreno Valley, LLC

REPRESENTATIVE: Inland Empire Development Services

LOCATION: Near or at the northeast corner of Frederick Street and Cactus Avenue

PROPOSAL: PA12-0019 proposes either a 164,720 SF warehouse building or an enclosed truck storage yard on 7.6 acres at the northeast corner of Cactus Ave. and Frederick St. PA12-0020 proposes adding 507,720 SF to an existing 779,016 SF warehouse building for a total of 1,286,736 SF on an 18.6 acre site located at the northwest of Cactus Ave. and Graham St. This project requires the vacation of existing Joy Street between Brodiaea Ave. and Cactus Ave. PA12-0021 proposes a new 607,920 SF warehouse facility on approximately 30 acres located at the northwest corner of Graham St. and Brodiaea Ave. This project requires the vacation of existing Joy Street north of Brodiaea Ave. PA12-0022 proposes a Zone Change from BPX to LI for the 7.6 acres located at the northeast corner of Cactus Ave. and Frederick St. Approval of this project will require certification of an EIR.

ENVIRONMENTAL DETERMINATION: Environmental Impact Report

COUNCIL DISTRICT: 5

STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community & Economic Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday), or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The Planning Commission, at the Hearing or during deliberations, could approve changes or alternatives to the proposal.

If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing.

LOCATION N ↑

PLANNING COMMISSION HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, Calif. 92553

DATE AND TIME: November 29, 2012 at 7 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

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PLANNING COMMISSION RESOLUTION NO. 2012-29

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT (P12-057), ADOPT THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATION AND APPROVE THE MITIGATION MONITORING PROGRAM FOR THE RPT CENTERPOINTE PROJECT, INCLUDING PA12-0019 (PLOT PLAN FOR A 164,720 SF WAREHOUSE OR AN ENCLOSED TRUCK STORAGE YARD), PA12-0020 (PLOT PLAN FOR A 507,720 SF ADDITION TO AN EXISTING 779,016 SF WAREHOUSE FOR A TOTAL OF 1,286,736 SF), PA12-0021 (PLOT PLAN FOR A 607,920 SF WAREHOUSE) AND PA12-0022 (ZONE CHANGE FOR 7.6 ACRES FROM BPX TO LI).

Section 1:

WHEREAS, the applicant, Ridge Moreno Valley, LLC, submitted applications for the RPT Centerpointe West Project which include an Environmental Impact Report (P12-057), a Zone Change (PA12-0022), a Plot Plan for a 164,720 square foot warehouse or an enclosed truck storage yard (PA12-0019), a Plot Plan for a 507,720 square foot addition to an existing 770,016 square foot warehouse for a total of 1,286,736 square feet (PA12-0020) and a Plot Plan for a 607,920 square foot warehouse (PA12-0021). The above applications shall not be approved unless the Final Environmental Impact Report (P12-057) is certified and approved;

WHEREAS, the applicant, Ridge Moreno Valley, LLC, worked with the City in the preparation of an Initial Study checklist and a Notice of Preparation (NOP). A Notice of Completion and Environmental Document Transmittal was filed with the State Clearinghouse on August 14, 2012 for the Notice of Preparation (NOP) of a Draft EIR for the project. The public review period of the NOP was August 14, 2012 through September 13, 2012. A public scoping meeting was held in connection with the NOP on August 29, 2012 in the Council Chamber at City Hall;

WHEREAS, the applicant, Ridge Moreno Valley, LLC, worked with the City in September 2012 in the review of NOP response comments for the preparation of a Draft Environmental Impact Report (EIR) for this project. The Draft EIR was circulated to the public and to responsible agencies for comments for a 45 day period beginning on September 21, 2012 and ending on November 5, 2012;

WHEREAS, the City has prepared responses, which have been included in the Final EIR, to all comments received during the 45 day comment period;

ATTACHMENT 2

WHEREAS, on November 29, 2012, the City published a notice in the local newspaper (Press Enterprise) and distributed copies of the draft Final EIR to the State Clearinghouse, local agencies and other interested parties;

WHEREAS, the draft and final EIR concerning the proposed RPT Centerpointe West Project were prepared in sufficient detail and duly circulated in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Moreno Valley Rules and Procedures to Implement CEQA;

WHEREAS, since November 19, 2012, copies of the draft EIR have been made available to the public at the City's offices, on the City's website and at the City's public library;

WHEREAS, the final EIR includes a review of potential impacts associated with the implementation of the RPT Centerpointe West Project, including, but not limited to Traffic, Air Quality, and Noise;

WHEREAS, a Mitigation Monitoring Program has been completed to ensure that all of the mitigation measures outlined in the final EIR are implemented;

WHEREAS, A Final EIR, (including the Draft EIR, and responses to comments), has been completed and is being recommended for certification, prior to the approval of discretionary permits related to the project;

WHEREAS, on November 29, 2012**,** the Planning Commission conducted a public hearing to consider the Final EIR for the proposed project;

WHEREAS, on November 29, 2012, the Planning Commission forwarded the Final Environmental Impact Report (EIR) document to the City Council for consideration;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on November 29, 2012, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2012-28, recommending that the City Council:

1. **CERTIFY** that the Final Environmental Impact Report (EIR) for the RPT Centerpointe West VIP Moreno Valley Project on file with the Community & Economic Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the Planning Commission reviewed and considered the information contained in the Final EIR and that the Final EIR reflects the City's independent judgment and analysis; and

2. **ADOPT** the Findings and Statement of Overriding Considerations regarding the Final EIR for the VIP Moreno Valley Project, attached hereto as Exhibit A; and

3. **APPROVE** the Mitigation Monitoring Program for the Final EIR for the proposed VIP Moreno Valley Project, attached hereto as Exhibit B.

APPROVED and **ADOPTED** this 29th day of November, 2012.

_____
Meli Van Natta
Chair, Planning Commission

ATTEST:

_____
John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

_____
City Attorney

Attachment A

Facts, Findings and Statement of Overriding Considerations
Regarding the Environmental Effects and the Approval of the
RPT Centerpointe West Project
(State Clearinghouse No. 2012081034)

I. INTRODUCTION

The City Council (this "Council") of Moreno Valley (this "City"), in certifying the EIR for the RPT Centerpointe West Project and approving necessary conditional use permits authorizing the construction of up to 1,281,000 square feet of warehouse/distribution uses (the "Project"), makes the Findings described below and adopts the Statement of Overriding Considerations presented as "Appendix A" of the Findings. The Environmental Impact Report ("EIR") was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). Hereafter, unless specifically identified, the Initial Study ("IS"), Notice of Preparation ("NOP"), Notice of Availability & Completion ("NOA/NOC"), Draft EIR ("DEIR"), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR ("FEIR"), and the Mitigation Monitoring Plan ("MMP") will be referred to collectively herein as the "EIR." These Findings are based on the entire record before this Council, including the EIR. This Council adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by this Council.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The Project is located in the western portion of the City of Moreno Valley. The Project site consists of approximately 56.2 acres of land located northeasterly of the intersection of Cactus Avenue and Frederick Street, northerly of the March Air Reserve Base (MARB) and approximately one mile easterly of Interstate 215 (I-215). The site is bounded by Cactus Avenue to the south, Frederick Street to the west and Graham Street to the east. Brodiaea

Avenue currently transects the site in an east-west direction, and Alessandro Avenue parallels the site approximately 500 feet to the north. The Project site contains current Assessor's Parcel Numbers (APNs) 297-170-027, -064, -065, -075, -076 and -082.

Properties to the east of the RPT Centerpointe West Project site, between Graham Street and Heacock Street, are currently developed with warehouse/distribution facilities and other light industrial or business park uses as part of the adjacent Centerpointe industrial development. At the southeast corner of Frederick Avenue and Brodiaea Avenue are the existing administrative facilities of the Riverside County Waste Management Department. At the northwest corner of Cactus Avenue and Frederick Street, the Concourse at Centerpointe Project (an approximately 522,000-square-foot warehouse) is currently under construction. Properties between Resource Way and Alessandro Boulevard are developed with business park and office facilities, including the Moreno Valley City Hall. Properties to the north of the Project site are currently vacant, but are General Plan-designated for commercial uses. To the north of Alessandro Boulevard, existing uses include commercial and residential uses. Southerly of the Project site, across Cactus Avenue, is the March Air Reserve Base (MARB). MARB properties located opposite the Project site are currently undeveloped and are designated for "Business Park" uses under the MARB General Plan. Southeasterly of the Project site, across Cactus Avenue, is the March Lifecare Campus Specific Plan (MLCSP).

2. Project Description

Together with necessary supporting improvements, the Project provides for construction of approximately 1.29 million square feet of distribution warehouse uses on an approximately 56-acre site. The entire Project Area is designated for Business Park/Light Industrial land uses by the City's General Plan. Additionally, five of the six existing parcels within the Project Site are currently zoned for Light Industrial (LI) uses. The lone parcel (APN 297-170-027) not zoned for light industrial development is located at the northeast corner of the Cactus Avenue/Frederick Street intersection. This parcel is currently zoned "BPX," or Business Park Mixed Use. The Project proposes a zone change for this parcel, from BPX to LI.

3. Actions Covered by the EIR

The EIR will support the following discretionary approvals:

- EIR Certification;
- Zone change from Business Park to Light Industrial;
- Joy Street Right-of-Way Vacation;
- Development Plan Review; and
- Parcel Map Approval.

B. PROJECT OBJECTIVES

The primary goal of the Project is the development of the subject site with a productive mix of warehouse/distribution uses. Complementary objectives of the Project include the following:

- Expand on the existing productive uses within the Project vicinity;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's proximate regional freeway access;
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation; and
- Develop a project that is compatible with surrounding land uses.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this Project which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the NOP/Initial Study and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On August 10, 2012 the City circulated a Notice of Preparation ("NOP") and the Initial Study that identified the environmental issues that the City anticipated would be analyzed in the Project's DEIR to the State Clearinghouse, responsible agencies, and other interested parties.

- On August 29, 2012, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.
- The NOP/IS public review period ran for 30 days, from August 13 to September 11, 2012. Written comments on the NOP were received from seven different agencies and organizations. The scope of the issues identified in the comments expressing concern included potential impacts associated with: air quality; cultural resources; land use; and traffic and circulation.
- Based on the Initial Study, included in the DEIR in Appendix A, and comments received pursuant to the NOP, it was determined that some issues need not be addressed in depth in the DEIR because previous studies of other analyses provided sufficient information and analysis to conclude that there was little or no potential for significant impacts. These environmental topics included: (1) Aesthetics; (2) Agriculture and Forest Resources; (3) Biological Resources; (4) Cultural Resources; (5) Geology and Soils; (6) Hydrology and Water Quality; (7) Mineral Resources; (8) Population/Housing; (9) Recreation; and, (10) Utilities and Service Systems.
- On September 21, 2012, the NOA/NOC was filed with the State Clearinghouse and the DEIR was circulated for the 45 day public review, which ended November 5, 2012.
- The City received a total of ten comment letters: seven from public agencies; and three from interested parties or individuals. The City prepared specific responses to all comments. The responses to comments are included in Section 3.0 of the FEIR.
- On November 19, 2012 in accordance with *Public Resources Code* Section 21092.5, the City provided written proposed responses to public agencies that commented on the DEIR.
- On December 11, 2012, the City of Moreno Valley City Council conducted a noticed public hearing to consider the Project and took public comment. Following public testimony and submission of staff recommendations, this Council certified the EIR, adopted these Facts, Findings and the Statement of

Overriding Considerations, which also adopts the Mitigation Monitoring Plan ("MMP"), and the further recommendations in the Staff Report, and approved the Project (collectively the "Approvals").

IV. INDEPENDENT JUDGMENT FINDING

The Applicant retained the independent consulting firm of Applied Planning, Inc. ("Applied Planning") to prepare the EIR for the Project. Applied Planning has prepared the EIR under the supervision, direction and review of the City with the assistance of independent peer reviewers (Urban Logic Consultants and Mountain Pacific). The City of Moreno Valley is the Lead Agency for the preparation of the EIR, as defined by CEQA CPRC Section 21067 as amended. The Council has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

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

A. GENERAL FINDING ON MITIGATION MEASURES

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

Finding: Unless specifically stated to the contrary in these findings, it is this Council's intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures

recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 4.0 and 5.0 of the DEIR and Section 4.0 of the FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Chapter 3.0 of the FEIR.

The EIR evaluated six major environmental categories for potential impacts, including Air Quality, Hazards/Hazardous Materials, Land Use, Noise, Public Services, and Traffic and Circulation. Mitigation measures recommended as part of the Initial Study were also incorporated in the Draft EIR to address potential impacts in regard to Biological Resources. Both Project-specific and cumulative impacts were evaluated. Of these major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub-issues discussed in Sections V.A and V.B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Council.

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Moreno Valley City Council hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

1. Land Use

a. Consistency with Applicable Land Use Plans

Potential Impact: Whether the Project would conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

Findings: Potential impacts of the Project related to consistency with the applicable land use plans, including the City's General Plan and Zoning Ordinance, are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable land use plans will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City's General Plan "Business Park/Light Industrial" designation allows for either business park or light industrial uses, as determined by the overlying Zoning designation. Within the Project site, 48.6 acres, or five of the six existing parcels, within the Project area are currently zoned for Light Industrial (LI) uses. The lone parcel not designated for LI uses is located at the northeast corner of the Cactus Avenue/Frederick Street intersection, and has a zoning designation of "BPX," or Business Park Mixed Use. The Project proposes a zone change for this parcel, from BPX to LI. Other parcels within the Project Site would retain their existing LI zoning designations. Existing and proposed zoning designations for the Project site, as well as development proposed by the Project, are consistent with the underlying General Plan Land Use designation (DEIR, pgs. 4.1-16 to 4.1-27). Accordingly, amendment to the site's General Plan Land Use designation is not required.

b. Consistency with Applicable Habitat Conservation Plans

Potential Impact: Whether the Project would conflict with applicable Habitat Conservation Plans or other natural community conservation plans. Consistency with SCAG and WRCOG policies and programs was also evaluated, and no conflicts were identified. On this basis, the Project is considered consistent with applicable land use plans.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.1 of the DEIR and in Section IV of the IS. Based on the entire record before us, this Council finds that no significant impacts related to

consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site, along with the majority of the western portion of the City of Moreno Valley, is located within an urbanized setting. The Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). As set forth in the City's General Plan EIR, the Project will be required to pay applicable MSHCP Development Mitigation Fees. The Project will implement mitigation measures (BR-1, BR-2 and BR-3 have been incorporated in the MMP under the topic of "Biological Resources") to ensure compliance with applicable provisions and requirements of the MSHCP (IS, pg. 3-8). The Project is not subject to requirements of any other applicable conservation plan or natural community conservation plan. Accordingly, the Project would have no impact related to consistency with applicable habitat conservation plans or other natural community conservation plans (DEIR, pgs. 4.1-27 to 4.1-28).

c. Potential to Divide an Established Community

Potential Impact: Whether the Project would physically divide an established community.

Findings: Potential impacts of the Project related to the potential division of an established community are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the physical division of an established community will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is located within, and continues the business park/light industrial land uses that exist or are proposed along the northerly Cactus Avenue frontage, consistent with land use and development patterns reflected in the Moreno Valley General Plan Land Use Map. No "established community" exists within the Project site, and the Project's building orientations and locations, site design elements, landscaping, and screening/buffering minimize its potential environmental effects on off-site land uses (DEIR, pg. 4.1-29).

d. Cumulative Impacts Related to Land Use

Potential Impact: Whether the Project would result in cumulatively significant impacts to land use.

Findings: Potential cumulative impacts of the Project related to land use are discussed in detail in Section 5.1.1.1 of the DEIR. Based on the entire record before us, this Council finds that impacts relative to land use would not be cumulatively considerable and no mitigation is required.

Facts in Support of the Findings: Implementation of the Project would result in the development of warehouse/distribution uses, which are largely consistent with existing General Plan Land Use designations and compatible with the surrounding land uses. It is noted that the Project proposes a zone change for a single parcel. As discussed in detail in Section 4.1 of the DEIR, the zone change requested by the Project is consistent with the underlying General Plan Land Use designation and would not result in individually or cumulatively adverse land use impacts. The Project's contributions to potential cumulative land use impacts related to General Plan and Zoning consistency are less-than-significant. Further, the Project is determined to be consistent with applicable areawide and regional plans and will not discernibly nor cumulatively result in adverse impacts related to implementation of the identified regional plans (DEIR, pg. 5-8).

2. Traffic and Circulation

a. Air Traffic Patterns

Potential Impact: Whether the Project would increase or otherwise affect existing air traffic patterns.

Findings: Potential impacts of the Project related to air traffic patterns are discussed in Section XVI of the IS. Based on the entire record before us, this Council finds that no significant impacts related to any change in air traffic patterns will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose elements that would affect, or be affected by, air traffic facilities. Accordingly, the potential for the Project to conflict with existing air traffic patterns is determined to be less-than-significant (IS, pg. 3-21).

b. Conflict with Congestion Management Program

Potential Impact: Whether the Project would conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.

Findings: Potential impacts of the Project related to conflicts with applicable congestion management programs are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to increased hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Within the Study Area, the I-215 is a designated Riverside County Congestion Management Program (CMP) facility. Within the Study Area, levels of service standards and operational efficiencies along I-215 freeway segments established by the Riverside County Congestion Management Agency are maintained with the addition of Project traffic under Opening Year (2017) and Cumulative with Project conditions (DEIR, pg. 4.2-64).

c. Roadway Hazards, Emergency Access

Potential Impact: Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); and/or result in inadequate emergency access.

Findings: Potential impacts of the Project related to increased roadway hazards and adequate emergency access are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to increased hazards or emergency access will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: To ensure appropriate design and implementation of all recommended Project access improvements, the final design of the Project site plan, to include locations and design of proposed driveways, shall be reviewed and approved by the City Traffic Engineer, thus minimizing any potential roadway hazards or design incompatibilities. The Project does not propose any components that would create hazards or introduce traffic that is inconsistent with the existing traffic patterns. Additionally, as part of the City's design review process, the Project's plans will be submitted to the appropriate personnel within the Moreno Valley Fire and Police departments for review and approval prior to the issuance of building

permits. Accordingly any impacts related to roadway hazards or emergency access would be less-than-significant (DEIR, pg. 4.2-70).

3. <u>Air Quality</u>

a. Air Quality Management Plan Consistency

Potential Impact: Whether the Project would conflict with or obstruct implementation of the applicable air quality plan.

Findings: Potential impacts of the Project related to consistency with the applicable air quality plan are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable air quality management plan and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is consistent with, and will not impede or otherwise conflict with implementation of the Air Quality Management Plan ("AQMP"). The Project is consistent with AQMP Consistency Criterion No. 1 because it will not increase the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP (DEIR, pgs. 4.3-49 to 4.3-50). Consistent with intent and provisions of the AQMP, the Project will implement all feasible mitigation, and comply with all applicable SCAQMD rules developed to reduce air pollutant emissions. The Project is also consistent with AQMP Consistency Criterion No. 2 because the extent of air pollutant emissions generated by the Project would be no greater than is reflected in the current General Plan and incorporated in the adopted AQMP. The land use proposed by the Project is consistent with the currently adopted City General Plan, and the Project would not otherwise increase the site's anticipated development intensity (DEIR, pgs. 4.3-50 to 4.3-51).

b. Objectionable Odors

Potential Impact: Whether the Project would create objectionable odors affecting a substantial number of people.

Findings: Potential impacts of the Project related to objectionable odors are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts due to objectionable odors and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose land uses typically associated with the emission of objectionable odors. Potential odors during Project construction may result from heavy equipment exhaust and the application of asphalt and architectural coatings. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less-than-significant. Project-related operational odor sources, such as vehicle exhaust and routine painting and maintenance activities, are typical of industrial/commercial activities and would be localized to the immediate Project vicinity, with little or no off-site effects (DEIR, pgs. 4.3-77 to 4.3-78).

c. Greenhouse Gas Emissions

Potential Impact: Whether the Project would conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases; or directly or indirectly generate greenhouse gas (GHG) emissions that may have a significant impact on the environment.

Findings: Potential impacts of the Project related to greenhouse gas emissions are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to the direct or indirect creation of greenhouse gas emissions and, therefore, no mitigation is required. Nonetheless, Mitigation Measures 4.3.7 through 4.3.8 will ensure that the Project further minimizes its reliance on non-renewable electrical energy sources. In addition, Mitigation Measure 4.3.9 addresses the incorporation of alternative transportation.

4.3.7 The building roof shall be designed and constructed to accommodate solar panels.

4.3.8 Prior to issuance of the first Certificate of Occupancy, the Project shall install a photovoltaic array (solar panels) or other source of renewable energy generation onsite, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the Project's office electrical needs.

4.3.9 The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements;

The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley

General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;

The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.

Facts in Support of the Findings: The Project will be designed and operated consistent with incumbent GHG regulatory requirements. Further, the project is consistent with, or otherwise is not in conflict with, applicable CARB Scoping Plan recommended measures and actions, and applicable GHG emission reduction strategies identified in the 2006 CAT Report. Already less-than-significant Project GHG emissions will be further reduced as a byproduct of other general Project Air Quality Mitigation Measures and the required use of renewable energy, pursuant to Mitigation Measures 4.3.7 and 4.3.8 (DEIR, pgs. 4.3-78 to 4.3-96) and the Project's support of alternative transportation methods, pursuant to Mitigation Measure 4.3.9.

d. Sensitive Receptors

Potential Significant Impact: The EIR evaluated and concluded that neither Project construction activities, nor long-term operations of the Project, would expose sensitive receptors to potentially substantial pollutant concentrations.

Finding: Implementation of the following supplemental mitigation measures will reduce already less-than-significant air pollutant emissions that could affect sensitive receptors:

4.3.5 The Project truck access gates and loading docks site shall be posted with signs which state:

- *Truck drivers shall turn off engines when not in use;*
- *Diesel delivery trucks servicing the Project shall not idle for more than three minutes; and*
- *Telephone numbers of the building facilities manager and the CARB to report violations.*

4.3.6 The Project's final site design shall allow for trucks to check-in within the facility area to prevent queuing of trucks outside the facility.

Facts in Support of the Finding: Based on analysis performed as part of the Project Air Quality Impact Analysis, the Project could expose sensitive receptors to potentially substantial concentrations. However, with implementation of Mitigation Measures 4.3.5 and 4.3.6, these impacts will be reduced to a less-than-significant level (DEIR, pg. 4.3-75).

4. Noise

a. Operational Noise

Potential Significant Impact: Whether the routine operation of the Project will generate noise levels exceeding applicable City's standards.

Findings: Potential impacts of the Project relative to noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in operational noise that exceeds City standards and therefore, no mitigation is required. Nonetheless, the DEIR has identified the following supplemental mitigation measures, which will further reduce the Project's already less-than-significant operational noise impacts.

4.4.4 All trucks, tractors, and forklifts shall be operated with proper operating and well maintained mufflers.

4.4.5 Maintain quality pavement conditions that are free of bumps to minimize truck noise.

4.4.6 The truck access gates and loading docks within the truck court on the project site shall be posted with signs which state:

- *Truck drivers shall turn off engines when not in use;*
- *Diesel trucks servicing the Project shall not idle for more than five minutes; and*
- *Post telephone numbers of the building facilities manager to report violations.*

Facts in Support of the Finding: Based on analysis performed as part of the Project Noise Impact Analysis, even without mitigation, the Project's routine operations will not exceed the City's standards for stationary noise. Mitigation Measures 4.4.4 through 4.4.6 will serve to further reduce already less-than-significant operational noise impacts (DEIR, pgs. 4.4-22 to 4.4-25).

b. Groundborne Vibration/Groundborne Noise

Potential Impact: Whether the Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the Project relating groundborne vibration and groundborne noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this

Council finds that no significant impacts related to groundborne vibration or groundborne noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels (DEIR, pgs. 4.4-26 to 4.4-27). Although heavy equipment employed during Project construction could potentially generate groundborne vibration resulting in temporary annoyance at vicinity properties, Project construction activities do not propose or require extensive or prolonged use of heavy equipment proximate to neighboring structures. While Project construction-source vibration may at times be perceived at off-site land uses, it is unlikely that such vibration would cause structural damage or be otherwise substantively detrimental to properties or persons. Further, the Project will comply with all applicable vibration criteria as established by the California Department of Transportation addressing construction-source vibration impacts (DEIR, pg. 4.4-26).

c. Aircraft Noise

Potential Impact: Whether the Project would result in significant impacts related to aircraft noise.

Findings: Potential impacts of the Project related to aircraft noise are discussed in detail in IS Section XII. Based on the entire record before us, this Council finds that no significant impacts related to aircraft noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: March Air Reserve Base (MARB) and associated airport operations exist southerly of the Project site, across Cactus Avenue. The Project would not however affect or be substantively affected by MARB operations. Moreover, the City has adopted the MARB AICUZ overlay zone. The Project site is located outside the noise zone identified in the AICUZ (IS, pg. 3-33).

5. <u>Hazards/Hazardous Materials</u>

a. Airport-Related Hazards, Emergency Plan Interference, Risk of Wildland Fire

Potential Impact: Whether the Project has the potential to result in a safety hazard for people residing or working in the project area due to airport/airstrip operations; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or expose people or structures to a significant risk of loss, injury or death involving

wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Findings: Potential impacts of the Project related to hazards and hazardous materials are discussed in detail in Section VIII of the IS. Based on the entire record before us, this Council finds that no significant impacts related to the creation of hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project would not be substantively affected by MARB and associated airport operations which exist southerly of the Project site, across Cactus Avenue. Moreover, the City has adopted the MARB AICUZ overlay zone. The Project site is located outside both the crash and noise zones identified in the AICUZ. The Project does not propose permanent alteration to vehicle circulation routes, nor will this be required based on current Project development concepts. As such, the Project should not interfere with an identified emergency response or emergency evacuation plan. The Project site is located in an area that has been largely urbanized, and there are no wildlands adjacent to the Project area (IS, pg. 3-14).

b. Location on a Hazardous Materials Site

Potential Impact: Whether the potential location of the Project is on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Findings: Potential impacts of the Project location on a hazardous materials site are discussed in Section VIII of the IS. Based on the entire record before us, this Council finds that no significant impacts related to location on a hazardous materials site will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not identified on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and therefore, would have no impact in this regard (IS, pg. 3-13).

c. Hazard(s) to the Public or Environment

Potential Impact: Whether the Project would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.

Findings: Potential impacts of the Project related to the handling of hazardous materials are discussed in detail in DEIR Section 4.5. Based on the entire record before us, this Council finds

that no significant impacts related to the creation of hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Project construction will require temporary and short-term transport, use, and storage of potentially hazardous materials. However, all materials would be stored, used, and disposed of consistent with a Project Hazardous Material Business Plan (HMBP) as may be stipulated by the CUPA and/or the City of Moreno Valley. Moreover, handling of these materials outside of a HMBP context is extensively regulated at the local, State, and federal levels (DEIR, pgs. 4.5-18 to 4.5-20).

d. Hazardous Materials

Potential Impact: Whether the Project would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

Findings: Potential impacts of the Project related to hazards and hazardous materials within the proximity of a school are discussed in detail in DEIR Section 4.5. Based on the entire record before us, this Council finds that no significant impacts related to the hazardous materials near schools will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: No schools exist, or are proposed within one-quarter mile of the Project site. Further, the Project is subject to AQMD permitting and regulatory requirements that would preclude hazardous air emissions. It is also noted that compliance with applicable hazardous waste control rules and regulations would be expected to minimize the risk of public exposure (including schools) to any hazardous materials used or stored at the Project site (DEIR, pgs. 4.5-20 to 4.5-22).

e. Cumulative Impacts Related to Hazards/Hazardous Materials

Potential Impact: Whether the Project would result in cumulatively significant impacts to hazards/hazardous materials.

Findings: Potential cumulative impacts of the Project related to hazards and hazardous materials are discussed in detail in Section 5.1.1.5 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to hazards/hazardous materials will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the Project would not propose uses or activities that would require substantive handling or use of hazardous materials, hazardous substances, or hazardous waste that could result in potential adverse effects. It is further assumed that other development projects within the cumulative impact area will be subject to similar regulations regarding the handling and transport of hazardous materials, thereby avoiding or reducing the extent and scope of potential cumulative impacts in regard to hazardous materials exposure or release.

6. <u>Public Services</u>

a. Impacts Related to Public Services

Potential Impact: Whether the Project would result in substantial adverse physical impacts associated with the provision of the new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable ratios, response times, or other performance objectives for any of the public services, including fire protection, police protection, schools, parks, or other public facilities.

Findings: Potential impacts of the Project related to police and fire protection are discussed in detail in Section 4.6 of the DEIR, while potential impacts to schools, parks, or other public facilities are addressed in IS Section XIV. Based on the entire record before us, this Council finds that no significant impacts related to public services will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Development of the Project would result in an incremental increase in the overall Citywide demand for fire and police protection services, which could result in additional staffing or equipment requirements. However, based on the availability of existing facilities and services to Project site, no need or requirement for new facilities has been identified. The Project is not anticipated to significantly affect existing response times or service ratios in regard to the provision of emergency services. Further, development impact fees and sales tax revenues generated by the Project will provide funding sources available for support and enhancement of fire and police protection services (DEIR, pg. 4.6-9). In regard to schools and parks, the Project is not expected to contribute substantially to the resident population base using school and park facilities. The Project will pay required school impact fees to offset potential impacts to schools that may result from any incremental increase in student population that may result from employment opportunities created by the Project. In regard to other public

facilities, the public agency oversight required to develop the Project is included within the routine tasks of the City's Planning, Building and Safety Divisions, and Public Works Department. Permit processing, plan-check, and inspection fees paid by the Project would fund these activities, which typically fall within routine tasks of these agencies (IS, pg. 3-20).

b. Cumulative Impacts Related to Public Services

Potential Impact: Whether the Project would result in cumulatively significant impacts to public services.

Findings: Potential cumulative impacts of the Project related to public services are discussed in detail in Section 5.1.1.6 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to public services will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the Project and other development in the City and surrounding communities will cumulatively add to demands on fire protection, law enforcement, and emergency medical response services. However, cumulative demands for these services are reduced through review and coordination of development projects with potentially affected service providers, and incorporation of appropriate design and construction elements which act to enhance safety and minimize potential hazards. With specific regard to cumulative demand for fire protection services in the Project area, these services will be enhanced by planned construction of a new fire station to be located approximately one-quarter mile easterly of the Project site. Accordingly, the Project's potential contribution to cumulative public services impacts is not considerable, and the cumulative effects of the Project are determined to be less-than-significant.

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

I. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

II. Those changes or alterations that are within the responsibility and jurisdiction

of another public agency and have been, or can and should be, adopted by that other agency.

III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including Traffic and Circulation, Air Quality, and Biological Resources, were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Council hereby finds pursuant to *Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are set forth in the MMP adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. <u>Traffic and Circulation</u>

a. Conflict with Circulation Performance Plan

Potential Significant Impact: The EIR evaluated and concluded that the Project-related traffic could contribute to level of service (LOS) exceedances under Opening Year conditions at the intersection of Elsworth Street at Cactus Avenue in both the morning and evening peak hour periods.

Finding: Implementation of the following mitigation measure will reduce potential Opening Year traffic impacts at the affected intersection:

4.2.1 Elsworth Street and Cactus Avenue Improvements:

Prior to issuance of the first Certificate of Occupancy, the Project Applicant shall construct the following improvement.

- *Remove the existing southbound crosswalk (i.e., the crosswalk on the western leg of the intersection) to provide additional "green time" to other approaches. This removal shall be accomplished in a manner consistent with applicable regulations, including but not limited to Chapter 3B of the 2012* California Manual on Uniform Traffic Control Devices *(MUTCD), and Section 21950.5 of the California Vehicle Code. The existing crosswalks on the north, east and south legs of the intersection shall be maintained.*

Facts in Support of the Finding: Based on analysis performed as part of the Project Traffic Impact Analysis (TIA), the Project will contribute to level of service (LOS) exceedances under Opening Year conditions at the intersection of Elsworth Street at Cactus Avenue in both the morning and evening peak hour periods. (DEIR, pgs. 4.2-50 to 4.2-51). However, with implementation of the roadway improvement identified in Mitigation Measures 4.2.1, these impacts will be reduced to a less-than-significant level (DEIR, pg. 4.2-51).

2. <u>Air Quality</u>

a. Construction-Related Emissions

Potential Significant Impact: The EIR evaluated and concluded that the Project's construction-related emissions of VOC could exceed South Coast Air Quality Management District (SCAQMD) thresholds.

Finding: Implementation of the following mitigation measures will reduce potential construction-related air quality impacts to a less-than-significant level:

To facilitate implementation and monitoring of mitigation measures addressing construction source air quality impacts, all plans, specifications, and contract documents shall include the following or equivalent notations:

4.3.1 Pursuant to SCAQMD Rule 403 requirements:

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are limited to 15 miles per hour or less.*

4.3.2 A sign shall be posted on-site stating that construction workers shall not idle diesel engines in excess of five minutes.

4.3.3 During grading activities, total horsepower-hours per day for all equipment shall not exceed 13,568 horsepower-hours per day and the maximum disturbance (actively graded) area shall not exceed four acres per day.

4.3.4 Only "Zero-Volatile Organic Compounds" paints (no more than 150 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications consistent with South Coast Air Quality Management District Rule 1113 shall be used.

Facts in Support of the Finding: Based on analysis performed as part of the Project Air Quality Impact Analysis, the Project will generate construction-related emissions of VOC in excess of regional thresholds established by SCAQMD (DEIR, pgs. 4.3-54 to 4.3-58). However, with implementation of Mitigation Measures 4.3.1 through 4.3.4, these impacts will be reduced to a less-than-significant level (DEIR, pg. 4.3-59).

3. <u>Biological Resources</u>

a. Nesting Birds (including Burrowing Owl)

Potential Significant Impact: The EIR evaluated and concluded that the Project's site and surrounding areas serve as potential urban habitat for ground-nesting birds, with a low potential for the presence of the burrowing owl (*Athena cunicularia*), which is identified as a State-listed species of concern.

Finding: Implementation of the following mitigation measures will reduce potential impacts to special-status wildlife species to a less-than-significant level:

BR-1 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed within 72 hours prior to clearing for the presence of nesting birds by a qualified Project biologist. The Project biologist shall be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the City Planning Department. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 300-foot buffer and up to 500 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has

failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

BR-2 Within 30 days prior to site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the City Planning Department prior to issuance of a grading permit.

BR-3 Prior to the issuance of a grading permit, the Project Applicant shall be responsible for ensuring that a biological resources survey is conducted for the Project site during nesting season (February 15 to July 31) by a qualified biologist, consistent with the policies of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). This survey will specifically address the identification of potential burrowing owl (Athena cunicularia) habitat, and the protection of species associated with riparian/riverine areas and vernal pools. The results of this biological survey shall be submitted to the City for review. If the City finds that the Project, in its final design, would involve areas of burrowing owl occupation, and/or areas of riparian or riverine resources, the following requirements would apply:

- *If the site contains, or is part of an area supporting less than 35 acres of suitable burrowing owl habitat, or the survey reveals that the site and the surrounding area supports fewer than three pairs of burrowing owls, then the on-site burrowing owls will be passively or actively relocated following accepted protocols.*

- *If the site (including adjacent areas) supports three or more pairs of burrowing owls, supports greater than 35 acres of suitable habitat and is non-contiguous with MSHCP Conservation Area lands, at least 90 percent*

of the area with long-term conservation value and burrowing owl pairs will be conserved onsite.

- *If the 90 percent threshold cannot be met, the City of Moreno Valley, as a permittee of the MSHCP, must make a Determination of Biologically Equivalent or Superior Preservation.*

- *If riparian/riverine resources are present onsite and cannot be avoided, a Determination of Biologically Equivalent or Superior Preservation will be required.*

Facts in Support of the Finding: The removal of existing vegetation within the Project site as part of construction could affect nesting birds. Disturbing or destroying active nests is a violation of the Migratory Bird Treaty Act. In addition, nests and eggs are protected under California Fish and Game Code Section 3503.5. Project implementation must be accomplished in a manner that avoids impacts to active nests during the breeding season (IS, pgs. 3-7 to 3-8). Implementation of Mitigation Measures BR-1, BR-2, and BR-3 will ensure that potential Project impacts related to nesting birds are reduced to a less-than-significant level.

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The City of Moreno Valley City Council finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: traffic impacts at Caltrans facilities causing performance deficiencies at intersections, ramp queues, and roadway segments (individually and cumulatively); operational air quality impacts (individually and cumulatively); and short-term construction noise impacts (individually and cumulatively).

In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of Moreno Valley cannot approve the project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities make infeasible the mitigation measures or project alternatives identified in the FEIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects

are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

1. <u>Traffic and Circulation</u>

a. Intersection Operations

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain intersection locations under Opening Year cumulative conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.2 through 4.2.6, addressing Opening Year cumulative conditions, are incorporated into the MMP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative intersection operation impacts are considered significant and unavoidable.

4.2.2 I-215 Southbound Ramps at Cactus Avenue Improvement:

- *Construct a second westbound through lane.*

  This improvement will be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of I-215 Southbound Ramps at Cactus Avenue.

4.2.3 I-215 Northbound Ramps at Cactus Avenue Improvements:

- *Construct a second northbound left-turn lane;*
- *Re-stripe the existing eastbound shared through/right-turn lane as the third through lane;*
- *Construct a dedicated eastbound right-turn lane;*
- *Construct a third westbound through lane; and*
- *Construct a dedicated westbound right-turn lane.*

These improvements will be funded through participating in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of I-215 Northbound Ramps at Cactus Avenue.

4.2.4 Elsworth Street at Cactus Avenue Improvement:

- *Construct a third eastbound through lane.*

This improvement will be funded through participation in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Elsworth Street at Cactus Avenue.

4.2.5 Frederick Street at Cactus Avenue Improvements:

- *Construct a third eastbound through lane; and*
- *Construct a third westbound through lane.*

These improvements will be funded through participating in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Frederick Street at Cactus Avenue.

4.2.6 Graham Street at Cactus Avenue Improvements:

- *Remove the existing southbound crosswalk (i.e., crosswalk on the west leg) to provide additional green time to other approaches; and*
- *Construct a third eastbound through lane.*

These improvements will be funded through participating in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Graham Street at Cactus Avenue.

Facts in Support of the Finding: With the implementation of the improvements recommended under Mitigation Measures 4.2.2 through 4.2.6, LOS conditions at Study Area intersections will comply with the City's intersection LOS performance standards. However, because the improvements identified in Mitigation Measures 4.2.2 through 4.2.6 involve the construction of improvements that are either outside the jurisdiction of the City of Moreno Valley or beyond the control of the Project Applicant, the successful completion of the required improvements for the Opening Year Cumulative condition cannot be ensured prior to the opening of the Project. The Project's contribution to intersection impacts is therefore determined to be cumulatively significant and unavoidable notwithstanding mitigation (DEIR, pgs. 4.2-54 to 4.2-56).

b. Roadway Segments

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain roadway segments under Opening Year cumulative conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that the previously-identified Mitigation Measures 4.2.2 through 4.2.6 are incorporated into the MMP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative roadway segment impacts are considered significant and unavoidable.

Facts in Support of the Finding: With completion of the improvements recommended under the previously-identified Mitigation Measures 4.2.2 through 4.2.6, acceptable LOS would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Nonetheless, because the successful completion of the improvements is outside the control of the Project Applicant, the addition of Project-related traffic to roadway segments that are already deficient is considered a cumulatively significant and unavoidable impact. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds (DEIR, pgs. 4.2-57 to 4.2-58).

c. Cumulative Freeway Ramp Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards at study area freeway ramp queues. It was determined that under Opening Year Cumulative Conditions, certain freeway ramp queues within the Study Area are projected to operate under deficient conditions, with or without the Project. The Project would contribute additional traffic to these already deficient conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant and there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to Study Area freeway ramp queues under Opening Year Cumulative conditions will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that under Opening Year Cumulative Conditions, certain freeway ramp queues within the Study Area (specifically, I-215 Southbound Ramps at Cactus Avenue-Westbound Left-turn, evening peak hour period; I-215 Northbound Ramps at Cactus Avenue-Northbound Left-turn, morning and evening peak hour periods; and I-215 Northbound Ramps at Cactus Avenue-Westbound Through Lane, morning peak hour only) are projected to operate under deficient conditions, with or without the Project. The Project would contribute additional traffic to these already deficient conditions. Improvements to facilities is under extra-jurisdictional control (all freeway ramps within the Study Area are under Caltrans jurisdiction), thus there are no feasible means for the Project to mitigate these impacts. Therefore, the successful completion of the required improvements for the Opening Year Cumulative condition cannot be ensured prior to the opening of the Project (DEIR, pgs. 4.2-61 to 4.2-62).

2. <u>Air Quality</u>

a. Operational Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that Project operational source criteria pollutants will exceed applicable SCAQMD regional thresholds for VOCs and NOx.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant and, at present, there are no feasible means for the Lead Agency or the Applicant to reduce these emissions to levels that would not exceed SCAQMD threshold criteria. Accordingly, Project operational exceedances of SCAQMD VOC and NOx regional thresholds are considered significant and unavoidable.

Facts in Support of the Finding: The EIR evaluated and concluded that Project VOC and NOx operational emission exceedances are primarily attributable to mobile sources (vehicular tailpipe emissions). At present there are no feasible means for the Lead Agency or the Applicant to reduce these emissions to levels that would not exceed SCAQMD threshold criteria. Energy efficiencies reflected in the Project design, and compliance with existing SCAQMD/CARB emissions requirements will act to incrementally reduce the Project's operational source emissions levels. Over time, it is anticipated that federal and state mandates will act to substantively reduce tailpipe emissions statewide. Pending these federal and state actions, or other means that act to substantively reduce vehicle tailpipe emissions, Project operational

exceedances of SCAQMD VOC and NOx regional thresholds are considered significant and unavoidable. Project-related operational emissions are therefore determined to be significant and unavoidable air quality impacts (DEIR, pgs. 4.3-62 to 4.3-69).

b. Cumulative Air Quality Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant and there are no known feasible mitigation measures that could reduce this impact to a less-than-significant level. Operational VOC and NOx emissions are reduced to the extent feasible through compliance with established rules and regulations, and implementation of designs compliant with, or surpassing, Title 24 Energy Efficiency requirements. However, Project exceedance of VOC and NOx emissions thresholds, in combination with emissions generated by other sources affecting the encompassing ozone non-attainment area, will result in a cumulatively considerable net increase in VOC and NOx emissions within the encompassing non-attainment area over the life of the Project. However, the Council finds that even with compliance with established regulations, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: Project operational emissions of VOC and NOx would exceed applicable SCAQMD regional thresholds, and are therefore considered individually and cumulatively significant. The fact that the Project generates emissions of VOC and NOx in excess of SCAQMD thresholds (VOC and NOx collectively as ozone precursors, and NOx alone as an individually significant pollutant) indicates that the Project would also contribute considerably to cumulatively significant air quality impacts within the encompassing ozone and NOx non-attainment areas. On this basis, operational-source emissions of VOC and NOx in exceedance of SCAQMD regional thresholds will result in a cumulatively considerable net increase of these pollutants within the encompassing ozone and NOx non-attainment areas (DEIR, pgs. 4.3-76 to 4.3-77).

3. Noise

a. Short-Term Construction Noise (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; and potentially result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.4.1 through 4.4.3, presented below, are incorporated into the MMP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, short-term construction-related noise impacts are considered significant and unavoidable, and are determined cumulatively considerable for the duration of Project construction activities.

4.4.1 During all Project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

4.4.2 The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the project site during all project construction.

4.4.3 The construction contractor shall limit haul truck deliveries to weekdays between the hours of 7:00 a.m. and 8:00 p.m., or the same hours specified for construction equipment. Haul routes that utilize only City-designated truck routes shall be designated on construction plans. The Project construction manager shall be responsible for ensuring that all contractors operate in compliance with construction plan specifications.

Facts in Support of the Finding: Even with implementation of Mitigation Measures 4.4.1 through 4.4.3, it is anticipated that construction-source noise received at the nearest affected sensitive receptor may temporarily and periodically reach a level in excess of the City's

maximum permissible noise level, resulting in a significant impact (DEIR, pgs. 4.4-17 to 4.4-20). Cumulative noise impacts for the duration of construction activities are also recognized as significant (DEIR, pgs. 5-15 to 5-16). As such, short-term construction noise impacts are determined to be individually and cumulatively significant notwithstanding mitigation.

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES

The EIR analyzed three alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the Project. At the direction of the City of Moreno Valley, two different "No Project" scenarios have been evaluated. The first, referred to as the No Project/No Build Alternative, assumes the site would remain in its current undeveloped state. The second, referred to as the No Project/Existing Zoning Alternative, assumes future development of the subject site as allowed under the site's existing zoning. A Reduced Intensity Alternative was also selected for analysis. CEQA requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the proposed Project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Council is evaluating the alternatives.

1. Alternative 1 – No Project/No Build Alternative

Description: Under the No Project/No Build Alternative (hereinafter referenced as the "No Build" Alternative), the site would remain in its current, largely undeveloped state. It is presumed that if the Project or some similar development proposal is not implemented on the subject site, then there would be no other known or probable scenarios for the subject property, the site would likely remain in its current, largely undeveloped state (DEIR, pg. 5-25).

Impacts: The No Build Alternative would result in few (if any) environmental impacts. However, employment and economic benefits otherwise accruing to the City and region would not be realized (DEIR, pgs. 5-25 through 5-37). Similar to the Project, the No Build Alternative would result in less than significant impacts in the following areas: Land Use; Hazards and Hazardous Materials; Public Services; and Biological Resources. No discretionary actions or zone change would be required under the No Build Alternative (DEIR, pg. 5-38). In addition, the

Project's significant and unavoidable traffic impacts, construction noise impacts, and operational air quality impacts would not occur (DEIR, pgs. 5-36 to 5-53). Under the No Build Alternative, potential traffic/transportation impacts would be representative of existing conditions. The No Build Alternative would reduce the aggregate amount of fee contributions available for long-term traffic improvements when compared to fee contributions realized under the Project.

Objectives: Under the No Build Alternative, the subject site would remain in its current undeveloped state, and none of the Project Objectives would be achieved (DEIR, pg. 5-52).

Finding: Under the No Build Alternative, no development would occur. This Alternative would avoid all of the significant and unavoidable impacts associated with traffic, air quality, and noise that have been identified within the DEIR. However, the City Council finds that the No Build Alternative would not fulfill any of the Project Objectives. Because the No Build Alternative will not fulfill the Project Objectives, the City Council hereby rejects the No Build Alternative.

2. Alternative 2 – No Project/Existing Zoning Alternative

Description: The No Project/Existing Zoning Alternative (hereinafter referenced as the "No Project" Alternative), considers the environmental conditions that would occur if the subject site were developed consistent with its existing zoning designation. That is, all but 7.59 acres of the 56.2-acre Project site is designated for Light Industrial uses. A single parcel, located at the northeast corner of Cactus Avenue and Frederick Street, has an existing zoning designation of "Business Park-Mixed Use," or "BPX." The No Project Alternative assumes that this parcel would be developed with uses consistent with the BPX zoning. To allow for quantified comparison of potential traffic impacts and related vehicular source air quality and noise impacts, the No Project Alternative assumes an estimate of trips based on the above-described existing zoning scenario, which is projected to be an approximately 30 percent increase than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project. The resulting increase in operational emissions would be approximately proportional to the 30 percent increase in trip generation described above. Because the total building area under the No Project Alternative is estimated to be similar to that of the Project, no adjustment has been made to area source emissions estimates (DEIR, pgs. 5-25 to 5-28).

Impacts: The No Project Alternative would result in a lessening of impacts related to Land Use; Hazards and Hazardous Materials; Public Services; and Biological Resources when

compared to the proposed Project (DEIR, pgs. 5-28 to 5-53). Under the No Project Alternative, a zone change would not be required (DEIR, pg. 5-38). The Project's significant and unavoidable construction noise impacts and construction source air quality impacts would likely be similar to those of the Project (DEIR, pg. 5-42). Potential traffic impacts could be substantively increased under the No Project Alternative, due to the increased traffic associated with BPX land uses. Significant traffic impacts under Opening Year Cumulative conditions would persist, and due to increased traffic generation under the No Project Alternative, would likely be exacerbated (DEIR, pg. 5-41). Operational air pollutant emissions would similarly be increased when compared to the Project; however, the vehicle mix under the No Project Alterative would likely reflect decreased heavy truck traffic. Significant VOC and NOx emissions thresholds exceedances occurring under the Project would be incrementally greater under the No Project Alternative (DEIR, pg. 5-44). Vehicular noise would also likely increase under the No Project Alternative based on increased trip generation. Under the No Project Alternative, due to increased vehicular-source noise, operational noise impacts may increase compared to the Project, but would likely remain less-than-significant (DEIR, pg. 5-47).

Objectives: Business Park-Mixed Uses that could be implemented under the No Project Alternative could substantially achieve the Project's development objectives for the site. Like the Project, it is anticipated that new development under the No Project Alternative would be designed and implemented so as to be compatible with neighboring land uses. The No Project Alternative would effectively capitalize on the site's regional freeway accessibility and visibility. New jobs, including support commercial and office employment opportunities, would be created by the No Project Alternative. This Alternative would also provide additional tax revenues available to the City (DEIR, pg. 5-52).

Finding: Under the No Project Alternative, development of a business park development with a similar scale to that of the Project would occur. None of the Project's significant and unavoidable environmental impacts would be reduced under the No Project Alternative. Conversely, increased trip generation under the existing land use would likely lead to increased traffic, with correlating increases in air pollutant emissions and vehicular noise. Although the No Project Alternative could substantially achieve the Project's Objectives, because the No Project Alternative would not reduce the majority of the Project's significant and unavoidable impacts, the City Council hereby rejects the No Project Alternative.

3. Alternative 3 – Reduced Intensity Alternative

Description: The Reduced Intensity Alternative assumes the same general land use type as the Project, but at a development intensity scoped to reduce the intensity of significant air quality impacts that would otherwise result from the Project. In that the same type of development is proposed, most of the Project Objectives would be achieved, albeit to a lesser extent (DEIR, pg. 5-29). Implementation of the Reduced Intensity Alternative would yield approximately 673,000 square feet of development, a reduction of approximately 47 percent or approximately 608,000 square feet, when compared to the approximately 1,281,000-square-foot Project analyzed in the EIR (DEIR, pg. 5-30).

Impacts: The Reduced Intensity Alternative would result in similar, albeit slightly lessened, impacts in the areas of Land Use; Hazards and Hazardous Materials; Public Services; and Biological Resources when compared to the Project (DEIR, pgs. 5-29 through 5-53). Under the Reduced Intensity Alternative, maximum construction-related emissions from site preparation and grading would likely be the same as for the Project, though it would occur within a shortened time frame due to the reduced development area. In this regard, the maximum daily site disturbance and amount of equipment employed concurrently would likely be similar to the construction scenario envisioned for the Project. As with the Project, mitigated construction-related emissions would still exceed SCAQMD emissions thresholds of VOC (DEIR, pg. 5-42). Because the scope of development would be reduced under this Alternative, the duration of construction activities and resulting construction emissions and noise may be reduced when compared to the Project by reducing Project-related traffic. Less-than-significant operational noise impacts of the Project would be further diminished under the Reduced Intensity Alternative (DEIR, pg. 5-47). Operational NOx emissions under this Alternative would, however, still exceed applicable SCAQMD thresholds (DEIR, pg. 5-45). The Reduced Intensity Alternative would result in an approximate 47 percent reduction in development intensity, with a commensurate reduction in trip generation when compared to the Project. The extent of area-wide traffic improvements and required traffic impact mitigation realized under the Project would also be reduced. Therefore, significant traffic impacts projected to occur under Opening Year Cumulative conditions would persist with or without development under the Reduced Intensity Alternative (DEIR, pg. 5-41).

Objectives: The Reduced Intensity Alternative would, to some degree, realize the Project Objectives. However, because the scale of the development would be diminished under this

Alternative, the resulting generation of development impact fees, the number of jobs created, and potential second tier economic benefits to the City and region (e.g., wholesale/retail support sales; temporary and long-term construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project (DEIR, pgs. 5-52 to 5-53).

Finding: Under the Reduced Intensity Alternative, light industrial warehouse/distribution facilities of 608,000 square feet would be realized as compared to the 1,281,000 square feet proposed under the Project. The City Council hereby finds that the Reduced Intensity Alternative would reduce, but not avoid, the significant and unavoidable traffic, air quality, and noise impacts identified in the EIR. This Alternative would not meet Project Objectives to the same extent as the Project. Furthermore, the scale of the reduction in intensity would not maximize or realize the economic potential of the site. The Reduced Intensity Alternative would also result in comparatively fewer opportunities to provide jobs, as compared to the Project. Therefore, the City Council rejects the Reduced Intensity Alternative on the basis that it fails to avoid the significant and unavoidable impacts of the Project and does not meet the Project Objectives as well as the Project. The City Council also finds that each of these considerations constitutes a ground for rejecting this alternative that is independently sufficient to support the City Council's rejection of this alternative.

4. <u>Alternatives Considered and Rejected</u>

As stated at *Guidelines* Section 15126.6 (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location." (DEIR, pgs. 5-32 through 5-34.) The Project is expected to result in significant impacts to traffic, long-term operational air pollutant emissions and related air quality impacts, and temporary construction-source noise.

In the case of the proposed Project, relocation to an Alternative Site within the City of Moreno Valley is not likely to achieve any measurable reduction in traffic impacts. Certain of the Project's significant traffic impacts would occur at, or would require improvement of, Caltrans jurisdictional freeway facilities. Such improvements, however, are beyond the scope and purview of the Lead Agency and the Applicant. If not implemented at the current site, the Project would still contribute essentially the same volumes and types of traffic to Caltrans facilities, resulting in significant traffic impacts similar to those of the current Project.

In regard to air quality impacts, the Project's vehicular operational emissions may be incrementally reduced by relocating the Project closer to I-215; however, because the Project site is located less than one mile from the freeway, it is not anticipated that the resulting trip length reductions would be sufficient to achieve regional emissions thresholds.

Temporary exceedances of noise standards are anticipated to result from Project construction. However, this type of noise would likely exceed City thresholds wherever the Project was located, since sensitive receptors are located throughout the community.

Additionally, the Project has been proposed primarily in order to expand the ongoing operations of the existing Harbor Freight Tools facility. Because this facility operates successfully from its current, fixed location, the relocation of the Project to an Alternate Site would not allow for the benefits of this expansion, and would obviate the need for the Project. Based on the preceding considerations, the analysis of an Alternative Site was not considered further.

5. <u>Environmentally Superior Alternative</u>

Based on comparative reductions in traffic generation, and associated reductions in noise and air emissions, and generally reduced scale, among the Alternatives considered, the Reduced Intensity Alternative would result in the greatest reduction in environmental effects, and is thus considered the environmentally superior alternative (DEIR, pg. 5-65). Notwithstanding, the scope and total overall development would be substantively reduced under the Reduced Intensity Alternative. The resulting diminishment of the Project Objectives, to include substantive reduction in economic benefits to the City and region, and limited jobs creation would act to substantially reduce the feasibility of this Alternative (DEIR, pgs. 5-25 to 5-53).

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the proposed Project could be growth inducing. Specifically, CEQA Guidelines Section 151260.2(d) states than an EIR must describe the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The Project would result in the creation of new light industrial/distribution warehouse uses. The types of employment opportunities offered by the Project are relatively common

throughout Southern California and are unlikely to generate significant population migration (if any), and would not result in population growth for the City beyond that reflected in adopted growth forecasts. The Project does not propose the creation of housing, and would not foster growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning (DEIR, pgs. 5-53 to 5-55).

Currently, the Project site is vacant and undeveloped. However, expansions of water and wastewater systems, along with other urban utilities, are programmed to serve the vicinity consistent with anticipated development of the City and region. In order to accommodate forecasted growth of the City and region over the long term, it is anticipated these improvements will be implemented regardless of the City's ultimate decision on the Project. The Project is not considered to provide an inducement to other lands within its vicinity to undertake unanticipated development due to the availability of new or expanded infrastructure systems (DEIR, pgs. 5-53 to 5-56).

Notwithstanding, development of the Project as envisioned will entail upgrade/modification of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. Additionally, it is recognized that provision of services, e.g., utilities, fire protection, and law enforcement, may be expanded or otherwise enhanced to meet additional demands of the Project. Project design and payment of impact mitigation fees reduces individual and cumulative impacts in these regards. Services expansion or enhancements based on incremental demands of the Project will not result in substantial additional capacity that could be considered growth inducing. (*Id.*)

Investment in the Project would have local and regional economic impacts which may result in indirect growth-inducing effects. The Project's potential economic benefits could indirectly result in employment growth in the region. This growth, in combination with other anticipated employment growth in the region, could indirectly result in population growth and an increased demand for housing. (*Id.*) Such growth has a variety of potential effects on the physical environment, including but not limited to, effects on air quality, ambient noise levels, traffic impacts, and water quality. It is not anticipated that the additional employment opportunities created by the Project would be substantial enough to produce noticeable population growth within the City and region (DEIR, p. 5-56).

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Public Resources Code Section 21100(b)(2)(B) and CEQA Guidelines Sections 15126(c), 15126.2(c), and 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the project be implemented. As presented at CEQA Guidelines Section 15127, the topic of Significant Irreversible Environmental Changes needs to be addressed in EIRs prepared in connection with any of the following activities:

> (a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;
>
> (b) The adoption by a local agency formation commission of a resolution making determinations; or
>
> (c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. Sections 4321-4347.

The Project qualifies under Guidelines §15127 (a) in that a zone change is required in order to implement the Project. As such, this EIR analysis addresses any significant irreversible environmental changes which would be involved in the proposed action should it be implemented [Guidelines, Sections 15126(e) and 15127]. An impact would fall into this category if:

- A project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses;
- A project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy).

With regard to the above considerations, various natural resources, in the form of construction materials and energy resources, will be used in the construction of the Project, but their use is not expected to result in shortfalls in the availability of these resources. The Project

presents no significant possibility of irreversible environmental damage "from any potential environmental incidents associated with the project." The Project does not propose facilities or uses that would result in potentially significant environmental incidents. Moreover, all feasible mitigation is incorporated in the Project to reduce its potential environmental effects. As discussed herein, the Project will not result in or cause unwarranted or wasteful use of resources, including energy (DEIR, pgs. 5-59 to 5-60).

G. STATEMENT OF OVERRIDING CONSIDERATIONS

The Moreno Valley City Council adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Project as addressed in the EIR, specifically:

1. Traffic Impacts – Intersections and Roadway Segments (Cumulative); and
2. Traffic Impacts – Freeway Ramps (Cumulative).
3. Operational Air Pollutant Emissions (Individual and Cumulative); and
4. Short-Term Construction Noise (Individual and Cumulative).

The Moreno Valley City Council hereby declares that, pursuant to CEQA Guidelines Section 15093, the City Council has balanced the benefits of the proposed Project against any significant and unavoidable environmental impacts in determining whether to approve the proposed Project. If the benefits of the proposed Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The City Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Section V.C herein.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The City Council hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because

they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this City Council finds outweigh the unmitigated impacts.

The City Council further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the Project objectives and/or specific economic, social or other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project and having weighed the benefits of the Project against its unavoidable significant impact after mitigation, the City Council has determined that the social, economic and environmental benefits of the Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The Project will provide development consistent with the General Plan and in conformance with municipal standards, codes and policies;
- The Project provides development that improves and maximizes economic viability of a vacant site by transitioning the Project site into a productive light industrial use;
- The Project is located near the intersection of a major street and an interstate freeway, maximizing access opportunities for the convenience of operations;
- The Project creates additional employment-generating opportunities for the City of Moreno Valley and surrounding communities; and
- The Project provides adequate infrastructure and public amenities, including upgrading and widened streets, signal upgrades and utility improvements.

As the CEQA Lead Agency for the proposed action, the City of Moreno Valley has reviewed the Project description and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this Council finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the project have been identified in the Draft EIR, the Final EIR and public

testimony. This Council also finds that a reasonable range of alternatives was considered in the EIR and this document, Section V.D above, and finds that approval of the Project is appropriate.

This Council has identified economic and social benefits and important policy objectives, Section V.G above, which result from implementing the Project. The Council has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the Project. Given the substantial social and economic benefits that will accrue from the Project, this Council finds that the benefits identified herein override the unavoidable environmental effects.

California Public Resource Code 21002 provides: "In the event specific economic, social and other conditions make infeasible such Project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency…" Finally, California Administrative Code, Title 4, 15093 (a) states: "If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweighs the identified significant adverse environmental impacts of the Project that cannot be mitigated. The City Council finds that each of the Project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

H. CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT

The Moreno Valley City Council finds that it has reviewed and considered the EIR in evaluating the Project, that the EIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the EIR reflects the independent judgment of the City Council.

The City Council declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the City Council after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies,

amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The City Council hereby certifies the EIR based on the following findings and conclusions:

1. Findings

a. CEQA Compliance

As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Proposed Project as detailed in the Statement of Overriding Considerations. The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council complied with CEQA's procedural and substantive requirements.

b. Significant Unavoidable Impacts/Statement of Overriding Considerations:

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City Council. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V.C of these Findings: Traffic Impacts – Intersections and Roadway Segments (Cumulative); Traffic Impacts – Freeway Ramps (Cumulative); Operational Air Pollutant Emissions (Individual and Cumulative); and Short-Term Construction Noise (Individual and Cumulative). The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

2. Conclusions

a. All potentially significant environmental impacts from implementation of the proposed Project have been identified in the FEIR and, with the implementation of the

mitigation measures defined herein and set forth in the MMP, will be mitigated to a less-than-significant level, except for the impacts identified in Section V.C above.

b. Other reasonable alternatives to the proposed Project that could feasibly achieve the basic objectives of the proposed Project have been considered and rejected in favor of the proposed Project.

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

I. ADOPTION OF MITIGATION MONITORING PLAN

Pursuant to *Public Resources Code* Section 21081.6, the Council hereby adopts, as conditions of approval of the Project, the MMP set forth in Section 4.0 of the Final EIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMP, the MMP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted form the MMP, in which case such mitigation measure shall be deemed as if it were included in the MMP.

4.0 MITIGATION MONITORING PLAN

4.1 INTRODUCTION

To ensure that the mitigation measures contained in this EIR are properly implemented, a monitoring plan has been developed pursuant to State law. This Mitigation Monitoring Plan (MMP) identifies measures incorporated in the Project which reduce its potential environmental effects; the entities responsible for implementation and monitoring of mitigation measures; and the appropriate timing for implementation of mitigation measures. As described at *CEQA Guidelines* §15097, this MMP employs both reporting on, and monitoring of, Project mitigation measures.

The objectives of the MMP are to:

- Assign responsibility for, and ensure proper implementation of mitigation measures;
- Assign responsibility for, and provide for monitoring and reporting of compliance with mitigation measures;
- Provide the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs.

Mitigation monitoring and reporting procedures incorporated in the Project are presented in the following Section 4.2. Specific mitigation measures incorporated in the Project, mitigation timing, and implementation and reporting/monitoring responsibilities are presented within this Section at Table 4.2-1.

EXHIBIT B

4.2 MITIGATION MONITORING AND REPORTING

Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the Project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof.

If during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Traffic and Circulation				
4.2.1 Elsworth Street and Cactus Avenue Improvements: *Prior to issuance of the first Certificate of Occupancy, the Project Applicant shall construct the following improvement.* • *Remove the existing southbound crosswalk (i.e., the crosswalk on the western leg of the intersection) to provide additional "green time" to other approaches. This removal shall be accomplished in a manner consistent with applicable regulations, including but not limited to Chapter 3B of the 2012 California Manual on Uniform Traffic Control Devices (MUTCD), and Section 21950.5 of the California Vehicle Code. The existing crosswalks on the north, east and south legs of the intersection shall be maintained.*	Prior to issuance of first Certificate of Occupancy.	Applicant	City of Moreno Valley, Transportation Division and Land Development Division	City shall verify completion of improvements prior to issuance of first Certificate of Occupancy.
4.2.2 I-215 Southbound Ramps at Cactus Avenue Improvement: • *Construct a second westbound through lane.* *This improvement will be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of I-215 Southbound Ramps at Cactus Avenue.*	Prior to issuance of first Certificate of Occupancy.	Applicant	City of Moreno Valley, Transportation Division and Land Development Division	City shall verify receipt of fees before issuance of first Certificate of Occupancy.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Traffic and Circulation				
4.2.3 I-215 Northbound Ramps at Cactus Avenue Improvements: • *Construct a second northbound left-turn lane;* • *Re-stripe the existing eastbound shared through/right-turn lane as the third through lane;* • *Construct a dedicated eastbound right-turn lane;* • *Construct a third westbound through lane; and* • *Construct a dedicated westbound right-turn lane.* *These improvements will be funded through participating in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of I-215 Northbound Ramps at Cactus Avenue.*	Prior to issuance of first Certificate of Occupancy.	Applicant	City of Moreno Valley, Transportation Division and Land Development Division	City shall verify receipt of fees before issuance of first Certificate of Occupancy.
4.2.4 Elsworth Street at Cactus Avenue Improvement: • *Construct a third eastbound through lane.* *This improvement will be funded through participation in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Elsworth Street at Cactus Avenue.*	Prior to issuance of first Certificate of Occupancy.	Applicant	City of Moreno Valley, Transportation Division and Land Development Division	City shall verify receipt of fees before issuance of first Certificate of Occupancy.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Traffic and Circulation				
4.2.5 Frederick Street at Cactus Avenue Improvements: • *Construct a third eastbound through lane; and* • *Construct a third westbound through lane.* *These improvements will be funded through participating in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Frederick Street at Cactus Avenue.*	Prior to issuance of first Certificate of Occupancy.	Applicant	City of Moreno Valley, Transportation Division and Land Development Division	City shall verify receipt of fees before issuance of first Certificate of Occupancy.
4.2.6 Graham Street at Cactus Avenue Improvements: • *Remove the existing southbound crosswalk (i.e., crosswalk on the west leg) to provide additional green time to other approaches; and* • *Construct a third eastbound through lane.* *These improvements will be funded through participating in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Graham Street at Cactus Avenue.*	Prior to issuance of first Certificate of Occupancy.	Applicant	City of Moreno Valley, Transportation Division and Land Development Division	City shall verify receipt of fees before issuance of first Certificate of Occupancy.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Air Quality				
4.3.1 Pursuant to SCAQMD Rule 403 requirements: • *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.* • *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.* • *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are limited to 15 miles per hour or less.*	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division	On-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.
4.3.2 A sign shall be posted on-site stating that construction workers shall not idle diesel engines in excess of five minutes.	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division	On-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Air Quality				
4.3.3 *During grading activities, total horsepower-hours per day for all equipment shall not exceed 13,568 horsepower-hours per day and the maximum disturbance (actively graded) area shall not exceed four acres per day.*	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division and Land Development Division	On-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.
4.3.4 *Only "Zero-Volatile Organic Compounds" paints (no more than 150 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications consistent with South Coast Air Quality Management District Rule 1113 shall be used.*	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division and Land Development Division	On-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.
4.3.5 *The Project truck access gates and loading docks site shall be posted with signs which state:* • *Truck drivers shall turn off engines when not in use;* • *Diesel delivery trucks servicing the Project shall not idle for more than three minutes; and* • *Telephone numbers of the building facilities manager and the CARB to report violations.*	Prior to issuance of first Certificate of Occupancy.	Applicant and contractor(s)	City of Moreno Valley, Planning Division	Before issuance of first Certificate of Occupancy.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

	Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Air Quality					
4.3.6	*The Project's final site design shall allow for trucks to check-in within the facility area to prevent queuing of trucks outside the facility.*	Prior to issuance of first Building Permit.	Applicant	City of Moreno Valley, Planning Division	City shall verify designs prior to Final Site Plan approval, with verification of implemented check-in improvements at issuance of first Building Permit.
4.3.7	*The building roof shall be designed and constructed to accommodate solar panels.*	Prior to issuance of first Building Permit.	Applicant	City of Moreno Valley, Planning Division	City shall verify final designs prior to issuance of first building permit. Implemented design to be verified prior to the issuance of first Building Permit.
4.3.8	*Prior to issuance of the first Certificate of Occupancy, the Project shall install a photovoltaic array (solar panels) or other source of renewable energy generation onsite, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the Project's office electrical needs.*	Prior to issuance of first Certificate of Occupancy.	Applicant	City of Moreno Valley, Planning Division	City shall verify final designs prior to issuance of first building permit. Implemented design to be verified prior to the issuance of first Certificate of Occupancy.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Air Quality				
4.3.9 *The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements;* *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;* *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.*	Prior to issuance of first Building Permit.	Applicant	City of Moreno Valley, Planning Division	City shall verify final designs prior to final site plan approval. Implemented design to be verified prior to the issuance of first Building Permit.
Noise				
4.4.1 *During all Project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.*	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division and Building and Safety Division	On-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

	Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Noise					
4.4.2	*The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the project site during all Project construction.*	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division and Building and Safety Division	City to verify required notations before issuance of first development permit. Thereafter, on-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.
4.4.3	*The construction contractor shall limit haul truck deliveries to weekdays between the hours of 7:00 a.m. and 8:00 p.m., or the same hours specified for construction equipment. Haul routes that utilize only City-designated truck routes shall be identified on construction plans. The Project construction manager shall be responsible for ensuring that all contractors operate in compliance with construction plan specifications.*	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division and Building and Safety Division	On-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

	Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Noise					
4.4.4	*All trucks, tractors, and forklifts shall be operated with proper operating and well maintained mufflers.*	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division and Building and Safety Division	On-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.
4.4.5	*Maintain quality pavement conditions that are free of bumps to minimize truck noise.*	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division and Building and Safety Division	On-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.
4.4.6	*The truck access gates and loading docks within the truck court on the project site shall be posted with signs which state:* • *Truck drivers shall turn off engines when not in use;* • *Diesel trucks servicing the Project shall not idle for more than five minutes; and* • *Post telephone numbers of the building facilities manager to report violations.*	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division	On-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Biological Resources				
BR-1 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed within 72 hours prior to clearing for the presence of nesting birds by a qualified Project biologist. The Project biologist shall be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the City Planning Department. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 300-foot buffer and up to 500 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.	Nesting bird surveys and any necessary species protection or relocation activities shall be completed prior to issuance of grading permit(s) for the affected area(s).	Applicant	City of Moreno Valley, Planning Division and Project Biologist	City and Project Biologist to verify adequacy of Surveys and any necessary species protection or relocation activities prior to issuance of grading permit(s) for the affected area(s).

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Biological Resources				
BR-2 *Within 30 days prior to site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the City Planning Department prior to issuance of a grading permit.*	Nesting bird surveys and any necessary species protection or relocation activities shall be completed prior to issuance of grading permit(s) for the affected area(s).	Applicant	City of Moreno Valley, Planning Division and Project Biologist	City and Project Biologist to verify adequacy of Surveys and any necessary species protection or relocation activities prior to issuance of grading permit(s) for the affected area(s).
BR-3 *Prior to the issuance of a grading permit, the Project Applicant shall be responsible for ensuring that a biological resources survey is conducted for the Project site during nesting season (February 15 to July 31) by a qualified biologist, consistent with the policies of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). This survey will specifically address the identification of potential burrowing owl (*Athena cunicularia*) habitat, and the protection of species associated with riparian/riverine areas and vernal pools. The results of this biological survey shall be submitted to the City for review. If the City finds that the Project, in its final design, would involve areas of burrowing owl occupation, and/or areas of riparian or riverine resources, the following requirements would apply:*	Nesting bird surveys and any necessary species protection or relocation activities shall be completed prior to issuance of grading permit(s) for the affected area(s).	Applicant	City of Moreno Valley, Planning Division and Project Biologist	City and Project Biologist to verify adequacy of Surveys and any necessary species protection or relocation activities prior to issuance of grading permit(s) for the affected area(s).

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
• *If the site contains, or is part of an area supporting less than 35 acres of suitable burrowing owl habitat, or the survey reveals that the site and the surrounding area supports fewer than three pairs of burrowing owls, then the on-site burrowing owls will be passively or actively relocated following accepted protocols.* • *If the site (including adjacent areas) supports three or more pairs of burrowing owls, supports greater than 35 acres of suitable habitat and is non-contiguous with MSHCP Conservation Area lands, at least 90 percent of the area with long-term conservation value and burrowing owl pairs will be conserved onsite.* • *If the 90 percent threshold cannot be met, the City of Moreno Valley, as a permittee of the MSHCP, must make a Determination of Biologically Equivalent or Superior Preservation.* • *If riparian/riverine resources are present onsite and cannot be avoided, a Determination of Biologically Equivalent or Superior Preservation will be required.*				

PLANNING COMMISSION RESOLUTION NO. 2012-30

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY RECOMMENDING THAT THE CITY COUNCIL APPROVE APPLICATION NO'S. PA12-0019 (PLOT PLAN FOR A 164,720 SF WAREHOUSE OR AN ENCLOSED TRUCK STORAGE YARD), PA12-0020 (PLOT PLAN FOR A 507,720 SF ADDITION TO AN EXISTING 779,016 SF WAREHOUSE FOR A TOTAL OF 1,286,736 SF), PA12-0021 (PLOT PLAN FOR A 607,920 SF WAREHOUSE) AND PA12-0022 (ZONE CHANGE FOR 7.6 ACRES FROM BPX TO LI) FOR THE RPT CENTERPOINTE WEST PROJECT.

Section 1:

WHEREAS, the applicant, Ridge Moreno Valley, LLC, filed Application No. PA12-0022, requesting an amendment to the zoning classification from Business Park Mixed Use (BPX) to Light Industrial (LI) for 7.6 acres located at the northeast corner of Frederick Street and Cactus Avenue, as described in the title of this resolution and the attached Exhibit A.

WHEREAS, on November 29, 2012, the Planning Commission of the City of Moreno Valley held a public hearing to consider the subject applications and all of the environmental documentation prepared for the project.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, the Planning Commission considered the Final Environmental Impact Report prepared for the project for the purpose of compliance with the California Environmental Quality Act (CEQA). The above application shall not be approved unless the Final Environmental Impact Report (P12-057) is certified and approved.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on November 29, 2012, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

FACT: The project proposes a change to the Zoning Atlas for 7.6 acres located within Assessor's Parcel Numbers 297-170-027 from Business Park Mixed-Use (BPX) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan. Buildings able to accommodate support commercial services are provided within close proximity to the site at the intersection of Frederick Street and Alessandro Boulevard.

2. **Health, Safety and Welfare –** The proposed amendment will not adversely affect the public health, safety or general welfare.

   FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. **Conformance with the Zoning Regulations –** The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

   FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BPX to LI for the 7.6 acre project site is consistent with the purposes and intent of Title 9.

Section 2:

WHEREAS, Ridge Moreno Valley, LLC, has filed an application for the approval of PA12-0019, for a 164,720 square foot warehouse or an enclosed truck storage yard on 7.6 acres, as described in the title of this Resolution.

WHEREAS, on November 29, 2012, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on November 29, 2012, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The General Plan encourages a mix of industrial uses to provide a diversified economic base and ample employment opportunities. Stated policies require the avoidance of adverse impacts on surrounding properties and the screening of industrial uses to reduce glare, noise, dust, vibrations and unsightly views. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan and do not conflict with the goals, objectives, policies, and programs established within the Plan. Buildings able to accommodate support commercial services are provided within close proximity to the site at the intersection of Frederick Street and Alessandro Boulevard.

2. **Conformance with Zoning Regulations –** The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is current zoned BP. The project proposes a Zone Change to LI to allow for a building larger than 50,000 square feet. Subject to approval of the related Zone Change application (PA12-0022) the proposed use will comply with all applicable zoning other regulations. The project is designed in accordance with the provisions of Chapter 9.05 Industrial Districts of the City's Municipal Code.

3. **Health, Safety and Welfare –** The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The proposed 164,720 square foot warehouse or the enclosed truck storage yard as designed and conditioned will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. **Location, Design and Operation –** The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

FACT: The project is located at the northeast corner of Frederick Street and Cactus Avenue, northerly of the March Air Reserve Base (MARB), and approximately one mile easterly of Interstate 215 (I-215). Land uses to the north include administrative facilities of the Riverside County Waste Management Department with City Hall offices for the Bureau of Land Management and Social Security to the northwest. Land uses to the west include a warehouse of approximately 522,000 square feet which is under construction, a vacant retail building, and a mix of business park, office and retail uses. Land uses to the east include existing from Frederick Street to Heacock Street include warehouse facilities of 500,000 square feet or greater in building area. East of Heacock Street are single-family tract homes. Further to the north, to the north of Alessandro Boulevard, existing uses include commercial and residential uses. Southerly of the Project site, across Cactus Avenue, is the March Air Reserve Base (MARB). MARB properties located opposite the Project site are currently undeveloped and are designated for "Business Park" uses under the MARB General Plan.

The proposed warehouse distribution building or truck storage yard are not permitted uses in the BPX zone. The project requires a Zone Change to LI. As designed and conditioned and subject to approval of the above mentioned Zone Change, this plot plan is compatible with existing and proposed land uses in the vicinity.

Section 3:

WHEREAS, Ridge Moreno Valley, LLC, has filed an application for the approval of PA12-0020, a Plot Plan for a 507,720 square foot addition to an existing 770,016 square foot warehouse for a total of 1,286,736 square feet, as described in the title of this Resolution.

WHEREAS, on November 29, 2012, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on November 29, 2012, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The General Plan encourages a mix of industrial uses to provide a diversified economic base and ample employment opportunities. Stated policies require the avoidance of adverse impacts on surrounding properties and the screening of industrial uses to reduce glare, noise, dust, vibrations and unsightly views. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan and do not conflict with the goals, objectives, policies, and programs established within the Plan. The project will facilitate the orderly and proximate expansion of an existing business providing employment and other benefits to the community.

2. **Conformance with Zoning Regulations –** The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is current zoned LI. The plot plan as designed and conditioned will comply with all applicable zoning other regulations. The project is designed in accordance with the provisions of Chapter 9.05 Industrial Districts of the City's Municipal Code.

3. **Health, Safety and Welfare –** The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The proposed a 507,720 square foot addition to the existing warehouse as designed and conditioned will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. **Location, Design and Operation –** The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

FACT: The project is located near the northeast corner of Frederick Street and Cactus Avenue, northerly of the March Air Reserve Base (MARB), and approximately one mile easterly of Interstate 215 (I-215). Land uses to the north include administrative facilities of the Riverside County Waste Management Department with City Hall offices for the Bureau of Land Management and Social Security to the northwest. Land uses to the west include a warehouse of approximately 522,000 square feet which is under construction, a vacant retail building, and a mix of business park, office and retail uses. Land uses to the east include existing from Frederick Street to Heacock Street include warehouse facilities of 500,000 square feet or greater in building area. East of Heacock Street are single-family tract homes. Further to the north, to the north of Alessandro Boulevard, existing uses include commercial and residential uses. Southerly of the Project site, across Cactus Avenue, is the March Air Reserve Base (MARB). MARB properties located opposite the Project site are currently undeveloped and are designated for “Business Park” uses under the MARB General Plan.

The proposed addition to the existing warehouse distribution building is a permitted use LI zone. The project as designed and conditioned is compatible with existing and proposed land uses in the vicinity.

Section 4:

WHEREAS, Ridge Moreno Valley, LLC, has filed an application for the approval of PA12-0021, a Plot Plan for a Plot Plan for a 607,920 square foot warehouse, as described in the title of this Resolution.

WHEREAS, on November 29, 2012, the Planning Commission of the City of Moreno Valley held a meeting to consider the application.

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced meeting on November 29, 2012, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Conformance with General Plan Policies –** The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The General Plan encourages a mix of industrial uses to provide a diversified economic base and ample employment opportunities. Stated policies require the avoidance of adverse impacts on surrounding properties and the screening of industrial uses to reduce glare, noise, dust, vibrations and unsightly views. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan and do not conflict with the goals, objectives, policies, and programs established within the Plan. The project will facilitate the orderly and proximate expansion of an existing business providing employment and other benefits to the community.

2. **Conformance with Zoning Regulations –** The proposed use complies with all applicable zoning and other regulations.

   FACT: The project site is current zoned LI. The plot plan as designed and conditioned will comply with all applicable zoning other regulations. The project is designed in accordance with the provisions of Chapter 9.05 Industrial Districts of the City's Municipal Code.

3. **Health, Safety and Welfare –** The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The proposed a 607,920 square foot warehouse as designed and conditioned will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. **Location, Design and Operation –** The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

FACT: The project is located near the northeast corner of Frederick Street and Cactus Avenue, northerly of the March Air Reserve Base (MARB), and approximately one mile easterly of Interstate 215 (I-215). Land uses to the north include administrative facilities of the Riverside County Waste Management Department with City Hall offices for the Bureau of Land Management and Social Security to the northwest. Land uses to the west include a warehouse of approximately 522,000 square feet which is under construction, a vacant retail building, and a mix of business park, office and retail uses. Land uses to the east include existing from Frederick Street to Heacock Street include warehouse facilities of 500,000 square feet or greater in building area. East of Heacock Street are single-family tract homes. Further to the north, to the north of Alessandro Boulevard, existing uses include commercial and residential uses. Southerly of the Project site, across Cactus Avenue, is the March Air Reserve Base (MARB). MARB properties located opposite the Project site are currently undeveloped and are designated for “Business Park” uses under the MARB General Plan.

The proposed addition to the existing warehouse distribution building is a permitted use LI zone. The project as designed and conditioned is compatible with existing and proposed land uses in the vicinity.

Section 5:

FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. **FEES**

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may

include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA12-0019, PA12-0020 and PA12-0021, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), NOTICE IS FURTHER GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which a notice has been given similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

Section 6:

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2012-30 and thereby recommend that the City Council:

1. **APPROVE** Zone Change application PA12-0022, as shown on the attachment included as Exhibit A;

2. **APPROVE** PA12-0019 (Plot Plan), subject to the attached conditions of approval included as Exhibit B;

3. **APPROVE** PA12-0020 (Plot Plan), subject to the attached conditions of approval included as Exhibit C; and

4. **APPROVE** PA12-0021 (Plot Plan), subject to the attached conditions of approval included as Exhibit D.

APPROVED this 29th day of November, 2012.

_____
Meli Van Natta
Chair, Planning Commission

ATTEST:

_____
John C. Terell, Planning Official
Secretary to the Planning Commission

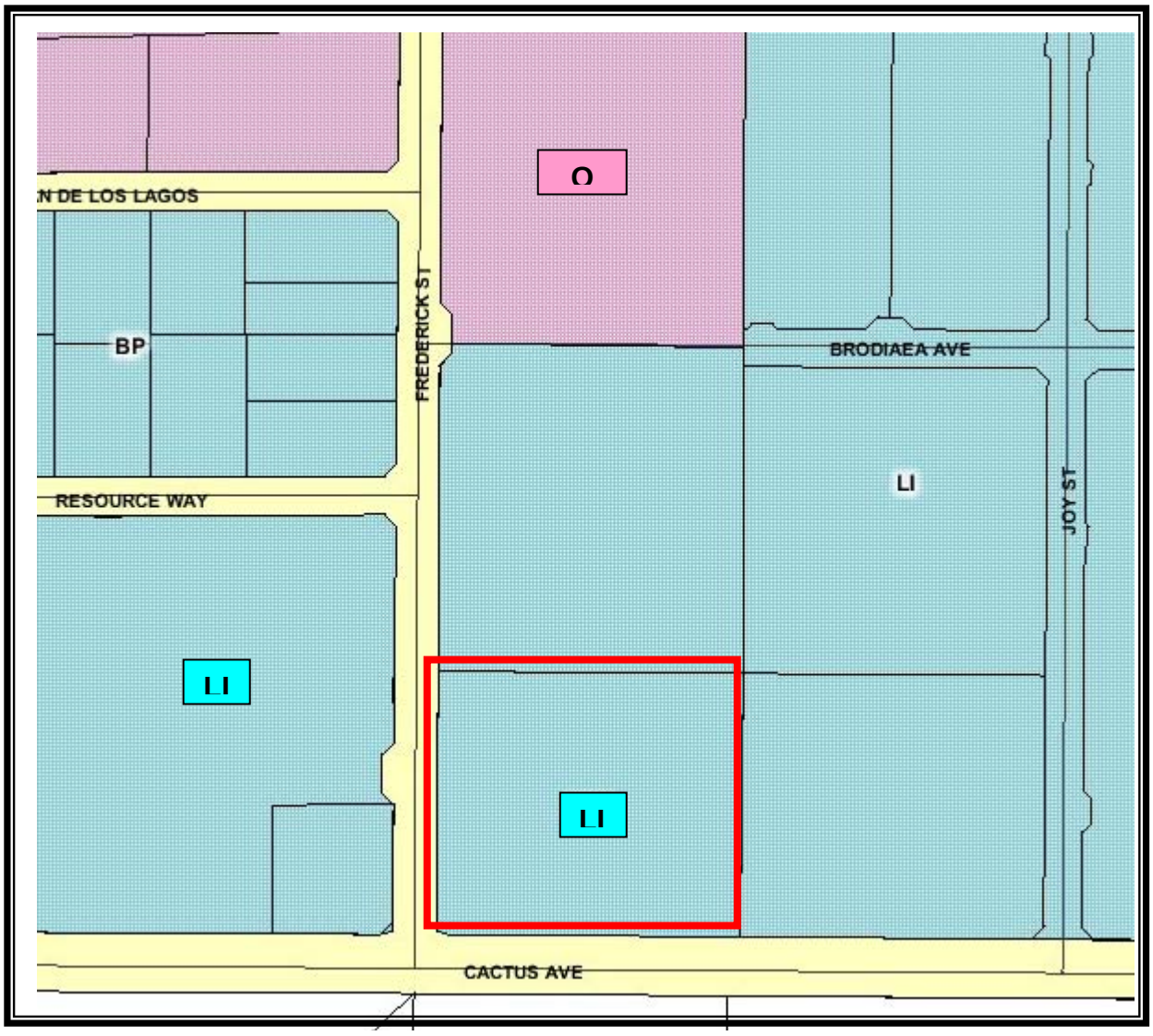
APPROVED AS TO FORM:

_____
City Attorney

Attachments

ZONE CHANGE

Application No. PA12-0022
Resolution No. 2012-30



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ADOPTED_____

EFFECTIVE_____

EXHIBIT A

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
PLOT PLAN PA12-0019 FOR A WAREHOUSE DISTRIBUTION BUILDING
OR A TRUCK STORAGE YARD
ASSESSOR'S PARCEL NUMBER: 297-170-027

APPROVAL DATE:
EXPIRATION DATE:

- X **Planning (P), including Building (B), School District (S), Post Office (PO)**
- X **Fire Prevention Bureau (F)**
- X **Land Development (LD)**
- X **Public Works – Special Districts (SD)**
- X **Public Works – Transportation Engineering (TE)**
- X **Public Works – Moreno Valley Utilities (MVU)**
- ___ **Parks & Community Services (PCS)**
- X **Police (PD)**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Approval of Plot Plan PA12-0019 is subject to certification of an Environmental Impact Report (P12-057) and approval of a Zone Change (PA12-0022) from Business Park Mixed-Use (BPX) to Light Industrial (LI) by the City of Moreno Valley.

P2. Plot Plan PA12-0019 has been approved for development of two alternatives. Alternative 1 is a truck storage yard for 294 truck/trailers to be screened by 14 foot tall perimeter walls. Alternative 2 is a 164,720 square foot warehouse distribution building to be built on a 7.6 acre site within Assessor's Parcel Number 297-170-027. This project includes 17 dock doors and a maximum of 10,000 square feet of office. Required parking for this use equates to a total of 99 employee/visitor parking spaces and 17 truck/trailer parking spaces.

P3. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P4. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the designated office area(s).

P5. The gates into truck loading and parking areas that are within view of a public

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision M	

street shall be of solid metal construction or wrought iron with mesh to screen the interior of the loading area.

P6. This project shall comply with South Coast Air Quality Management District (SCAQMD) rules related to dust generation (Rule 403) and the use of architectural coatings (Rule 1113).

P7. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P8. Screening walls of decorative block or concrete tilt-up construction and 14 feet in height shall be provided to fully screen the truck loading and parking area for from view from along the southern, western, northern, and eastern property lines.

P9. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P10. Except for the installation of a bus bay, pedestrian connection and a driveway, existing parkway landscaping along Frederick Street and at the northeast corner of Frederick Street and Cactus Avenue shall be protected in place.

All existing parkway landscaping that is removed shall be replaced with similar landscaping on-site at the back of the bus bay. Existing trees shall be relocated or replaced at a three to one ratio with 24-inch box trees.

P12. All loudspeakers, bells, gongs, buzzers or other noise attention devices installed on the project site shall be designed to ensure that the noise level at all property lines will be at or below 55 dBA for consistency with the Municipal Code.

P13. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P14. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P15. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P16. PA12-0019 shall be developed in accordance with the approved plans on file in the

Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

P17. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the project site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P18. A drought tolerant, low water using landscape palette shall be utilized throughout the project.

P19. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P20. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)

Prior to Issuance of Grading Permits

P21. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P22. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P23. (GP) Prior to the issuance of grading permits, final erosion control landscape and

irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P24. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property, City right-of-way or Caltrans right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P25. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P26. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.

P27. (GP) If a median is required, then prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P28. (GP) Prior to issuance of any grading permit~~s~~, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

P29. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative treatment for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P30. (GP) Prior to the issuance of a grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P31. (GP) Prior to the issuance of grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused

survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

P32. (GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by a POA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix with irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.

P33. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:

- **A. A 3 foot high decorative wall, hedge or berm shall be placed in setback areas adjacent to a parking lot.**
- **B. Any proposed retaining walls shall be decorative in nature.**
- **C. A 14 foot tall solid wall of decorative block with pilasters and a cap or concrete tilt-up construction shall be provided to screen the trucks, parked trailers and the loading areas and loading docks shall be built along the southern, western, northern and eastern property lines.**

Prior to Issuance of Building Permits

P34. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)

P35. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P36. (BP) Prior to issuance of building permits, two copies of a detailed, on-site,

computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community & Economic Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P37. (BP) Prior to issuance of building permits or as permitted by current City policy, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P38. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
E. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. **Enhanced landscaping shall be included at all driveway and corner locations and along the sites Cactus Avenue frontage,**
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question.
H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)
I. **Street trees planted at 40 feet on center spacing shall be provided along**

the site's Frederick Street and Cactus Avenue frontages.

J. **Along property boundaries visible from the public view and accessible to the general public, trees shall be planted at a rate of one tree per 30 linear feet of the interior property line. Tree clusters may satisfy this requirement.**

K. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

L. **Existing parkway removed for the bus bay along Frederick Street shall be replaced on-site at the back of the bus bay.**

P39. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community & Economic Development Director. (MC 9.08.070)

P40. (BP) Prior to the issuance of building permits, downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community & Economic Development Director.

P41. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or pavers for all driveway ingress/egress locations for the project.

P42. (BP) Prior to issuance of any building permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

<u>Prior to Issuance of Certificate of Occupancy or Building Final</u>

P43. (CO) Prior to issuance of any Certificates of Occupancy or building final, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)

P44. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community & Economic Development Department – Planning Division. (MC 9.080.070).

P45. (CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P46. (CO) All rooftop equipment shall be appropriately screened and not visible from the public rights of way.

P47. (CO) Prior to issuance of a certificate of occupancy or building final, the project shall install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.

MITIGATION MEASURES

Traffic and Circulation

P48. **4.2.1** Elsworth Street and Cactus Avenue Improvements:
Prior to issuance of the first Certificate of Occupancy, the Project Applicant shall construct the following improvement.
• Remove the existing southbound crosswalk (i.e., the crosswalk on the western leg of the intersection) to provide additional "green time" to other approaches. This removal shall be accomplished in a manner consistent with applicable regulations, including but not limited to Chapter 3B of the 2012 California Manual on Uniform Traffic Control Devices (MUTCD), and Section 21950.5 of the California Vehicle Code. The existing crosswalks on the north, east and south legs of the intersection shall be maintained.

P49. **4.2.2** I-215 Southbound Ramps at Cactus Avenue Improvement:
• Construct a second westbound through lane.
This improvement will be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of I-215 Southbound Ramps at Cactus Avenue.

P50. **4.2.3** I-215 Northbound Ramps at Cactus Avenue Improvements:
• Construct a second northbound left-turn lane;
• Re-stripe the existing eastbound shared through/right-turn lane as the third through lane;
• Construct a dedicated eastbound right-turn lane;
• Construct a third westbound through lane; and
• Construct a dedicated westbound right-turn lane.
These improvements will be funded through participating in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of I-215 Northbound Ramps at Cactus Avenue.

P51. **4.2.4** Elsworth Street at Cactus Avenue Improvement:
• Construct a third eastbound through lane.
This improvement will be funded through participation in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Elsworth Street at Cactus Avenue.

P52. **4.2.5** Frederick Street at Cactus Avenue Improvements:
• Construct a third eastbound through lane; and
• Construct a third westbound through lane.
These improvements will be funded through participating in the TUMF and/or DIF program(s). The Project will pay required fees,
thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Frederick Street at Cactus Avenue.

P53. **4.2.6** Graham Street at Cactus Avenue Improvements:
• Remove the existing southbound crosswalk (i.e., crosswalk on the west leg) to provide additional green time to other approaches; and
• Construct a third eastbound through lane.
These improvements will be funded through participating in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Graham Street at Cactus Avenue.

Air Quality

P54. **4.3.1** Pursuant to SCAQMD Rule 403 requirements:
• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
• The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are limited to 15 miles per hour or less.

P55. **4.3.2** A sign shall be posted on-site stating that construction workers shall not idle diesel engines in excess of five minutes.

P56. **4.3.3** During grading activities, total horsepower-hours per day for all equipment shall not exceed 13,568 horsepower-hours per day and the maximum disturbance (actively graded) area shall not exceed four acres per day.

P57. **4.3.4** Only “Zero-Volatile Organic Compounds” paints (no more than 150 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications consistent with South Coast Air Quality Management District Rule 1113 shall be used.

P58. **4.3.5** The Project truck access gates and loading docks site shall be posted with signs which state:
• Truck drivers shall turn off engines when not in use;

• Diesel delivery trucks servicing the Project shall not idle for more than three minutes; and
• Telephone numbers of the building facilities manager and the CARB to report violations.

P59. **4.3.6** The Project's final site design shall allow for trucks to check-in within the facility area to prevent queuing of trucks outside the facility.

P60. **4.3.7** The building roof shall be designed and constructed to accommodate solar panels.

P61. **4.3.8** Prior to issuance of the first Certificate of Occupancy, the Project shall install a photovoltaic array (solar panels) or other source of renewable energy generation onsite, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the Project's office electrical needs.

P62. **4.3.9** The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements. The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan. The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.

Noise

P63. **4.4.1** During all Project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

P64. **4.4.2** The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the project site during all Project construction.

P65. **4.4.3** The construction contractor shall limit haul truck deliveries to weekdays between the hours of 7:00 a.m. and 8:00 p.m., or the same hours specified for construction equipment. Haul routes that utilize only City-designated truck routes shall be identified on construction plans. The Project construction manager shall be responsible for ensuring that all contractors operate in compliance with construction plan specifications.

P66. **4.4.4** All trucks, tractors, and forklifts shall be operated with proper operating and well maintained mufflers.

P67. **4.4.5** Maintain quality pavement conditions that are free of bumps to minimize truck noise.

P68. **4.4.6** The truck access gates and loading docks within the truck court on the project site shall be posted with signs which state:
- Truck drivers shall turn off engines when not in use;
- Diesel trucks servicing the Project shall not idle for more than five minutes; and
- Post telephone numbers of the building facilities manager to report violations.

Biological Resources

P69. **BR-1** If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed within 72 hours prior to clearing for the presence of nesting birds by a qualified Project biologist. The Project biologist shall be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the City Planning Department. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 300-foot buffer and up to 500 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

P70. **BR-2** Within 30 days prior to site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the City Planning Department prior to issuance of a grading permit.

P71. **BR-3** Prior to the issuance of a grading permit, the Project Applicant shall be responsible for ensuring that a biological resources survey is conducted for the Project site during nesting season (February 15 to July 31) by a qualified biologist, consistent with the policies of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). This survey will specifically address the identification of potential burrowing owl (Athena cunicularia) habitat, and the protection of species associated with riparian/riverine areas and vernal pools. The results of this biological survey shall be submitted to the City for review. If the City finds that the Project, in its final design, would involve areas of burrowing owl occupation, and/or areas of riparian or riverine resources, the following requirements would apply:
- If the site contains, or is part of an area supporting less than 35 acres of suitable burrowing owl habitat, or the survey reveals that the site and the surrounding area

supports fewer than three pairs of burrowing owls, then the on-site burrowing owls will be passively or actively relocated following accepted protocols.

• If the site (including adjacent areas) supports three or more pairs of burrowing owls, supports greater than 35 acres of suitable habitat and is non-contiguous with MSHCP Conservation Area lands, at least 90 percent of the area with long-term conservation value and burrowing owl pairs will be conserved onsite.

• If the 90 percent threshold cannot be met, the City of Moreno Valley, as a permittee of the MSHCP, must make a Determination of Biologically Equivalent or Superior Preservation.

• If riparian/riverine resources are present onsite and cannot be avoided, a Determination of Biologically Equivalent or Superior Preservation will be required.

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **Fire lanes shall be a minimum of 30'wide for this structure.**
2. **A reciprocal access agreement shall be required if any of the driveways are to be shared with the adjacent properties.**
3. **If the alternate plan to use this project as truck parking is used, then the gates shall have a minimum 60' setback from the streets.**
4. **The following Standard Conditions shall apply.**

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering __4000__ GPM for _4_ hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B) . **The 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow, hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C.**

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 507.5.7 & MVMC 8.36.060 Section K)

F4. Maximum cul-de-sac or dead end road length shall not exceed 660 feet. The Fire Chief, based on City street standards, shall determine minimum turning radius for

fire apparatus based upon fire apparatus manufacture specifications. (CFC 503.2)

F5. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating 4fire apparatus. (CFC 503.2 and 503.2.5)

F6. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F7. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F8. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])

F9. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])

F10. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)

F11. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3)

F12. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)

F13. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F14. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;

b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507.5)

F15. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1)

F16. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)

F19. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. All exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F20. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 105)

F21. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)

F22. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F23. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)

F24. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060)

F25. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.060)

F26. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F27. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this

code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with CFC 105 and MVMC 8.36.100.

F28. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F29. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F30. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Chapter 27)

F31. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 105)

F32. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 105)

F33. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 105)

F34. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.8)

F35. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Chapter 1)

F36. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F37. Prior to Certificate of Occupancy all locations where medians are constructed and prohibit vehicular ingress/egress into or away from the site, provisions must be made to construct a median-crossover at all locations determined by the Fire Marshal and the City Engineer. Prior to the construction, design plans will be submitted for review and approval by the City Engineer and all applicable inspections conducted by Land Development Division.

F38. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

CITY OF MORENO VALLEY
COMMUNITY & ECONOMIC DEVELOPMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA12-0019 – Plot Plan Industrial Warehouse Building (164,720 SF) -
Alternate Equipment Truck Trailer Storage Parking Lot
APN 297-170-027

Note: All Special Conditions are in **Bold** lettering and follow the standard conditions.

COMMUNITY & ECONOMIC DEVELOPMENT – LAND DEVELOPMENT DIVISION

The following are the Community & Economic Development Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Community & Economic Development Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code. (MC)

LD2. (G) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD5. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

a. Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

b. Observance of working hours as stipulated on permits issued by the Public Works Department.

c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

d. All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD6. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD7. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Community and Economic Development Department.

LD8. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

<u>Prior to Grading Plan Approval or Grading Permit</u>

LD9. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD10. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Community and Economic Development Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Community and Economic Development Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD11. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD12. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD13. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that:

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;

b. Incorporates Source Control BMPs and provides a detailed description of their implementation;

c. Incorporates Treatment Control BMPs and provides information regarding design considerations;

d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and

e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Community and Economic Development Department. **The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09, or current guidance document.**

LD14. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Community and Economic Development Department.

LD15. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD17. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD18. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD19. (GPA/MA) Prior to grading plan approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD20. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD21. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in all areas where grading resulting in slopes is

proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.

LD22. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD23. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD24. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Improvement Plan Approval or Construction Permit

LD25. (CP) Prior to issuance of a construction permit, the permit shall list any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD26. (CP) Prior to issuance of a construction permit, the permit shall require the developer to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD27. (CP) Prior to issuance of a construction permit, the project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Community and Economic Development Department – Land Development Division. (MC 9.14.110)

LD28. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security shall be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer shall require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD29. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD30. (BP) Prior to issuance of building permits for non-subdivision projects, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD31. (BP) Prior to issuance of building permits for non-subdivisions, security may be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement may be required to be executed.

LD32. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

Prior to Certificate of Occupancy

LD33. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD34. (CO) Prior to issuance of a certificate of occupancy, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.

   i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
   ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)

LD35. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD36. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD37. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: drive approaches, bus turn out, pedestrian ramps, signing, striping, relocation of existing improvements required to accommodate project public improvements, and replacement of existing public improvements that are damaged during construction or that are substandard.

b. Storm drain facilities including connection to existing public storm drain to catch basins, local depressions, and storm drain laterals.

c. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

LD38. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD39. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

LD40. (CO) Prior to issuance of a certificate of occupancy or building final, the applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:

a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP)

b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted to the City for review and approval.

<u>Prior to Acceptance of Streets into the City Maintained Road System</u>

LD41. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to the end of the one-year warranty period of the public streets at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

SPECIAL CONDITIONS

LD42. This project will require submittal of both rough grading and precise grading plans for review and approval. All on-site and off-site easements shall be shown on the grading plan.

LD43. Prior to rough grading plan approval, written permission must be obtained from off-site property owner(s) for any off-site grading.

LD44. Prior to rough and precise grading plan approval, the grading plans shall clearly demonstrate that drainage is properly collected and conveyed. The plans shall show all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements. The developer shall connect the proposed private storm drain system to the existing public drainage system in Cactus Avenue. A storm drain manhole shall be placed at the right-of-way to designate the beginning of the publicly maintained portion of this storm drain.

LD45. The developer will be required to obtain the necessary permission for offsite construction, including easements.

LD46. Prior to precise grading plan approval, the following legal descriptions and plats shall be submitted to the City for review and approval:

a. Reciprocal access easement for the shared use driveway proposed on Cactus Avenue between APN 297-170-027 and APN 297-170-076. Alternatively, a separate recorded copy of a reciprocal access agreement between these parcels shall be submitted to the City for review and approval.

b. Pedestrian access easement (sidewalk easement) for the existing curb-separated sidewalk along Cactus Avenue along project frontage.

c. Corner cut off additional right-of-way per City Standard No. 208 for any additional right-of-way that may be required at the northeast corner of Cactus Avenue and Frederick Street.

d. **Additional landscape easement at the northeast corner of Cactus Avenue and Frederick Street to cover all landscaping surrounding the corner monument.**

e. **Additional right-of-way at proposed driveway entrances per City Standard No. 118C.**

f. **Additional right-of-way or public access easement required for a bus turn out on Frederick Street per City Standard No. 121.**

LD47. Prior to precise grading plan approval, the grading plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD48. Prior to precise grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD49. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice.

LD50. Prior to building permit issuance, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security, as required by the City Engineer. The improvements shall be completed prior to occupancy or as otherwise determined by the City Engineer.

a. **Driveway approaches on Cactus Avenue and Frederick Street shall be constructed per City Standard No. 118C. No decorative pavers shall be placed within the public right-of-way. The precise grading plan shall show an additional 4-foot right-of-way dedication behind driveway approaches. A legal description and plat for the 4-foot right-of-way dedication shall be submitted to the City for review and approval prior to precise grading plan approval. The approved 4-foot additional right-of-way dedication shall be recorded prior to building permit issuance.**

b. **Bus turn out on Frederick Street shall be constructed per City Standard No. 121. The precise grading plan shall show either additional right-of-way or public access easement beyond existing right-of-way to accommodate the construction of the bus turn out. A legal description and plat for the additional right-of-way dedication or public access easement shall be submitted to the City for review and approval prior to precise grading plan approval. The approved additional right-of-way dedication or public access easement shall be recorded prior to building permit issuance.**

c. Pedestrian access ramp at the northeast corner of Cactus Avenue and Frederick Street shall be constructed per City Standard No. 214A. The precise grading plan shall show any additional corner cut-off right-of-way required per City Standard No. 208. A legal description and plat for the additional right-of-way dedication shall be submitted to the City for review and approval prior to precise grading plan approval. The approved additional right-of-way dedication shall be recorded prior to building permit issuance.

d. Pavement core samples of existing pavement on Frederick Street and Cactus Avenue (half street width along project frontage) may be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement (half street width along project frontage) to meet or exceed the City's pavement structural section standard.

e. Drainage improvements associated with the connection of onsite, private storm drain to existing public catch basin in Cactus Avenue and any ancillary public improvements or modifications resulting from the connection to catch basins, local depressions, and storm drain laterals.

f. Relocation, repair, and reconstruction of existing public improvements along project frontage resulting from displacement due to proposed project public improvements, existing public improvements that are damaged during construction, and substandard or obsolete City standard public improvements. The applicant shall schedule a walk through with a Public Works Inspector to inspect existing improvements within public right-of-way along project frontage. The applicant will be required to install, replace and/or repair any missing, damaged or substandard improvements including handicap access ramps that do not meet current City standards, any signing and re-striping, as necessary, and relocation of power poles, street lights, utility boxes, and meters and removal of fire hydrant that conflict with the proposed bus turn out or project driveways. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.

LD51. With the initial submittal of the Final Water Quality Management Plan (WQMP), testing results must be submitted for City standard percolation testing within the footprint of the infiltration BMP location. These results must show that utilization of infiltration is consistent with permeability of the site's soils and accepted design guidelines.

LD52. The Final WQMP, shall contain design details of the proposed underground storage system showing that, in combination with appropriate CDS units (with oil

and grease absorbent media), the BMP treatment train is treating the water quality volume for its proposed location and that no un-protected flow will reach the underground facility under any flow scenario.

LD53. In the Final WQMP, the proposed treatment control underground system shall be shown to scale on the WQMP Exhibit, and its design volume shall be calculated based on the current Guidance document worksheets or RCFC&WCD's *Design Handbook for Low Impact Development Best Management Practices*, dated September 2011 or later.

LD54. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a TMDL for receiving waters. Project POC include nutrients, oxygen demanding substances, and pathogens (bacteria and viruses). Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09, shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD55. Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site. The Applicant has proposed to incorporate a treatment train of a CDS unit and underground infiltration systems. Final design details and appropriate filter calculations for the basins must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD56. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD57. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications

c. That the applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and grading permit conditions

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA12-0019 (PP for a 164,720 sq ft warehouse)
APN: 297-170-027
11.01.12

PUBLIC WORKS DEPARTMENT

Special Districts Division

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA12-0019**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480 or by emailing specialdistricts@moval.org.

General Conditions

SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services), C (Arterial Street Lighting), and E (Extensive Parkway Landscape Maintenance). All assessable parcels therein shall be subject to annual Zone A, Zone C, and Zone E charges for operations and capital improvements.

SD-2 Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone E,** shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD-3 In the event the Moreno Valley Community Services District determines that funds authorized by Proposition 218 mail ballot proceeding are insufficient to meet the costs for parkway, slope, and/or open space maintenance and utility charges (**Zone E**), the District shall have the right, at its option, to terminate the grant of any or all parkway, slope, and/or open space maintenance easements. This power of termination, should it be exercised, shall be exercised in the manner provided by law to quit

claim and abandon the property so conveyed to the District, and to revert to the developer or the developer's successors in interest, all rights, title, and interest in said parkway, slope, and/or open space areas, including but not limited to responsibility for perpetual maintenance of said areas.

SD-4 The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscape maintenance for a period of one (1) year as per the *City of Moreno Valley Public Works Department Landscape Design Guidelines,* or until such time as the District accepts maintenance responsibilities.

SD-5 Any damage to existing landscape areas maintained by the Moreno Valley Community Services District due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

SD-6 The ongoing maintenance of any landscaping required to be installed behind the curb on Cactus Ave. shall be the responsibility of the property owner.

SD-7 Modification of the existing irrigation system for parkway improvements may be required per the direction of and approval by the Special Districts Division. Please contact Special Districts at 951.413.3480 to coordinate the modifications.

SD-8 Plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD-9 Inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD-10 Streetlight Authorization forms, for all streetlights that are conditioned to be installed as part of this project, must be submitted to the Special Districts Division for approval, prior to streetlight installation. The Streetlight Authorization form can be obtained from the utility company providing electric service to the project, either Moreno Valley Utility or Southern California Edison.

SD-11 The existing landscaping at the northeast corner of Frederick St. and Cactus Ave., including the palm trees, pepper trees, landscape lighting and wall, shall be preserved in place.

SD-12 The removal of existing trees with a four-inch or greater trunk diameters (calipers), shall be replaced at a three to one ratio, with minimum twenty-four (24) inch box size trees of the same species, or a minimum thirty-six (36) inch box for a one to one replacement, where approved. (MC 9.17.030)

Prior to Building Permit Issuance

SD-13 (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance. (California Government Code)

SD-14 (BP) This project is conditioned to provide a funding source for the capital improvements and/or maintenance for the **Cactus Ave.** median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the options as outlined below shall be selected. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

a. Participate in a ballot proceeding for **improved median maintenance** and pay all associated costs with the ballot process and formation costs, if any. Financing may be structured through a Community Services District zone, Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the city; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The financial option selected shall be in place prior to the issuance of certificate of occupancy.

SD-15 *Commercial* (BP) If Land Development, a Division of the Community and Economic Development Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual

inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD-16 (BP) Prior to the issuance of the first building permit for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate in place at the time of payment, as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council.

The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C programs. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

SD-17 (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Covenant of Assessments** for each assessable parcel therein, whereby the developer covenants the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Covenant of Assessments shall be submitted to the Special Districts Division. For a copy of the Covenant of Assessments form, please contact Special Districts, phone 951.413.3480.

SD-18 (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community and Economic Development Department–Planning Division, and the Public Works Department–Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD-19 (CO) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for this project.

SD-20 (CO) A 4" x 6" concrete mow curb shall be installed per City Standards behind the existing parkway and monument landscaping on Frederick St. and at the corner of Frederick St. and Cactus Ave. The mow curb shall delineate the maintenance areas of responsibility of the City and the property owner.

SD-21 (CO) Landscape and irrigation plans for parkway, median, slope, and/or open space landscape areas designated for incorporation into Moreno Valley Community Services District shall be placed on compact disk (CD) in pdf format. The CD shall include "As Built" plans, revisions, and changes. The CD will become the property of the City of Moreno Valley and the Moreno Valley Community Services District.

CITY OF MORENO VALLEY

CONDITIONS OF APPROVAL
PA12-0019 through 0022
Plot Plans and Zone Change for up to three warehouses located from the northwest corner of Graham Street at Brodiaea Avenue to the northeast corner of Cactus Avenue at Frederick Street.

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

Transportation Engineering Division – Conditions of Approval

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

GENERAL CONDITIONS

TE1. Cactus Avenue is classified as a Divided Major Arterial – Reduced Cross Section (120'RW/102'CC) per City Standard No. 102A. Any improvements to the roadway shall be per City standards. Traffic signal interconnect shall be installed along project frontage per City Standard Plan No. 421.

TE2. Graham Street is classified as a Minor Arterial (88' RW/64' CC) per City Standard Plan No. 105A. Any improvements to the roadway shall be per City standards. Traffic signal interconnect shall be installed along project frontage per City Standard Plan No. 421.

TE3. Frederick Street is classified as a Minor Arterial (88' RW/64' CC) per City Standard Plan No. 105A. Any improvements to the roadway shall be per City standards.

TE4. Brodiaea Avenue is classified as an Industrial Collector Street (78' RW/56' CC) per City Standard Plan No. 106. Any improvements to the roadway shall be per City standards.

TE5. Driveways shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code – Design Guidelines and City of Moreno Valley Standard No. 118C for commercial driveway approach. Driveways wider than City standards (maximum of 40 feet) shall be constructed as an intersection with access ramps per City Standard 214A, including any necessary signing and markings, as determined by the City Traffic Engineer.

TE6. Each gated entrance shall be provided with the following:

a) A storage lane with a minimum of 75 feet queuing length for entering traffic. Driveway 4 located on Cactus Avenue (replacing existing Joy Street) shall be wide enough for two inbound lanes.
b) Signing and striping.

All of these features must be kept in working order.

TE7. Conditions of approval may be modified or added if a phasing plan is submitted for this development.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE8. Prior to final approval of the street improvement plans, a bus bay per City Standard Plan No. 121 shall be designed for northbound Frederick Street, just north of Cactus Avenue.

TE9. Prior to final approval of the street improvement plans, the intersection of Cactus Avenue at Elsworth Street shall be redesigned such that the crosswalk on the west leg of the intersection is removed. Required improvements may include but not be limited to reconstructing pedestrian access ramps, installation of new signing and striping, removal and installation of pedestrian signal heads, removal and installation of pedestrian push buttons, etc. A City Capital Project may receive funding for the construction of the third eastbound lane from the I-215 interchange to Veteran's Way providing needed capacity at the Cactus Avenue at Elsworth Street intersection. If this Capital Project is funded with construction scheduled to begin prior to the final certificate of occupancy, then the crosswalk modification may be reassessed at the discretion of the City Traffic Engineer and the condition may be waived.

TE10. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE11. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer may be required for plan approval or as required by the City Traffic Engineer.

TE12. Prior to final approval of the street improvement plans, the project plans shall demonstrate that sight distance at proposed streets and driveways conforms to City Standard Plan No. 125A, B, C.

PRIOR TO BUILDING PERMIT

TE13. (BP) Prior to the issuance of Building Permits, the project applicant shall make a fair-share payment to the City of Moreno Valley for the removal of the crosswalk located on the west leg of the Cactus Avenue at Graham Street intersection. The fair-share payment shall be based upon the findings in the

project EIR and an engineer's estimate that will include but not be limited to pedestrian access ramp construction/reconstruction, modified signing and striping, removal and installation of pedestrian signal heads, removal and installation of pedestrian push buttons, etc.

TE14. (BP) Prior to the issuance of Building Permits, traffic signal plans (if required) shall be prepared by a registered civil or electrical engineer and submitted to the City for the intersection identified in Condition TE15. The Traffic signal shall be modified prior to issuance of a Certificate of Occupancy, if necessary.

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE15. (CO) Prior to issuance of a certificate of occupancy, the traffic signal at Cactus Avenue and Driveway 4 (existing Joy Street) shall be modified as necessary and fully operational to the satisfaction of the City Traffic Engineer.

TE16. (CO) Prior to issuance of a certificate of occupancy, the improvements identified in conditions TE8 and TE9 shall be constructed per the approved plans.

PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

TE17. Prior to acceptance of streets into the City-maintained road system, all approved signing and striping shall be installed per current City Standards and the approved plans.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA12-0019, PA12-0020, PA12-0021, PA12-0022
APNs: 297-170-027, -064, -065, -067, -075, -076, -082
May 23, 2012

PUBLIC WORKS DEPARTMENT

Moreno Valley Utility

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project(s) PA12-0019 thru -0022; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3500. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

PRIOR TO ENERGIZING MVU ELECTRIC UTILITY SYSTEM AND CERTIFICATE OF OCCUPANCY

MVU-1 (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

MVU-2 (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to constructing the MVU Electric Utility System, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved

engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development may be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU-3 This project may be subject to a Reimbursement Agreement. The project is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

CITY OF MORENO VALLEY

CONDITIONS OF APPROVAL
PA12-0019 through 0022
Plot Plans and Zone Change for up to three warehouses located from the northwest corner of Graham Street at Brodiaea Avenue to the northeast corner of Cactus Avenue at Frederick Street.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
PLOT PLAN PA12-0020 FOR A WAREHOUSE DISTRIBUTION FACILTY
ASSESSOR'S PARCEL NUMBERS: 297-170-067, -075, and -076

APPROVAL DATE:
EXPIRATION DATE:

- X **Planning (P), including Building (B), School District (S), Post Office (PO)**
- X **Fire Prevention Bureau (F)**
- X **Land Development (LD)**
- X **Public Works – Special Districts (SD)**
- X **Public Works – Transportation Engineering (TE)**
- X **Public Works – Moreno Valley Utilities (MVU)**
- ___ **Parks & Community Services (PCS)**
- X **Police (PD)**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Approval of Plot Plan PA12-0020 is subject to certification of an Environmental Impact Report (P12-057).

P2. Plot Plan PA12-0020 has been approved for development of a 507,720 square foot addition to an existing 779,016 square foot warehouse distribution facility for a total of 1,286,736 square feet. This project will include 229 dock doors and a maximum of 11,690 square feet of office. Required parking for this use equates to a total of 384 employee/visitor parking spaces and 229 truck/trailer parking spaces.

P3. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P4. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the designated office area(s).

P5. The gates into truck loading and parking areas that are within view of a public street shall be of solid metal construction or wrought iron with mesh to screen the interior of the loading area.

P6. This project shall comply with South Coast Air Quality Management District

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision M	

(SCAQMD) rules related to dust generation (Rule 403) and the use of architectural coatings (Rule 1113).

P7. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P8. Screening walls of decorative block or concrete tilt-up construction and 14 feet in height shall be provided to fully screen the truck loading and parking area for from view from along the southern, western, northern, and eastern property lines.

P9. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P10. All loudspeakers, bells, gongs, buzzers or other noise attention devices installed on the project site shall be designed to ensure that the noise level at all property lines will be at or below 55 dBA for consistency with the Municipal Code.

P11. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P12. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P13. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P14. PA12-0020 shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

P15. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the project site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P16. A drought tolerant, low water using landscape palette shall be utilized throughout the project.

P17. All landscaped areas shall be maintained in a healthy and thriving condition, free

from weeds, trash and debris. (MC 9.02.030)

P18. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)

Prior to Issuance of Grading Permits

P19. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P20. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P21. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P22. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property, City right-of-way or Caltrans right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P23. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P24. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.

P25. (GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

P26. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative treatment for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P27. (GP) Prior to the issuance of a grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P28. (GP) Prior to the issuance of grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

P29. (GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by a POA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix with irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.

P30. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:

A. A 3 foot high decorative wall, hedge or berm shall be placed in setback areas adjacent to a parking lot.
B. Any proposed retaining walls shall also be decorative in nature.
C. A 14 foot tall solid wall of decorative block with pilasters and a cap or concrete tilt-up construction shall be provided to screen the trucks, parked trailers and the loading areas and loading docks shall be built along the Brodiaea and Cactus Avenue frontages.

Prior to Issuance of Building Permits

P31. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)

P32. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P33. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community & Economic Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P34. (BP) Prior to issuance of building permits or as permitted by current City policy, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P35. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
E. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. **Enhanced landscaping shall be included at all driveway and corner locations,**
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question.
H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)
I. **Street trees planted at 40 feet on center spacing shall be provided along the site's Brodiaea and Cactus Avenue frontages.**
J. **Along property boundaries visible from the public view and accessible to the general public, trees shall be planted at a rate of one tree per 30 linear feet of the interior property line. Tree clusters may satisfy this requirement.**
K. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

P36. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community & Economic Development Director. (MC 9.08.070)

P37. (BP) Prior to the issuance of building permits, downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community & Economic Development Director.

P38. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or pavers for all driveway ingress/egress locations for the project.

P39. (BP) Prior to issuance of any building permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

Prior to Issuance of Certificate of Occupancy or Building Final

P40. (CO) Prior to issuance of any Certificates of Occupancy or building final, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)

P41. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community & Economic Development Department – Planning Division. (MC 9.080.070).

P42. (CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P43. (CO) All rooftop equipment shall be appropriately screened and not visible from the public rights of way.

P44. (CO) Prior to issuance of a certificate of occupancy or building final, the project shall install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.

MITIGATION MEASURES

Traffic and Circulation

P45. 4.2.1 Elsworth Street and Cactus Avenue Improvements:
Prior to issuance of the first Certificate of Occupancy, the Project Applicant shall construct the following improvement.
• Remove the existing southbound crosswalk (i.e., the crosswalk on the western leg

of the intersection) to provide additional "green time" to other approaches. This removal shall be accomplished in a manner consistent with applicable regulations, including but not limited to Chapter 3B of the 2012 California Manual on Uniform Traffic Control Devices (MUTCD), and Section 21950.5 of the California Vehicle Code. The existing crosswalks on the north, east and south legs of the intersection shall be maintained.

P46. **4.2.2** I-215 Southbound Ramps at Cactus Avenue Improvement:
• Construct a second westbound through lane.
This improvement will be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of I-215 Southbound Ramps at Cactus Avenue.

P47. **4.2.3** I-215 Northbound Ramps at Cactus Avenue Improvements:
• Construct a second northbound left-turn lane;
• Re-stripe the existing eastbound shared through/right-turn lane as the third through lane;
• Construct a dedicated eastbound right-turn lane;
• Construct a third westbound through lane; and
• Construct a dedicated westbound right-turn lane.
These improvements will be funded through participating in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of I-215 Northbound Ramps at Cactus Avenue.

P48. **4.2.4** Elsworth Street at Cactus Avenue Improvement:
• Construct a third eastbound through lane.
This improvement will be funded through participation in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Elsworth Street at Cactus Avenue.

P49. **4.2.5** Frederick Street at Cactus Avenue Improvements:
• Construct a third eastbound through lane; and
• Construct a third westbound through lane.
These improvements will be funded through participating in the TUMF and/or DIF program(s). The Project will pay required fees,
thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Frederick Street at Cactus Avenue.

P50. **4.2.6** Graham Street at Cactus Avenue Improvements:
• Remove the existing southbound crosswalk (i.e., crosswalk on the west leg) to provide additional green time to other approaches; and
• Construct a third eastbound through lane.
These improvements will be funded through participating in the TUMF and/or DIF

program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Graham Street at Cactus Avenue.

Air Quality

P51. **4.3.1** Pursuant to SCAQMD Rule 403 requirements:
• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
• The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are limited to 15 miles per hour or less.

P52. **4.3.2** A sign shall be posted on-site stating that construction workers shall not idle diesel engines in excess of five minutes.

P53. **4.3.3** During grading activities, total horsepower-hours per day for all equipment shall not exceed 13,568 horsepower-hours per day and the maximum disturbance (actively graded) area shall not exceed four acres per day.

P54. **4.3.4** Only "Zero-Volatile Organic Compounds" paints (no more than 150 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications consistent with South Coast Air Quality Management District Rule 1113 shall be used.

P55. **4.3.5** The Project truck access gates and loading docks site shall be posted with signs which state:
• Truck drivers shall turn off engines when not in use;
• Diesel delivery trucks servicing the Project shall not idle for more than three minutes; and
• Telephone numbers of the building facilities manager and the CARB to report violations.

P56. **4.3.6** The Project's final site design shall allow for trucks to check-in within the facility area to prevent queuing of trucks outside the facility.

P57. **4.3.7** The building roof shall be designed and constructed to accommodate solar panels.

P58. **4.3.8** Prior to issuance of the first Certificate of Occupancy, the Project shall install a photovoltaic array (solar panels) or other source of renewable energy generation onsite, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the Project's office electrical needs.

P59. **4.3.9** The Project shall provide secure, weather-protected on-site bicycle

storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements. The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan. The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.

Noise

P60. **4.4.1** During all Project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

P61. **4.4.2** The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the project site during all Project construction.

P62. **4.4.3** The construction contractor shall limit haul truck deliveries to weekdays between the hours of 7:00 a.m. and 8:00 p.m., or the same hours specified for construction equipment. Haul routes that utilize only City-designated truck routes shall be identified on construction plans. The Project construction manager shall be responsible for ensuring that all contractors operate in compliance with construction plan specifications.

P63. **4.4.4** All trucks, tractors, and forklifts shall be operated with proper operating and well maintained mufflers.

P64. **4.4.5** Maintain quality pavement conditions that are free of bumps to minimize truck noise.

P65. **4.4.6** The truck access gates and loading docks within the truck court on the project site shall be posted with signs which state:
- Truck drivers shall turn off engines when not in use;
- Diesel trucks servicing the Project shall not idle for more than five minutes; and
- Post telephone numbers of the building facilities manager to report violations.

Biological Resources

P66. **BR-1** If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed within 72 hours prior to clearing for the presence of nesting birds by a qualified Project biologist. The Project biologist shall

be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the City Planning Department. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 300-foot buffer and up to 500 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

P67. **BR-2** Within 30 days prior to site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the City Planning Department prior to issuance of a grading permit.

P680. **BR-3** Prior to the issuance of a grading permit, the Project Applicant shall be responsible for ensuring that a biological resources survey is conducted for the Project site during nesting season (February 15 to July 31) by a qualified biologist, consistent with the policies of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). This survey will specifically address the identification of potential burrowing owl (Athena cunicularia) habitat, and the protection of species associated with riparian/riverine areas and vernal pools. The results of this biological survey shall be submitted to the City for review. If the City finds that the Project, in its final design, would involve areas of burrowing owl occupation, and/or areas of riparian or riverine resources, the following requirements would apply:

• If the site contains, or is part of an area supporting less than 35 acres of suitable burrowing owl habitat, or the survey reveals that the site and the surrounding area supports fewer than three pairs of burrowing owls, then the on-site burrowing owls will be passively or actively relocated following accepted protocols.

• If the site (including adjacent areas) supports three or more pairs of burrowing owls, supports greater than 35 acres of suitable habitat and is non-contiguous with MSHCP Conservation Area lands, at least 90 percent of the area with long-term conservation value and burrowing owl pairs will be conserved onsite.

• If the 90 percent threshold cannot be met, the City of Moreno Valley, as a permittee of the MSHCP, must make a Determination of Biologically Equivalent or Superior Preservation.

• If riparian/riverine resources are present onsite and cannot be avoided, a Determination of Biologically Equivalent or Superior Preservation will be required.

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **A reciprocal access agreement shall be required if any of the driveways are to be shared with the adjacent properties.**
2. **All gates shall be electronically controlled. This shall apply for the entire site.**
3. **Applicant shall provide a "preplanned impairment program" plan for approval prior to commencing any construction that will affect the fire protection systems or water supply. CFC 907.4**
4. **The following Standard Conditions shall apply.**

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering __4000__ GPM for _4_ hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B) . **The 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow, hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C.**

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 507.5.7 & MVMC 8.36.060 Section K)

F4. Maximum cul-de-sac or dead end road length shall not exceed 660 feet. The Fire Chief, based on City street standards, shall determine minimum turning radius for fire apparatus based upon fire apparatus manufacture specifications. (CFC 503.2)

F5. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.2 and 503.2.5)

F6. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F7. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F8. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])

F9. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])

F10. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)

F11. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3)

F12. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)

F13. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F14. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507.5)

F15. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1)

F16. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)

F19. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an

accessible location approved by the Fire Chief. All exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F20. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 105)

F21. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)

F22. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F23. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)

F24. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060)

F25. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.060)

F26. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F27. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with CFC 105 and MVMC 8.36.100.

F28. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F29. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F30. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Chapter 27)

F31. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 105)

F32. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 105)

F33. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 105)

F34. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.8)

F35. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Chapter 1)

F36. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F37. Prior to Certificate of Occupancy all locations where medians are constructed and prohibit vehicular ingress/egress into or away from the site, provisions must be made to construct a median-crossover at all locations determined by the Fire Marshal and the City Engineer. Prior to the construction, design plans will be submitted for review and approval by the City Engineer and all applicable inspections conducted by Land Development Division.

F38. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

CITY OF MORENO VALLEY
COMMUNITY & ECONOMIC DEVELOPMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA12-0020 – Plot Plan for an Industrial Warehouse Building Addition (501,430 SF) to an Existing Industrial Warehouse Building (779,016 SF) for a total Industrial Warehouse Building (1,280,446 SF)
APN 297-170-067, 297-170-075, 297-170-076

Note: All Special Conditions are in **Bold** lettering and follow the standard conditions.

COMMUNITY & ECONOMIC DEVELOPMENT – LAND DEVELOPMENT DIVISION

The following are the Community & Economic Development Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Community & Economic Development Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code. (MC)

LD2. (G) The developer shall make appropriate offers of dedication by separate instrument or by final map when and if one is submitted. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD5. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

a. Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

b. Observance of working hours as stipulated on permits issued by the Public Works Department.

c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

d. All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD6. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities. (MC 9.14.110)

LD7. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Community and Economic Development Department.

LD8. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

<u>Prior to Grading Plan Approval or Grading Permit</u>

LD9. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD10. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Community and Economic Development Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Community and Economic Development Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD11. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD12. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD13. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;

b. Incorporates Source Control BMPs and provides a detailed description of their implementation;

c. Incorporates Treatment Control BMPs and provides information regarding design considerations;

d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and

e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Community and Economic Development Department.

LD14. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Community and Economic Development Department.

LD15. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD17. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD18. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD19. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD20. (GP) Prior to issuance of a grading permit, if the fee has not already been paid, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD21. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD22. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Improvement Plan Approval or Construction Permit

LD23. (CP) Prior to issuance of a construction permit, the permit shall list any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD24. (CP) Prior to issuance of a construction permit, the permit shall require the developer to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD25. (CP) Prior to issuance of a construction permit, the project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Community and Economic Development Department – Land Development Division. (MC 9.14.110)

LD26. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security shall be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer shall require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD27. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD28. (BP) Prior to issuance of a building permit, the final map associated with this project, if any, shall record.

LD29. (BP) Prior to issuance of building permits, unless a final map is submitted in which case prior to final map approval, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD30. (BP) Prior to issuance of building permits, unless a final map is submitted in which case prior to final map approval, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD31. (BP) Prior to issuance of a building permit, unless a final map is submitted in which case prior to final map approval, the developer shall enter into or modify an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities. (MC 9.14.110)

LD32. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of “Blue-top” markers installed by a registered land surveyor or licensed engineer.

Prior to Certificate of Occupancy

LD33. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD34. (CO) Prior to issuance of a certificate of occupancy, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.

i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)

LD35. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD36. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD37. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: drive approaches, pedestrian ramps, signing, striping, relocation of existing improvements required to accommodate project public improvements, and replacement of existing public improvements that are damaged during construction or that are substandard.

b. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

LD38. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD39. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

LD40. (CO) Prior to issuance of a certificate of occupancy or building final, the applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:

a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP)

b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted to the City for review and approval.

Prior to Acceptance of Streets into the City Maintained Road System

LD41. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to the end of the one-year warranty period of the public streets at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

SPECIAL CONDITIONS

LD42. This project will require submittal of both rough grading and precise grading plans for review and approval. All on-site and off-site easements shall be shown on the grading plan.

LD43. Prior to rough and precise grading plan approval, the grading plans shall clearly demonstrate that drainage is properly collected and conveyed. The plans shall show all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements. The developer shall connect the proposed private storm drain system to the existing public drainage system located within a storm drain easement in a south parking lot drive aisle to the east of the proposed building expansion. A storm drain manhole shall be placed at the terminus of the existing storm drain easement to designate the beginning of the publicly maintained portion of this storm drain system.

LD44. Prior to rough and precise grading plan approval, the grading plans shall clearly show the location of the proposed sewer easement, pedestrian access easement, additional right-of-way dedications at proposed driveway approaches, reciprocal access area for the shared driveway on Cactus Avenue, and the Joy street right-of-way to be vacated. The grading plans shall show the parking lot area to be demolished including an existing, private storm drain.

LD45. Prior to precise grading plan approval, the following legal descriptions and plats shall be submitted to the City for review and approval, unless a final map is prepared showing the following:

a. Reciprocal access easement for the shared use driveway proposed on Cactus Avenue between APN 297-170-027 and APN 297-170-076. Alternatively, a separate recorded copy of a reciprocal access agreement between these parcels shall be submitted to the City for review and approval.

b. Pedestrian access easement (sidewalk easement) for the existing curb-separated sidewalk along Cactus Avenue from the west side of Joy Street to the proposed west property line of the building expansion.

c. Additional right-of-way at proposed driveway entrances per City Standard No. 118C.

d. Joy Street right-of-way vacation including any easements that may be located within.

e. New sewer easement, 30-foot wide to Eastern Municipal Water District, located within a drive aisle along and offset 30 feet from the west property line of APN 297-170-075 and APN 297-170-076, containing relocated Joy Street sewer.

LD46. Prior to precise grading plan approval, the grading plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD47. Prior to precise grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD48. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice.

LD49. Prior to building permit issuance, a final map shall record or alternatively with the approval of the City Engineer, a lot line adjustment shall record in order to combine existing parcels, APN 297-160-067, APN 297-170-075, and APN 297-170-076.

LD50. Prior to building permit issuance, or final map approval, if a final map is required, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security, as required by the City Engineer. The improvements shall be completed prior to occupancy or as otherwise determined by the City Engineer.

a. Driveway approaches on Cactus Avenue and Brodiaea Avenue shall be constructed per City Standard No. 118C. No decorative pavers shall be placed within the public right-of-way. The precise grading plan shall show an additional 4-foot right-of-way dedication behind driveway approaches. A legal description and plat for the 4-foot right-of-way dedication shall be submitted to the City for review and approval prior to precise grading plan approval.

b. Pavement core samples of existing pavement on Frederick Street and Cactus Avenue (half street width along project frontage) may be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement (half street width along project frontage) to meet or exceed the City's pavement structural section standard.

c. Drainage improvements associated with the connection of onsite, private storm drain to existing public storm drain located within a storm drain easement in a south parking lot drive aisle to the east of the proposed building expansion. A storm drain manhole shall be placed at the terminus of the existing storm drain easement to designate the beginning of the publicly maintained portion of this storm drain system.

d. Relocation, repair, and reconstruction of existing public improvements along project frontage resulting from displacement due to proposed project public improvements, existing public improvements that are damaged during construction, and substandard or obsolete City standard public improvements. The applicant shall schedule a walk through with a Public Works Inspector to inspect existing improvements within public right-of-way along project frontage. The applicant will be required to install, replace and/or repair any missing, damaged or substandard improvements including any signing and re-striping, as necessary, removal of fire hydrant that conflict with the proposed project driveways. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.

LD51. Prior to building permit issuance or as may be deferred until occupancy by the City Engineer, the vacation of Joy Street made either by final map or

separate instrument, and sewer relocation shall be completed to ensure that the proposed building expansion is not located over street right-of-way. The final map must be recorded prior to issuance of a building permit. Therefore, the Joy Street vacation and the relocation of the existing sewer to its new location within a proposed sewer easement, which is required by Eastern Municipal Water District, prior to vacation of Joy Street, will need to occur prior to issuance of a building permit if a final map is required or unless otherwise approved by the City Engineer and Eastern Municipal Water District. If a final map is not required, the vacation of Joy Street by separate instrument and associated sewer relocation improvements can be deferred until occupancy.

LD52. Prior to occupancy or at building permit issuance if a final map is required, as may be required by the City Engineer, the following proposed easements shall be dedicated and existing street right-of-way vacated either on a final map which is required prior to building permit issuance or by separate instrument and recorded.

a. Reciprocal access easement for the shared use driveway proposed on Cactus Avenue between APN 297-170-027 and APN 297-170-076. Alternatively, a copy of a reciprocal access agreement between these parcels shall be recorded.

b. Pedestrian access easement (sidewalk easement) for the existing curb-separated sidewalk along Cactus Avenue from the west side of Joy Street to the proposed west property line of APN 297-170-076.

c. Additional right-of-way at proposed driveway entrances per City Standard No. 118C.

d. Joy Street right-of-way vacation. All utilities shall be relocated into the public right-of-way or new easement location as agreed upon by the developer, the easement holder and the City Engineer prior to the vacation of Joy Street. All utilities shall be relocated within existing public right-of-way or new easement, as necessary, or otherwise abandoned in place as approved by the City Engineer, prior to the street right-of-way vacation. A new sewer easement shall be granted prior to sewer relocation and street right-of-way vacation. All utility relocations shall be done at no expense to the City.

e. New sewer easement, 30-foot wide to Eastern Municipal Water District, located within a drive aisle along and offset 30 feet from the west property line of APN 297-170-075 and APN 297-170-076, containing relocated Joy Street sewer. The sewer easement shall be dedicated and recorded prior to the sewer relocation and Joy Street right-of-way vacation.

LD53. In accordance with the City of Moreno Valley standards, the Double Ring Infiltrometer field testing method shall be utilized to perform in-situ percolation testing in the location of proposed infiltration area treatment

control Best Management Practice (BMP) and the results included in the Final WQMP. The preparer understands that any changes to BMPs required based on the basis of the percolation results will be incorporated in the first submittal of the Final WQMP.

LD54. The Applicant shall prepare and submit for approval a Project Specific Final Water Quality Management Plan (F-WQMP) for PA12-0020 – Moreno Valley Centerpointe - Building 4 Expansion. The F-WQMP shall be consistent with the approved Amended P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006. The F-WQMP shall contain any revised calculations for the revised treatment control BMPs. The F-WQMP shall provide detailed descriptions on the location, implementation (including sizing criteria), installation, and long-term Operation and Maintenance of planned Treatment Control Best Management Practices (BMPs).

LD55. The Applicant shall provide supporting studies, calculations, and reports related to the Hydrologic Conditions of Concern.

LD56. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project POC include: nutrients, organic compounds, and pathogens (bacteria and viruses). Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD57. Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site. The Applicant has proposed to incorporate the use of two subsurface infiltration basins ad porous pavement in car parking areas. Final design details of the treatment control BMPs must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document.

LD58. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD59. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications

c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA12-0020 (PP for a 507,720 sq ft addition to an existing warehouse)
APNs: 297-170-067, -075, and -076
11.01.12

PUBLIC WORKS DEPARTMENT

Special Districts Division

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA12-0020**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480 or by emailing specialdistricts@moval.org.

General Conditions

SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services), C (Arterial Street Lighting), E (Extensive Parkway Landscape Maintenance), and M (Commercial, Industrial, and/or Multifamily Improved Median Maintenance). All assessable parcels therein shall be subject to annual Zone A, Zone C, Zone E, and Zone M charges for operations and capital improvements.

SD-2 In the event the Moreno Valley Community Services District determines that funds authorized by Proposition 218 mail ballot proceeding are insufficient to meet the costs for parkway, slope, and/or open space maintenance and utility charges (**Zone E**), the District shall have the right, at its option, to terminate the grant of any or all parkway, slope, and/or open space maintenance easements. This power of termination, should it be exercised, shall be exercised in the manner provided by law to quit claim and abandon the property so conveyed to the District, and to revert to the developer or the developer's successors in interest, all rights, title, and interest in said parkway, slope, and/or open space areas, including but not limited to responsibility for perpetual maintenance of said areas.

SD-3 Any damage to existing landscape areas maintained by the Moreno Valley Community Services District due to project construction shall be

repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

SD-4 The ongoing maintenance of any landscaping required to be installed behind the curb on Cactus Ave. shall be the responsibility of the property owner.

SD-5 Plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD-6 Inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

Prior to Building Permit Issuance

SD-7 (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance. (California Government Code)

SD-8 (BP) This project is conditioned to install and/or maintain parkway landscape. The Developer's responsibility is to provide a funding source for the capital improvements and the continued maintenance of the landscaped area. In order for the Developer to meet the financial responsibility to maintain the defined services, one of the options as outlined below shall be selected. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

a. Participate in a ballot proceeding for **standard/extensive landscape** program maintenance and pay all associated costs with the ballot process and formation costs, if any. Financing may be structured through a Community Services District zone, Community Facilities District, Landscape and Lighting

Maintenance District, or other financing structure as determined by the city; or

b. Establish a Home Owners Association (HOA) to maintain the landscaped area; or
c. Establish an endowment to cover the future landscape program maintenance costs of the landscaped area.

The financial option selected shall be in place prior to the issuance of certificate of occupancy.

SD-9 (BP) This project is conditioned to provide a funding source for the capital improvements and/or maintenance for the **Cactus Ave.** median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the options as outlined below shall be selected. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

a. Participate in a ballot proceeding for **improved median maintenance** and pay all associated costs with the ballot process and formation costs, if any. Financing may be structured through a Community Services District zone, Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the city; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The financial option selected shall be in place prior to the issuance of certificate of occupancy.

SD-10 *Commercial* (BP) If Land Development, a Division of the Community and Economic Development Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD-11 (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Covenant of Assessments** for each assessable parcel therein, whereby the developer covenants the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is

(are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Covenant of Assessments shall be submitted to the Special Districts Division. For a copy of the Covenant of Assessments form, please contact Special Districts, phone 951.413.3480.

CITY OF MORENO VALLEY

CONDITIONS OF APPROVAL
PA12-0019 through 0022
Plot Plans and Zone Change for up to three warehouses located from the northwest corner of Graham Street at Brodiaea Avenue to the northeast corner of Cactus Avenue at Frederick Street.

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

Transportation Engineering Division – Conditions of Approval

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

GENERAL CONDITIONS

TE1. Cactus Avenue is classified as a Divided Major Arterial – Reduced Cross Section (120'RW/102'CC) per City Standard No. 102A. Any improvements to the roadway shall be per City standards. Traffic signal interconnect shall be installed along project frontage per City Standard Plan No. 421.

TE2. Graham Street is classified as a Minor Arterial (88' RW/64' CC) per City Standard Plan No. 105A. Any improvements to the roadway shall be per City standards. Traffic signal interconnect shall be installed along project frontage per City Standard Plan No. 421.

TE3. Frederick Street is classified as a Minor Arterial (88' RW/64' CC) per City Standard Plan No. 105A. Any improvements to the roadway shall be per City standards.

TE4. Brodiaea Avenue is classified as an Industrial Collector Street (78' RW/56' CC) per City Standard Plan No. 106. Any improvements to the roadway shall be per City standards.

TE5. Driveways shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code – Design Guidelines and City of Moreno Valley Standard No. 118C for commercial driveway approach. Driveways wider than City standards (maximum of 40 feet) shall be constructed as an intersection with access ramps per City Standard 214A, including any necessary signing and markings, as determined by the City Traffic Engineer.

TE6. Each gated entrance shall be provided with the following:

a) A storage lane with a minimum of 75 feet queuing length for entering traffic. Driveway 4 located on Cactus Avenue (replacing existing Joy Street) shall be wide enough for two inbound lanes.
b) Signing and striping.

All of these features must be kept in working order.

TE7. Conditions of approval may be modified or added if a phasing plan is submitted for this development.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE8. Prior to final approval of the street improvement plans, a bus bay per City Standard Plan No. 121 shall be designed for northbound Frederick Street, just north of Cactus Avenue.

TE9. Prior to final approval of the street improvement plans, the intersection of Cactus Avenue at Elsworth Street shall be redesigned such that the crosswalk on the west leg of the intersection is removed. Required improvements may include but not be limited to reconstructing pedestrian access ramps, installation of new signing and striping, removal and installation of pedestrian signal heads, removal and installation of pedestrian push buttons, etc. A City Capital Project may receive funding for the construction of the third eastbound lane from the I-215 interchange to Veteran's Way providing needed capacity at the Cactus Avenue at Elsworth Street intersection. If this Capital Project is funded with construction scheduled to begin prior to the final certificate of occupancy, then the crosswalk modification may be reassessed at the discretion of the City Traffic Engineer and the condition may be waived.

TE10. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE11. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer may be required for plan approval or as required by the City Traffic Engineer.

TE12. Prior to final approval of the street improvement plans, the project plans shall demonstrate that sight distance at proposed streets and driveways conforms to City Standard Plan No. 125A, B, C.

PRIOR TO BUILDING PERMIT

TE13. (BP) Prior to the issuance of Building Permits, the project applicant shall make a fair-share payment to the City of Moreno Valley for the removal of the crosswalk located on the west leg of the Cactus Avenue at Graham Street intersection. The fair-share payment shall be based upon the findings in the

project EIR and an engineer's estimate that will include but not be limited to pedestrian access ramp construction/reconstruction, modified signing and striping, removal and installation of pedestrian signal heads, removal and installation of pedestrian push buttons, etc.

TE14. (BP) Prior to the issuance of Building Permits, traffic signal plans (if required) shall be prepared by a registered civil or electrical engineer and submitted to the City for the intersection identified in Condition TE15. The Traffic signal shall be modified prior to issuance of a Certificate of Occupancy, if necessary.

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE15. (CO) Prior to issuance of a certificate of occupancy, the traffic signal at Cactus Avenue and Driveway 4 (existing Joy Street) shall be modified as necessary and fully operational to the satisfaction of the City Traffic Engineer.

TE16. (CO) Prior to issuance of a certificate of occupancy, the improvements identified in conditions TE8 and TE9 shall be constructed per the approved plans.

PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

TE17. Prior to acceptance of streets into the City-maintained road system, all approved signing and striping shall be installed per current City Standards and the approved plans.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA12-0019, PA12-0020, PA12-0021, PA12-0022
APNs: 297-170-027, -064, -065, -067, -075, -076, -082
May 23, 2012

PUBLIC WORKS DEPARTMENT

Moreno Valley Utility

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project(s) PA12-0019 thru -0022; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3500. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

PRIOR TO ENERGIZING MVU ELECTRIC UTILITY SYSTEM AND CERTIFICATE OF OCCUPANCY

MVU-1 (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

MVU-2 (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to constructing the MVU Electric Utility System, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved

engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development may be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU-3 This project may be subject to a Reimbursement Agreement. The project is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

CITY OF MORENO VALLEY

CONDITIONS OF APPROVAL
PA12-0019 through 0022
Plot Plans and Zone Change for up to three warehouses located from the northwest corner of Graham Street at Brodiaea Avenue to the northeast corner of Cactus Avenue at Frederick Street.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
PLOT PLAN PA12-0021 FOR A WAREHOUSE DISTRIBUTION FACILTY
ASSESSOR'S PARCEL NUMBERS: 297-170-064, -065, and -082

APPROVAL DATE:
EXPIRATION DATE:

_X_ **Planning (P), including Building (B), School District (S), Post Office (PO)**
_X_ **Fire Prevention Bureau (F)**
_X_ **Land Development (LD)**
_X_ **Public Works – Special Districts (SD)**
_X_ **Public Works – Transportation Engineering (TE)**
_X_ **Public Works – Moreno Valley Utilities (MVU)**
___ **Parks & Community Services (PCS)**
_X_ **Police (PD)**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Approval of Plot Plan PA12-0021 is subject to certification of an Environmental Impact Report (P12-057).

P2. Plot Plan PA12-0021 has been approved for development of a 607,920 square foot warehouse distribution facility. This project will include 100 dock doors and a maximum of 10,000 square feet of office. Required parking for this use equates to a total of 208 employee/visitor parking spaces and 100 truck/trailer parking spaces.

P3. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P4. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the designated office area(s).

P5. The gates into truck loading and parking areas that are within view of a public street shall be of solid metal construction or wrought iron with mesh to screen the interior of the loading area.

P6. This project shall comply with South Coast Air Quality Management District

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision M	

(SCAQMD) rules related to dust generation (Rule 403) and the use of architectural coatings (Rule 1113).

P7. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P8. Screening walls of decorative block or concrete tilt-up construction and 14 feet in height shall be provided to fully screen the truck loading and parking area for from view from along the southern, western, northern, and eastern property lines.

P9. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P10. All loudspeakers, bells, gongs, buzzers or other noise attention devices installed on the project site shall be designed to ensure that the noise level at all property lines will be at or below 55 dBA for consistency with the Municipal Code.

P11. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P12. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P13. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P14. PA12-0020 shall be developed in accordance with the approved plans on file in the Community & Economic Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

P15. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the project site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P16. A drought tolerant, low water using landscape palette shall be utilized throughout the project.

P17. All landscaped areas shall be maintained in a healthy and thriving condition, free

from weeds, trash and debris. (MC 9.02.030)

P18. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)

Prior to Issuance of Grading Permits

P19. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

P20. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community & Economic Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P21. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P22. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property, City right-of-way or Caltrans right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director. (GP Objective 4.4, 4.5, DG)

P23. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P24. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.

P25. (GP) On final grading plans, reduce or eliminate drive aisles areas in excess of thirty (30) foot width required by Fire Prevention Bureau. Reallocate areas to landscaping or other pervious treatments.

P26. (GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

P27. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative treatment for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P28. (GP) Prior to the issuance of a grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P29. (GP) Prior to the issuance of grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

P30. (GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by a POA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix with irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall

with pilasters, tubular steel fence with pilasters or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.

P31. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:

A. A 3 foot high decorative wall, hedge or berm shall be placed in setback areas adjacent to a parking lot.
B. Any proposed retaining walls shall also be decorative in nature.
C. A 14 foot tall solid wall of decorative block with pilasters and a cap or concrete tilt-up construction shall be provided to screen the trucks, parked trailers and the loading areas and loading docks shall be built along the Brodiaea Avenue frontage.

Prior to Issuance of Building Permits

P32. (BP) Prior to issuance of building permits, the Community & Economic Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)

P33. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P34. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, shall be submitted to the Community & Economic Development Department - Planning Division for review and approval. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P35. (BP) Prior to issuance of building permits or as permitted by current City policy, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P36. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public rights-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)
C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Sod shall be limited to public gathering areas only and not be included along the perimeter of the project site.
E. On site trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. **Enhanced landscaping shall be included at all driveway and corner locations,**
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question.
H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)
I. **Street trees planted at 40 feet on center spacing shall be provided along the site's Brodiaea Avenue and Graham Street frontages.**
J. **Along property boundaries visible from the public view and accessible to the general public, trees shall be planted at a rate of one tree per 30 linear feet of the interior property line. Tree clusters may satisfy this requirement.**
K. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

P37. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community & Economic Development Director. (MC 9.08.070)

P38. (BP) Prior to the issuance of building permits, downspouts will be interior to the

building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community & Economic Development Director.

P39. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or pavers for all driveway ingress/egress locations for the project.

P40. (BP) Prior to issuance of any building permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

Prior to Issuance of Certificate of Occupancy or Building Final

P41. (CO) Prior to issuance of any Certificates of Occupancy or building final, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)

P42. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community & Economic Development Department – Planning Division. (MC 9.080.070).

P43. (CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P44. (CO) All rooftop equipment shall be appropriately screened and not visible from the public rights of way.

P45. (CO) Prior to issuance of a certificate of occupancy or building final, the project shall install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the project's office electricity needs.

MITIGATION MEASURES

Traffic and Circulation

P46. 4.2.1 Elsworth Street and Cactus Avenue Improvements:
Prior to issuance of the first Certificate of Occupancy, the Project Applicant shall construct the following improvement.
• Remove the existing southbound crosswalk (i.e., the crosswalk on the western leg of the intersection) to provide additional "green time" to other approaches. This

removal shall be accomplished in a manner consistent with applicable regulations, including but not limited to Chapter 3B of the 2012 California Manual on Uniform Traffic Control Devices (MUTCD), and Section 21950.5 of the California Vehicle Code. The existing crosswalks on the north, east and south legs of the intersection shall be maintained.

P47. **4.2.2** I-215 Southbound Ramps at Cactus Avenue Improvement:
• Construct a second westbound through lane.
This improvement will be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of I-215 Southbound Ramps at Cactus Avenue.

P48. **4.2.3** I-215 Northbound Ramps at Cactus Avenue Improvements:
• Construct a second northbound left-turn lane;
• Re-stripe the existing eastbound shared through/right-turn lane as the third through lane;
• Construct a dedicated eastbound right-turn lane;
• Construct a third westbound through lane; and
• Construct a dedicated westbound right-turn lane.
These improvements will be funded through participating in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of I-215 Northbound Ramps at Cactus Avenue.

P49. **4.2.4** Elsworth Street at Cactus Avenue Improvement:
• Construct a third eastbound through lane.
This improvement will be funded through participation in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Elsworth Street at Cactus Avenue.

P50. **4.2.5** Frederick Street at Cactus Avenue Improvements:
• Construct a third eastbound through lane; and
• Construct a third westbound through lane.
These improvements will be funded through participating in the TUMF and/or DIF program(s). The Project will pay required fees,
thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Frederick Street at Cactus Avenue.

P51. **4.2.6** Graham Street at Cactus Avenue Improvements:
• Remove the existing southbound crosswalk (i.e., crosswalk on the west leg) to provide additional green time to other approaches; and
• Construct a third eastbound through lane.
These improvements will be funded through participating in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee

responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Graham Street at Cactus Avenue.

Air Quality

P52. **4.3.1** Pursuant to SCAQMD Rule 403 requirements:
• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
• The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are limited to 15 miles per hour or less.

P53. **4.3.2** A sign shall be posted on-site stating that construction workers shall not idle diesel engines in excess of five minutes.

P54. **4.3.3** During grading activities, total horsepower-hours per day for all equipment shall not exceed 13,568 horsepower-hours per day and the maximum disturbance (actively graded) area shall not exceed four acres per day.

P55. **4.3.4** Only "Zero-Volatile Organic Compounds" paints (no more than 150 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications consistent with South Coast Air Quality Management District Rule 1113 shall be used.

P56. **4.3.5** The Project truck access gates and loading docks site shall be posted with signs which state:
• Truck drivers shall turn off engines when not in use;
• Diesel delivery trucks servicing the Project shall not idle for more than three minutes; and
• Telephone numbers of the building facilities manager and the CARB to report violations.

P57. **4.3.6** The Project's final site design shall allow for trucks to check-in within the facility area to prevent queuing of trucks outside the facility.

P58. **4.3.7** The building roof shall be designed and constructed to accommodate solar panels.

P59. **4.3.8** Prior to issuance of the first Certificate of Occupancy, the Project shall install a photovoltaic array (solar panels) or other source of renewable energy generation onsite, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the Project's office electrical needs.

P60. **4.3.9** The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent

with City of Moreno Valley requirements. The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan. The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.

Noise

P61. **4.4.1** During all Project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

P62. **4.4.2** The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the project site during all Project construction.

P63. **4.4.3** The construction contractor shall limit haul truck deliveries to weekdays between the hours of 7:00 a.m. and 8:00 p.m., or the same hours specified for construction equipment. Haul routes that utilize only City-designated truck routes shall be identified on construction plans. The Project construction manager shall be responsible for ensuring that all contractors operate in compliance with construction plan specifications.

P64. **4.4.4** All trucks, tractors, and forklifts shall be operated with proper operating and well maintained mufflers.

P65. **4.4.5** Maintain quality pavement conditions that are free of bumps to minimize truck noise.

P66. **4.4.6** The truck access gates and loading docks within the truck court on the project site shall be posted with signs which state:
- Truck drivers shall turn off engines when not in use;
- Diesel trucks servicing the Project shall not idle for more than five minutes; and
- Post telephone numbers of the building facilities manager to report violations.

Biological Resources

P67. **BR-1** If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed within 72 hours prior to clearing for the presence of nesting birds by a qualified Project biologist. The Project biologist shall be retained by the Applicant and vetted by the City. The survey results shall be

submitted by the Project Applicant to the City Planning Department. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 300-foot buffer and up to 500 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

P68. **BR-2** Within 30 days prior to site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the City Planning Department prior to issuance of a grading permit.

P69. **BR-3** Prior to the issuance of a grading permit, the Project Applicant shall be responsible for ensuring that a biological resources survey is conducted for the Project site during nesting season (February 15 to July 31) by a qualified biologist, consistent with the policies of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). This survey will specifically address the identification of potential burrowing owl (Athena cunicularia) habitat, and the protection of species associated with riparian/riverine areas and vernal pools. The results of this biological survey shall be submitted to the City for review. If the City finds that the Project, in its final design, would involve areas of burrowing owl occupation, and/or areas of riparian or riverine resources, the following requirements would apply:

• If the site contains, or is part of an area supporting less than 35 acres of suitable burrowing owl habitat, or the survey reveals that the site and the surrounding area supports fewer than three pairs of burrowing owls, then the on-site burrowing owls will be passively or actively relocated following accepted protocols.

• If the site (including adjacent areas) supports three or more pairs of burrowing owls, supports greater than 35 acres of suitable habitat and is non-contiguous with MSHCP Conservation Area lands, at least 90 percent of the area with long-term conservation value and burrowing owl pairs will be conserved onsite.

• If the 90 percent threshold cannot be met, the City of Moreno Valley, as a permittee of the MSHCP, must make a Determination of Biologically Equivalent or Superior Preservation.

• If riparian/riverine resources are present onsite and cannot be avoided, a Determination of Biologically Equivalent or Superior Preservation will be required.

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B2. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

FIRE PREVENTION BUREAU

1. **Fire lanes shall be a minimum of 30'wide for this structure.**
2. **Applicant shall provide a "preplanned impairment program" plan for approval prior to commencing any construction that will affect the fire protection systems or water supply. CFC 907.4**
3. **The following Standard Conditions shall apply.**

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering __4000__ GPM for _4_ hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B) . **The 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow, hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C.**

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 507.5.7 & MVMC 8.36.060 Section K)

F4. Maximum cul-de-sac or dead end road length shall not exceed 660 feet. The Fire Chief, based on City street standards, shall determine minimum turning radius for

fire apparatus based upon fire apparatus manufacture specifications. (CFC 503.2)

F5. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.2 and 503.2.5)

F6. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F7. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F8. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])

F9. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])

F10. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)

F11. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3)

F12. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)

F13. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F14. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507.5)

F15. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 509.1)

F16. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F18. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.100)

F19. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. All exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F20. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 105)

F21. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 105)

F22. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F23. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)

F24. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060)

F25. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.060)

F26. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to

system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F27. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with CFC 105 and MVMC 8.36.100.

F28. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14 & CBC Chapter 33)

F29. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F30. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Chapter 27)

F31. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 105)

F32. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 105)

F33. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 105)

F34. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.8)

F35. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Chapter 1)

F36. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F37. Prior to Certificate of Occupancy all locations where medians are constructed and prohibit vehicular ingress/egress into or away from the site, provisions must be made to construct a median-crossover at all locations determined by the Fire Marshal and the City Engineer. Prior to the construction, design plans will be submitted for review and approval by the City Engineer and all applicable inspections conducted by Land Development Division.

F38. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

CITY OF MORENO VALLEY
COMMUNITY & ECONOMIC DEVELOPMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA12-0021 – Plot Plan for an Industrial Warehouse Building (601,810 SF)
APN 297-170-061, 297-170-065, 297-170-082

Note: All Special Conditions are in **Bold** lettering and follow the standard conditions.

COMMUNITY & ECONOMIC DEVELOPMENT – LAND DEVELOPMENT DIVISION

The following are the Community & Economic Development Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Community & Economic Development Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code. (MC)

LD2. (G) The developer shall make appropriate offers of dedication by separate instrument or by final map when and if one is submitted. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the plot plan correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD5. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

a. Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

b. Observance of working hours as stipulated on permits issued by the Public Works Department.

c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

d. All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD6. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities. (MC 9.14.110)

LD7. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Community and Economic Development Department.

LD8. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

Prior to Grading Plan Approval or Grading Permit

LD9. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD10. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Community and Economic Development Department Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Community and Economic Development Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD11. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD12. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD13. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;

b. Incorporates Source Control BMPs and provides a detailed description of their implementation;

c. Incorporates Treatment Control BMPs and provides information regarding design considerations;

d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and

e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Community and Economic Development Department.

LD14. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Community and Economic Development Department.

LD15. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD16. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD17. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD18. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD19. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD20. (GP) Prior to issuance of a grading permit, if the fee has not already been paid, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD21. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD22. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Improvement Plan Approval or Construction Permit

LD23. (CP) Prior to issuance of a construction permit, the permit shall list any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD24. (CP) Prior to issuance of a construction permit, the permit shall require the developer to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD25. (CP) Prior to issuance of a construction permit, the project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Community and Economic Development Department – Land Development Division. (MC 9.14.110)

LD26. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security shall be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer shall require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD27. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD28. (BP) Prior to issuance of a building permit, the final map associated with this project, if any, shall record.

LD29. (BP) Prior to issuance of building permits, unless a final map is submitted in which case prior to final map approval, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD30. (BP) Prior to issuance of building permits, unless a final map is submitted in which case prior to final map approval, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD31. (BP) Prior to issuance of a building permit, unless a final map is submitted in which case prior to final map approval, the developer shall enter into or modify an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities. (MC 9.14.110)

LD32. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of “Blue-top” markers installed by a registered land surveyor or licensed engineer.

Prior to Certificate of Occupancy

LD33. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD34. (CO) Prior to issuance of a certificate of occupancy, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of certificate of occupancy issuance. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required continuous operation, maintenance, monitoring system evaluations and enhancements, remediation and/or replacement, all in accordance with Resolution No. 2002-46.

i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.

b. Notify the Special Districts Division of the intent to request building permits 90 days prior to their issuance and the financial option selected. The financial option selected shall be in place prior to the issuance of certificate of occupancy. (California Government Code & Municipal Code)

LD35. (CO) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD36. (CO) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD37. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: drive approaches, pedestrian ramps, signing, striping, relocation of existing improvements required to accommodate project public improvements, and replacement of existing public improvements that are damaged during construction or that are substandard.

b. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

LD38. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD39. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

LD40. (CO) Prior to issuance of a certificate of occupancy or building final, the applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:

a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP)

b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted to the City for review and approval.

Prior to Acceptance of Streets into the City Maintained Road System

LD41. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to the end of the one-year warranty period of the public streets at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

SPECIAL CONDITIONS

LD42. This project will require submittal of both rough grading and precise grading plans for review and approval. All on-site and off-site easements shall be shown on the grading plan.

LD43. Prior to rough and precise grading plan approval, the grading plans shall clearly demonstrate that drainage is properly collected and conveyed. The plans shall show all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements.

LD44. Prior to rough and precise grading plan approval, the grading plans shall clearly show the location of the proposed sewer easement, the proposed public storm drain easement, additional right-of-way dedications at proposed driveway approaches, the Joy street right-of-way to be vacated, and the Riverside County Flood Control & Water Conservation District storm drain and access easements to be vacated.

LD45. Prior to precise grading plan approval, the following legal descriptions and plats shall be submitted to the City for review and approval, unless a final map is prepared showing the following:

a. Additional right-of-way at proposed driveway entrances per City Standard No. 118C.

b. Joy Street right-of-way vacation including any easements that may be located within.

c. Line A public storm drain easement vacation previously dedicated to Riverside County Flood Control & Water Conservation District per Instrument No. 2006-0437088, recorded June 16, 2006 and Instrument No. 2006-043089, recorded June 16, 2006.

d. Ingress and egress easement vacation, 20-foot wide, previously dedicated per Instrument No. 2010-0359735, recorded August 2, 2010.

e. New sewer easement, 30-foot wide to Eastern Municipal Water District, located within a drive aisle along and offset 5 feet from the west property line of APN 297-170-061, containing relocated Joy Street sewer.

f. New storm drain easement, 25-foot wide to City of Moreno Valley, located adjacent to and easterly of the proposed 30-foot wide new sewer easement described above, containing relocated public storm drain Line A.

LD46. Prior to precise grading plan approval, the grading plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD47. Prior to precise grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov) and as approved by the City's Building and Safety Division.

LD48. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice.

LD49. Prior to building permit issuance, a final map shall record or alternatively, with the approval of the City Engineer, a lot line adjustment shall record in order to combine existing parcels, APN 297-160-061, APN 297-170-065, and APN 297-170-082.

LD50. Prior to building permit issuance, or final map approval, if a final map is required, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security, as required by the City Engineer. The improvements shall

be completed prior to occupancy or as otherwise determined by the City Engineer.

a. Driveway approaches on Brodiaea Avenue and Graham Street shall be constructed per City Standard No. 118C. No decorative pavers shall be placed within the public right-of-way. The precise grading plan shall show an additional 4-foot right-of-way dedication behind driveway approaches. A legal description and plat for the 4-foot right-of-way dedication shall be submitted to the City for review and approval prior to precise grading plan approval.

b. Pavement core samples of existing pavement on Brodiaea Avenue and Graham Street (half street width along project frontage) may be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a one-tenth inch grind and overlay or slurry seal depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement (half street width along project frontage) to meet or exceed the City's pavement structural section standard.

c. Drainage improvements associated with the relocation of public Storm Drain Line A located within a proposed 25-foot wide storm drain easement in the west parking lot drive aisle offset 35 feet from the west property line of APN 297-170-061.

d. Relocation, repair, and reconstruction of existing public improvements along project frontage resulting from displacement due to proposed project public improvements, existing public improvements that are damaged during construction, and substandard or obsolete City standard public improvements. The applicant shall schedule a walk through with a Public Works Inspector to inspect existing improvements within public right-of-way along project frontage. The applicant will be required to install, replace and/or repair any missing, damaged or substandard improvements including any signing and re-striping, as necessary. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.

LD51. Prior to building permit issuance or as may be deferred until occupancy by the City Engineer, the vacation of Joy Street made either by final map or separate instrument, and sewer relocation shall be completed to ensure that the proposed building is not located over street right-of-way. The final map must be recorded prior to issuance of a building permit. Therefore, the Joy Street vacation and the relocation of the existing sewer to its new location within a proposed sewer easement, which is required by Eastern Municipal Water District, prior to vacation of Joy Street, will need to occur prior to issuance of a building permit if a final map is required or unless

otherwise approved by the City Engineer and Eastern Municipal Water District. If a final map is not required, the vacation of Joy Street by separate instrument and associated sewer relocation improvements can be deferred until occupancy.

LD52. Prior to building permit issuance or as may be deferred until occupancy by the City Engineer, the vacation of Riverside County Flood Control & Water Conservation District Line A storm drain easement and Line A storm drain relocation shall be completed to ensure that the proposed building is not located over and existing easement.

LD53. Prior to occupancy or at building permit issuance if a final map is required, as may be required by the City Engineer, the following proposed easements shall be dedicated and existing street right-of-way vacated either on a final map which is required prior to building permit issuance or by separate instrument and recorded.

a. Additional right-of-way at proposed driveway entrances per City Standard No. 118C.

b. Joy Street right-of-way vacation. All utilities shall be relocated into the public right-of-way or new easement location as agreed upon by the developer, the easement holder and the City Engineer prior to the vacation of Joy Street. All utilities shall be relocated within existing public right-of-way or new easement, as necessary, or otherwise abandoned in place as approved by the City Engineer, prior to the street right-of-way vacation. A new sewer easement shall be granted prior to sewer relocation and street right-of-way vacation. All utility relocations shall be done at no expense to the City.

c. Line A public storm drain easement vacation previously dedicated to Riverside County Flood Control & Water Conservation District per Instrument No. 2006-0437088, recorded June 16, 2006 and Instrument No. 2006-043089, recorded June 16, 2006.

d. Ingress and egress easement vacation, 20-foot wide, previously dedicated per Instrument No. 2010-0359735, recorded August 2, 2010.

e. New sewer easement, 30-foot wide to Eastern Municipal Water District, located within a drive aisle along and offset 5 feet from the west property line of APN 297-170-061, containing relocated Joy Street sewer.

f. New storm drain easement, 25-foot wide to City of Moreno Valley, located adjacent to and easterly of the proposed 30-foot wide new sewer easement described above, containing relocated public storm drain Line A.

LD54. In accordance with the City of Moreno Valley standards, the Double Ring Infiltrometer field testing method shall be utilized to perform in-situ

percolation testing in the location of proposed infiltration area treatment control Best Management Practice (BMP) and the results included in the Final WQMP. The preparer understands that any changes to BMPs required based on the basis of the percolation results will be incorporated in the first submittal of the Final WQMP.

LD55. The Applicant shall prepare and submit for approval a Project Specific Final Water Quality Management Plan (F-WQMP) for PA12-0021 – Moreno Valley Centerpointe - Building 3. The F-WQMP shall be consistent with the approved Amended P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09, or current guidance document. The F-WQMP shall contain any revised calculations for the revised treatment control BMPs. The F-WQMP shall provide detailed descriptions on the location, implementation (including sizing criteria), installation, and long-term Operation and Maintenance of planned Treatment Control Best Management Practices (BMPs).

LD56. In Final WQMP, provide design details of the proposed underground storage systems showing that, in combination with appropriate CDS units (with oil and grease absorbent media), the BMP treatment train is treating the water quality volume for their proposed locations and that no un-protected flow will reach the underground facility under any flow scenario.

LD57. In the Final WQMP, proposed treatment control underground systems and surface infiltration basins shall be shown to scale on the WQMP Exhibit, and their design volumes shall be calculated based on the current Guidance document worksheets or RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011 or later.

LD58. In Final WQMP, provide design details of the roof's drainage conveyance demonstrating that runoff is not washing paved parking lot surfaces.

LD59. The Applicant shall provide supporting studies, calculations, and reports related to the Hydrologic Conditions of Concern.

LD60. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project POC include: nutrients, organic compounds, and pathogens (bacteria and viruses). Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006, errata corrected 1-22-09, shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD61. Overall, the proposed treatment control concept is accepted as the conceptual treatment control BMP for the proposed site. The Applicant has proposed to incorporate the use of underground and surface infiltration systems. Final design details and appropriate filter calculations for the

basins must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance.

LD62. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD63. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications

c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA12-0021 (PP for a 607,920 sq ft warehouse facility)
APNs: 297-170-064, -065, and -082
11.01.12

PUBLIC WORKS DEPARTMENT

Special Districts Division

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA12-0021**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480 or by emailing specialdistricts@moval.org.

General Conditions

SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services), C (Arterial Street Lighting), and E (Extensive Parkway Landscape Maintenance). All assessable parcels therein shall be subject to annual Zone A, Zone C, and Zone E charges for operations and capital improvements.

SD-2 In the event the Moreno Valley Community Services District determines that funds authorized by Proposition 218 mail ballot proceeding are insufficient to meet the costs for parkway, slope, and/or open space maintenance and utility charges (**Zone E**), the District shall have the right, at its option, to terminate the grant of any or all parkway, slope, and/or open space maintenance easements. This power of termination, should it be exercised, shall be exercised in the manner provided by law to quit claim and abandon the property so conveyed to the District, and to revert to the developer or the developer's successors in interest, all rights, title, and interest in said parkway, slope, and/or open space areas, including but not limited to responsibility for perpetual maintenance of said areas.

SD-3 Any damage to existing landscape areas maintained by the Moreno Valley Community Services District due to project construction shall be

repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

SD-4 Plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD-5 Inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD-6 Streetlight Authorization forms, for all streetlights that are conditioned to be installed as part of this project, must be submitted to the Special Districts Division for approval, prior to streetlight installation. The Streetlight Authorization form can be obtained from the utility company providing electric service to the project, either Moreno Valley Utility or Southern California Edison.

Prior to Building Permit Issuance

SD-7 (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance. (California Government Code)

SD-8 (BP) This project is conditioned to install and maintain parkway/median landscape. The Developer's responsibility is to provide a funding source for the capital improvements and the continued maintenance of the landscaped area. In order for the Developer to meet the financial responsibility to maintain the defined services, one of the options as outlined below shall be selected. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

a. Participate in a ballot proceeding for **standard/extensive landscape** program maintenance and pay all associated costs with the ballot process and formation costs, if any. Financing

may be structured through a Community Services District zone, Community Facilities District, Landscape and Lighting Maintenance District, or other financing structure as determined by the city; or

b. Establish a Home Owners Association (HOA) to maintain the landscaped area; or
c. Establish an endowment to cover the future landscape program maintenance costs of the landscaped area.

The financial option selected shall be in place prior to the issuance of certificate of occupancy.

SD-9 (BP) Prior to the issuance of the first building permit for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate in place at the time of payment, as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council.

The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C programs. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

SD-10 (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Covenant of Assessments** for each assessable parcel therein, whereby the developer covenants the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Covenant of Assessments shall be submitted to the Special Districts Division. For a copy of the Covenant of Assessments form, please contact Special Districts, phone 951.413.3480.

CITY OF MORENO VALLEY

CONDITIONS OF APPROVAL
PA12-0019 through 0022
Plot Plans and Zone Change for up to three warehouses located from the northwest corner of Graham Street at Brodiaea Avenue to the northeast corner of Cactus Avenue at Frederick Street.

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

Transportation Engineering Division – Conditions of Approval

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

GENERAL CONDITIONS

TE1. Cactus Avenue is classified as a Divided Major Arterial – Reduced Cross Section (120'RW/102'CC) per City Standard No. 102A. Any improvements to the roadway shall be per City standards. Traffic signal interconnect shall be installed along project frontage per City Standard Plan No. 421.

TE2. Graham Street is classified as a Minor Arterial (88' RW/64' CC) per City Standard Plan No. 105A. Any improvements to the roadway shall be per City standards. Traffic signal interconnect shall be installed along project frontage per City Standard Plan No. 421.

TE3. Frederick Street is classified as a Minor Arterial (88' RW/64' CC) per City Standard Plan No. 105A. Any improvements to the roadway shall be per City standards.

TE4. Brodiaea Avenue is classified as an Industrial Collector Street (78' RW/56' CC) per City Standard Plan No. 106. Any improvements to the roadway shall be per City standards.

TE5. Driveways shall conform to Section 9.11.080, and Table 9.11.080-14 of the City's Development Code – Design Guidelines and City of Moreno Valley Standard No. 118C for commercial driveway approach. Driveways wider than City standards (maximum of 40 feet) shall be constructed as an intersection with access ramps per City Standard 214A, including any necessary signing and markings, as determined by the City Traffic Engineer.

TE6. Each gated entrance shall be provided with the following:

a) A storage lane with a minimum of 75 feet queuing length for entering traffic. Driveway 4 located on Cactus Avenue (replacing existing Joy Street) shall be wide enough for two inbound lanes.
b) Signing and striping.

All of these features must be kept in working order.

TE7. Conditions of approval may be modified or added if a phasing plan is submitted for this development.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE8. Prior to final approval of the street improvement plans, a bus bay per City Standard Plan No. 121 shall be designed for northbound Frederick Street, just north of Cactus Avenue.

TE9. Prior to final approval of the street improvement plans, the intersection of Cactus Avenue at Elsworth Street shall be redesigned such that the crosswalk on the west leg of the intersection is removed. Required improvements may include but not be limited to reconstructing pedestrian access ramps, installation of new signing and striping, removal and installation of pedestrian signal heads, removal and installation of pedestrian push buttons, etc. A City Capital Project may receive funding for the construction of the third eastbound lane from the I-215 interchange to Veteran's Way providing needed capacity at the Cactus Avenue at Elsworth Street intersection. If this Capital Project is funded with construction scheduled to begin prior to the final certificate of occupancy, then the crosswalk modification may be reassessed at the discretion of the City Traffic Engineer and the condition may be waived.

TE10. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE11. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, registered Civil or Traffic engineer may be required for plan approval or as required by the City Traffic Engineer.

TE12. Prior to final approval of the street improvement plans, the project plans shall demonstrate that sight distance at proposed streets and driveways conforms to City Standard Plan No. 125A, B, C.

PRIOR TO BUILDING PERMIT

TE13. (BP) Prior to the issuance of Building Permits, the project applicant shall make a fair-share payment to the City of Moreno Valley for the removal of the crosswalk located on the west leg of the Cactus Avenue at Graham Street intersection. The fair-share payment shall be based upon the findings in the

project EIR and an engineer's estimate that will include but not be limited to pedestrian access ramp construction/reconstruction, modified signing and striping, removal and installation of pedestrian signal heads, removal and installation of pedestrian push buttons, etc.

TE14. (BP) Prior to the issuance of Building Permits, traffic signal plans (if required) shall be prepared by a registered civil or electrical engineer and submitted to the City for the intersection identified in Condition TE15. The Traffic signal shall be modified prior to issuance of a Certificate of Occupancy, if necessary.

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE15. (CO) Prior to issuance of a certificate of occupancy, the traffic signal at Cactus Avenue and Driveway 4 (existing Joy Street) shall be modified as necessary and fully operational to the satisfaction of the City Traffic Engineer.

TE16. (CO) Prior to issuance of a certificate of occupancy, the improvements identified in conditions TE8 and TE9 shall be constructed per the approved plans.

PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

TE17. Prior to acceptance of streets into the City-maintained road system, all approved signing and striping shall be installed per current City Standards and the approved plans.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA12-0019, PA12-0020, PA12-0021, PA12-0022
APNs: 297-170-027, -064, -065, -067, -075, -076, -082
May 23, 2012

PUBLIC WORKS DEPARTMENT

Moreno Valley Utility

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project(s) PA12-0019 thru -0022; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3500. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions.

PRIOR TO ENERGIZING MVU ELECTRIC UTILITY SYSTEM AND CERTIFICATE OF OCCUPANCY

MVU-1 (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

MVU-2 (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to constructing the MVU Electric Utility System, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved

engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development may be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU-3 This project may be subject to a Reimbursement Agreement. The project is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

CITY OF MORENO VALLEY

CONDITIONS OF APPROVAL
PA12-0019 through 0022
Plot Plans and Zone Change for up to three warehouses located from the northwest corner of Graham Street at Brodiaea Avenue to the northeast corner of Cactus Avenue at Frederick Street.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (MC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (MC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact Information Form for the project shall be completed at the permit counter of the Community & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

RPT Centerpointe West Project

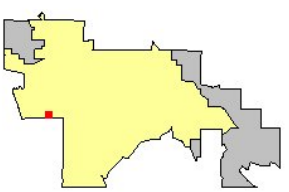
Legend

- Highways
- Parcels
- Roads
- Waterbodies

City Boundaries

- Calimesa
- Moreno Valley
- Perris
- Riverside

Powered By GeoSmart.net



City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

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MORENO VALLEY
WHERE DREAMS SOAR

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RPT Centerpointe West Project
Final Environmental Impact Report

Prepared for:

The City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Prepared by:

applied planning inc

November 2012

FINAL ENVIRONMENTAL IMPACT REPORT

for the

RPT Centerpointe West Project

State Clearinghouse Number:
2012081034

Prepared for:

The City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Prepared by:

Applied Planning, Inc.
5817 Pine Avenue, Suite A
Chino Hills, CA 91709

November 2012

Table of Contents

List of Tables

Table **Page**

1.0 INTRODUCTION

1.0 INTRODUCTION

1.1 OVERVIEW

This document, combined with the Draft Environmental Impact Report (DEIR), constitutes the Final EIR for the RPT Centerpointe West Project (Project). The DEIR describes existing environmental conditions relevant to the proposal, evaluates the Project's potential environmental effects, and identifies mitigation measures to reduce or avoid the potentially significant impacts. The DEIR was circulated for public review and comment from September 21, 2012 through November 5, 2012.

1.2 CONTENT AND FORMAT

Subsequent to this introductory Section 1.0, Section 2.0 of this Final EIR presents revisions and errata corrections to the DEIR text. Responses to comments received on the DEIR are presented at Final EIR Section 3.0. The EIR Mitigation Monitoring Plan is presented at Final EIR Section 4.0.

1.3 DRAFT EIR COMMENTORS

1.3.1 Overview

The complete list of Draft EIR commentors, along with copies of comment letters and responses to comments, is presented at Section 3.0 of this Final EIR. The following list identifies the comment letters received in regard to the Draft EIR:

- Governor's Office of Planning and Research, State Clearinghouse
- California Native American Heritage Commission
- South Coast Air Quality Management District
- U.S. Fish and Wildlife Service

- Eastern Municipal Water District
- Riverside County Waste Management Department
- City of Riverside
- Gerald M. Budlong
- Johnson & Sedlack
- Sierra Club, San Gorgonio Chapter

1.3.2 Presentation of Comments and Responses

All comment letters received in regard to the Draft EIR are included, along with corresponding responses, in their entirety at Final EIR Section 3.0, "Comments and Responses."

1.4 LEAD AGENCY AND POINT OF CONTACT

The Lead Agency for the Project and EIR is the City of Moreno Valley. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

1.5 PROJECT SUMMARY

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

1.5.1 Project Location

The Project site is located in the northwesterly portion of the City of Moreno Valley, in central Riverside County. More specifically, the Project will be developed within an

approximately 56.2-acre site, located northeasterly of the intersection of Cactus Avenue and Frederick Street, northerly of the March Air Reserve Base (MARB) and approximately one mile easterly of Interstate 215 (I-215). The site is bounded by Cactus Avenue to the south, Frederick Street to the west and Graham Street to the east. Brodiaea Avenue currently transects the site in an east-west direction, and Alessandro Avenue parallels the site approximately 500 feet to the north. The Project site contains current Assessor's Parcel Numbers (APNs) 297-170-027, -064, -065, -075, -076 and -082.

1.5.2 Project Overview

Together with necessary supporting improvements, the Project provides for construction of 1,281,000 square feet of warehouse/distribution uses on an approximately 56.2-acre site.

In part, the Project involves the expansion of the existing Harbor Freight warehouse/distribution facility located northwesterly of the intersection of Cactus Avenue at Graham Street. The proposed expansion would add approximately 508,000 square feet to the existing 779,016-square-foot Harbor Freight warehouse. In addition to the Harbor Freight warehouse expansion, a new warehouse/distribution facility of approximately 608,000 square feet would be constructed to the north of the expanded Harbor Freight facility. Additionally, a future warehouse/distribution facility of 165,000 square feet is proposed northeasterly of the intersection of Cactus Avenue and Frederick Street. On an interim basis, the site of this future warehouse/distribution facility may be developed as a fully-screened vehicle/trailer storage area.

1.5.3 Project Objectives

The primary goal of the Project is the development of the subject site with a productive mix of warehouse/distribution uses. Complementary objectives of the Project include the following:

- Expand on the existing productive uses within the Project vicinity;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's proximate regional freeway access;

- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation; and
- Develop a project that is compatible with surrounding land uses.

1.5.4 Discretionary Actions

1.5.4.1 Lead Agency Discretionary Actions and Permits

Requested decisions, or discretionary actions, necessary to realize the Project include, but may not be limited to the following:

- Certification of the EIR;
- A zone change from Business Park to Light Industrial will be necessary to accommodate the Project;
- Joy Street Right-of-Way Vacation (may be included as an element of the proposed Parcel Map);
- Development Plan Review; and
- Parcel Map Approval.

1.5.4.2 Responsible and Trustee Agency Discretionary Actions, Permits, and Consultation

CEQA Guidelines Section 15124 also states that the EIR should, to the extent known, include a list of all the agencies expected to use the EIR in their decision-making (Responsible Agencies) and a list of permits and other approvals required to implement the project. Based on the current Project design concept, the anticipated permits to realize the proposal (and associated Responsible Agencies) will likely include, but are not limited to, the following:

- **Permitting through the California Department of Fish and Game (CDFG**) to include consultation regarding the possible relocation of resident burrowing owls (if burrowing owls are determined to be present on the subject site during required pre-construction surveys);

- **Permitting required by/through CWA Section 401 and the Santa Ana Regional Water Quality Control Board (SARWQCB)** pursuant to requirements of the National Pollutant Discharge Elimination System (NPDES) Permit;

- **Permitting required by/through the South Coast Air Quality Management District (SCAQMD)** for certain equipment to be temporarily employed within the Project during construction, and/or permanently installed and used over the life of the Project.

2.0 REVISIONS AND ERRATA CORRECTIONS

2.0 REVISIONS AND ERRATA CORRECTIONS

2.1 INTRODUCTION

Based on the comments received on the Draft EIR (which are provided in full in Section 3.0 of this Final EIR), this Section presents revisions to the text of the Draft EIR. For text corrections, additional text is identified by underlined text, while deletions are indicated by ~~strikeout font~~. All text revisions affecting mitigation measures have been incorporated into the Mitigation Monitoring Plan presented in Section 4.0 of this Final EIR. Text changes are presented under the chapter or topical section of the Draft EIR where they are located. The revisions and corrections provided here expand and clarify analyses previously provided, and do not constitute substantive new information. Conclusions of the Draft EIR are not affected by these revisions.

2.2 REVISIONS

2.2.1 Revisions to Draft EIR Section 1.0, Summary

In response to comments received from the United States Fish and Wildlife Service, Mitigation Measure BR-1, which was recommended as part of the Project's Initial Study and presented in Draft EIR Table 1.10-1, has been revised, and Mitigation Measure BR-3 has been added, as presented in the following paragraphs. It is also noted that Mitigation Measure BR-2, requiring pre-construction surveys for the burrowing owl, will remain in effect. Additional and revised mitigation measures are incorporated in the Mitigation and Monitoring Plan, Final EIR Section 4.0. Results and conclusions of the EIR are not affected.

Mitigation Measure BR-1: *If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed within 72 hours prior to clearing for the presence of nesting birds by a qualified Project biologist. The Project biologist shall be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the City Planning Department. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum ~~50~~300-foot buffer and up to ~~300~~500 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.*

Mitigation Measure BR-3: *Prior to the issuance of a grading permit, the Project Applicant shall be responsible for ensuring that a biological resources survey is conducted for the Project site during nesting season (February 15 to July 31) by a qualified biologist, consistent with the policies of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). This survey will specifically address the identification of potential burrowing owl (*Athena cunicularia*) habitat, and the protection of species associated with riparian/riverine areas and vernal pools. The results of this biological survey shall be submitted to the City for review. If the City finds that the Project, in its final design, would involve areas of burrowing owl occupation, and/or areas of riparian or riverine resources, the following requirements would apply:*

- *If the site contains, or is part of an area supporting less than 35 acres of suitable burrowing owl habitat, or the survey reveals that the site and the surrounding area supports fewer than three pairs of burrowing owls, then the on-site burrowing owls will be passively or actively relocated following accepted protocols.*

- *If the site (including adjacent areas) supports three or more pairs of burrowing owls, supports greater than 35 acres of suitable habitat and is non-contiguous with MSHCP Conservation Area lands, at least 90 percent of the area with long-term conservation value and burrowing owl pairs will be conserved onsite.*

- *If the 90 percent threshold cannot be met, the City of Moreno Valley, as a permittee of the MSHCP, must make a Determination of Biologically Equivalent or Superior Preservation.*

- *If riparian/riverine resources are present onsite and cannot be avoided, a Determination of Biologically Equivalent or Superior Preservation will be required.*

2.2.2 Revisions to Draft EIR Section 3.0, Project Description

The following discussion has been added to the Project Description, reflecting the Project's LEED design characteristics. Results and conclusions of the EIR are not affected.

3.6.12 Conservation Attributes

The Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards.

To achieve 20 percent efficiency beyond Title 24 energy efficiency standards, any combination of the following design features may be implemented by the Project:

- Increase in insulation such that heat transfer and thermal bridging is minimized;
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;
- Incorporate dual-paned or other energy efficient windows;
- Incorporate energy-efficient space heating and cooling equipment;
- Interior and exterior energy efficient lighting which exceeds the California
- Title 24 Energy Efficiency performance standards will be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed will be implemented;
- To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade-producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings will be planted at the Project site;
- Paint and surface color palette for the Project will emphasize light and off-white colors which will reflect heat away from the buildings;
- All buildings will be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.

To reduce energy demand associated with potable water conveyance, the Project will implement the following:

- Landscaping palette emphasizing drought tolerant plants;
- Use of water-efficient irrigation techniques;
- U.S. EPA Certified WaterSense labeled or equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.

During Project construction, on-site off-road construction equipment will utilize biodiesel fuel (a minimum of B20), except for equipment where use of biodiesel fuel would void the equipment warranty. The Applicant will provide documentation to the City that verifies that certain pieces of equipment are exempt, a supply of biodiesel has been secured, and that the construction contractor is aware that the use of biodiesel is required.

Prior to issuance of a grading permit, the Project will have in place a City-approved Solid Waste Diversion and Recycling Plan that demonstrates the diversion and recycling of all salvageable and re-useable wood, metal, plastic and paper products used during Project construction. A similar plan will be in place prior to occupancy that demonstrates the diversion and recycling of all wood, metal, plastic and paper products during on-going operation of the warehouse and office portions of the Project. The plans will include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.

The Project will be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that serve each building and are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals.

GHG emissions reductions measures will also include the following:

- The Project will provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements;
- Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);
- The Project will provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan;
- The Project will establish a Transportation Management Association (TMA);
- The Project will provide preferential parking for carpools and vanpools;
- The Project will provide at least two electric vehicle charging stations.

2.2.3 Revisions to Draft EIR Section 4.3, Air Quality

Mitigation Measure 4.3.9 is added to reflect the Project's support of alternative transportation methods. Results and conclusions of the EIR are not affected.

4.3.9 The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements;

The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;

The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.

2.2.4 Revisions to Draft EIR Section 4.2, Traffic and Circulation

The following discussions have been created to supplement Draft EIR Table 4.2-15, in order to address Moreno Valley General Plan Circulation Element Policies 5.1.1 through 5.1.6.

Objective/Policy	Applicability/Consistency
Policy 5.1.1 Plan access and circulation of each development project to accommodate vehicles (including emergency vehicles and trash trucks), pedestrians, and bicycles.	Consistent. As discussed subsequently within this Section, and within the Project Description (Draft EIR Section 3.0), the Project TIA includes access improvements designed to ensure that the Project can safely accommodate emergency and municipal traffic. Project design will also comply with all applicable City requirements in regard to the provision of sidewalks and dedicated bicycle lanes. Final design and construction of all site access and

Objective/Policy	Applicability/Consistency
	circulation improvements are subject to review and approval by the Lead Agency as part of the Project's standard development review process.
Policy 5.1.2 Plan the circulation system to reduce conflicts between vehicular, pedestrian and bicycle traffic.	Consistent. As noted in the preceding response to Policy 5.1.1, the Project will comply with all applicable City requirements in regard to the provision of sidewalks and dedicated bicycle lanes, thus ensuring that potential conflicts between vehicular and non-vehicular traffic are minimized.
Policy 5.1.3 Require adequate off-street parking for all developments.	Consistent. The Project will provide onsite parking consistent with the Moreno Valley Municipal Code to accommodate all proposed uses. No off-site or on-street parking is proposed.
Policy 5.1.4 Driveway placement shall be designed for safety and to enhance circulation wherever possible.	Consistent. As noted in response to Policy 5.1.1, access improvements (including driveway placement recommendations) have been included in the Project TIA to ensure that the Project accommodates. Final design and construction of all site access and circulation improvements are subject to review and approval by the Lead Agency as part of the Project's standard development review process.
Policy 5.1.5 Incorporate American Disability Act (ADA) and Title 24 requirements in roadway improvements as appropriate.	Consistent. The Project will comply with all applicable City requirements in regard to the provision of sidewalks and crosswalks, including ADA-related requirements where applicable.
Policy 5.1.6 Design new developments to provide opportunity for access and circulation to future adjacent developments.	Consistent. Because the Project involves the expansion of an existing development, access and circulation coordination with existing, adjacent development will be assured. Final design and construction of all site access and circulation improvements are subject to review and approval by the Lead Agency as part of the Project's standard development review process.

2.2.5 Revisions to Draft EIR Section 4.4, Noise

Mitigation Measure 4.4.3 is revised as follows to ensure clarity and enforceability:

> *4.4.3 The construction contractor shall limit haul truck deliveries to weekdays between the hours of 7:00 a.m. and 8:00 p.m., or the same hours specified for construction equipment. Haul routes that utilize only City-designated truck routes shall ~~not pass sensitive land uses or residential dwellings~~ be identified on construction plans. The Project construction manager shall be responsible for ensuring that all contractors operate in compliance with construction plan specifications.*

2.2.6 Revisions to Draft EIR Section 5.0, Other CEQA Considerations

The following is added to the discussion of cumulative air quality impacts presented at Draft EIR page 5-15. Results and conclusions of the EIR are not affected.

> *With regard to cumulative non-cancer health risks, the maximum Project non-carcinogenic health risk (Hazard Index [HI]) is 0.0053, or approximately 0.053 percent of the SCAQMD's most stringent HI threshold of 1.0. In perspective, an emissions source with impacts 188 times greater than the Project would be required to exceed the SCAQMD project-specific 1.0 HI threshold. The SCAQMD cumulative (facility-wide) threshold of 3.0 addresses impacts of multiple emissions sources resulting from a given action. If the Project were considered to be a combination of multiple emissions sources, resulting impacts would be even farther removed from SCAQMD threshold considerations. The Project would not exceed SCAQMD project-specific or cumulative non-cancer risk thresholds, and Project non-cancer risk impacts are therefore not cumulatively considerable.*

Table 5.2-4 is corrected as follows. Results and conclusions of the EIR are not affected.

Table 5.2-4
Summary of Operational Source Emissions (Maximum, Pounds Per Day)
Comparison of Project and Reduced Intensity Alternative

Operational Activities	**VOC**	**NO_x**	**CO**	**SO_x**	**PM_{10}**	**$PM_{2.5}$**
PROJECT						
Area Source Emissions-Maintenance/Other	33.46	--	--	--	--	--
Area Source Emissions-Building HVAC	0.08	0.74	0.62	--	0.06	0.06
Mobile Source Emissions	48.66	478.01	368.98	1.17	103.91	18.69
Maximum Daily Emissions	**82.20**	**478.75**	369.6	1.17	103.97	18.75
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded	**YES**	**YES**	**No**	**No**	**No**	**No**
~~***PROJECT***~~ ***REDUCED INTENSITY ALTERNATIVE***						
Area Source Emissions-Maintenance/Other	17.73	--	--	--	--	--
Area Source Emissions-Building HVAC	0.04	0.39	0.33	--	0.03	0.03
Mobile Source Emissions	25.79	253.35	195.56	0.62	55.07	9.91
Maximum Daily Emissions	**43.56**	**253.74**	195.89	0.62	55.10	9.94
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded	**No**	**YES**	**No**	**No**	**No**	**No**

Source: *RPT Centerpointe West Project Air Quality Impact Analysis* (Urban Crossroads, Inc.) August 2012.
Note: Maximum summer/winter emissions estimates from the Project Air Quality Impact Analysis are presented. Mobile source emissions levels have been adjusted proportionally (-47 %) to approximate reduced trip/traffic generation under the Reduced Intensity Alternative.

3.0 COMMENTS AND RESPONSES

3.0 COMMENTS AND RESPONSES

3.1 INTRODUCTION

The following Section presents written comments received pursuant to public review of the DEIR, and provides responses to those comments as required by California Code of Regulations, title 14 (hereinafter, "State *CEQA Guidelines*") Sections 15089, 15132, and 15088. Specifically, *CEQA Guidelines* Section 15088, subd. (a) requires that: "[t]he lead agency . . . evaluate comments on environmental issues received from persons who reviewed the draft EIR and . . . prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments." The 45-day comment period on the Draft EIR commenced on September 21, 2012 and concluded November 5, 2012.

In summary, the City's written responses describe the disposition of significant environmental issues raised and any revisions to the Draft EIR made as a result of the comments. Additionally, the City's written responses provide a good faith, reasoned analysis of all environmental issues raised and cite to specific factual and legal support for the Draft EIR's conclusions.

3.1.1 Comments Received

The following Section presents a list of the comment letters received during the Draft EIR public review period. Comment letters have been generally organized by state agencies; county, city, and local agencies; utilities; and local organizations and individuals. Each letter has been assigned an identifying designation (generally an acronym or name abbreviation), and topical items within each letter have been numbered. Table 3-1 lists all DEIR commentors and the designation assigned to each. Commentor correspondence and

correlating responses are presented subsequently. Comments have been reproduced verbatim and without grammatical or typographical correction.

Table 3-1
DEIR Commentors

Commentor	Acronym Assigned	Correspondence Date
State Agencies		
State Clearinghouse	SCH	November 7, 2012
California Native American Heritage Commission	NAHC	October 3, 2012
South Coast Air Quality Management District	AQMD	November 5, 2012
U.S. Fish and Wildlife Service	FWS	November 5, 2012
Regional Agencies		
Eastern Municipal Water District	EMWD	November 2, 2012
Riverside County Waste Management Department	WMD	November 5, 2012
City Agencies		
City of Riverside	COR	November 1, 2012
Individuals and Organizations		
Gerald M. Budlong	GMB	October 29, 2012
Johnson & Sedlack	JS	November 5, 2012
Sierra Club, San Gorgonio Chapter	SC	November 4, 2012

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

November 7, 2012

RECEIVED
NOV 13 2012
CITY OF MORENO VALLEY
Planning Division

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

Subject: RPT Centerpointe West Project
SCH#: 2012081034

Dear Jeff Bradshaw:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on November 5, 2012, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

SCH-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2012081034
Project Title RPT Centerpointe West Project
Lead Agency Moreno Valley, City of

Type EIR Draft EIR

Description The proposed project consists of construction and operation of a warehouse facility with two individual warehouses of varying sizes and an expansion of an existing warehouse for a total of 1,281,000 sf on 56.2 acres. The project includes construction of parking and driving areas, detention basins, erosion protection, offsite road and utility improvements, and landscaping along the perimeter and roadway frontages.

Lead Agency Contact

Name Jeff Bradshaw
Agency City of Moreno Valley
Phone 951 413 3206 **Fax**
email
Address 14177 Frederick Street
PO Box 88005
City Moreno Valley **State** CA **Zip** 92552

Project Location

County Riverside
City Moreno Valley
Region
Lat / Long 33° 54' 37" N / 117° 15' 39" W
Cross Streets Frederick Street & Cactus Avenue
Parcel No. 297-170-027,064,065,067,075, 076...
Township 3S **Range** 4W **Section** 13 **Base** SBB&M

Proximity to:

Highways I-215, SR 60
Airports March Air Reserve Base
Railways BNSF
Waterways No
Schools Moreno Valley HS
Land Use Various

Project Issues Air Quality; Noise; Public Services; Toxic/Hazardous; Traffic/Circulation; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 6; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 8; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 8; Native American Heritage Commission; Public Utilities Commission

Date Received 09/21/2012 **Start of Review** 09/21/2012 **End of Review** 11/05/2012

State of California
Governor's Office of Planning and Research
State Clearinghouse
SCH No. 2012081034

Response SCH-1

State Clearinghouse receipt of the RPT Centerpointe West Draft EIR is acknowledged, as is distribution of the Draft EIR to the listed State Agencies. The referenced responding agency letter is included and responses provided subsequently at NAHC-1. The State-assigned Clearinghouse reference number (SCH No. 2012081034) and dates of the public review period for the Draft EIR (September 21, 2012 through November 5, 2012) are also acknowledged.

STATE OF CALIFORNIA Edmund G. Brown, Jr., *Governor*

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

October 3, 2012

RECEIVED
OCT - 9 2012
CITY OF MORENO VALLEY
Planning Division

Mr. Jeff Bradshaw, Project Planner
City of Moreno Valley
14177 Frederick Street; P.O. Box 88005
Moreno Valley, CA 92552

Re: SCH#2012081034; CEQA Notice of Completion; draft Environmental Impact Report (DEIR); for the **"RPT Centerpointe West Project"** located in the City of Moreno Valley; Riverside County, California

Dear Mr. Bradshaw:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC recommends that the lead agency request that the NAHC do a Sacred Lands File search as part of the careful planning for the proposed project. NAHC-1

The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural

significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and California Public Resources Code Section 21083.2 (Archaeological Resources) that requires documentation, data recovery of cultural resources, construction to avoid sites and the possible use of covenant easements to protect sites.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

NAHC-1 cont'd.

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

2

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contacts
Riverside County
October 3, 2012

Pala Band of Mission Indians
Historic Preservation Office/Shasta Gaughen
35008 Pala Temecula Road, Luiseno
Pala , CA 92059 Cupeno
PMB 50
(760) 891-3515
sgaughen@palatribe.com
(760) 742-3189 Fax

Pauma & Yuima Reservation
Randall Majel, Chairperson
P.O. Box 369 Luiseno
Pauma Valley CA 92061
paumareservation@aol.com
(760) 742-1289
(760) 742-3422 Fax

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resources Manager
P.O. Box 1477 Luiseno
Temecula , CA 92593
(951) 770-8100
pmacarro@pechanga-nsn.
gov
(951) 506-9491 Fax

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

Rincon Band of Mission Indians
Vincent Whipple, Tribal Historic Preationv. Officer
P.O. Box 68 Luiseno
Valley Center, CA 92082
twolfe@rincontribe.org
(760) 297-2635
(760) 297-2639 Fax

San Manuel Band of Mission Indians
Carla Rodriguez, Chairwoman
26569 Community Center Drive Serrano
Highland , CA 92346
(909) 864-8933
(909) 864-3724 - FAX
(909) 864-3370 Fax

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 391820 Cahuilla
Anza , CA 92539
(951) 659-2700
(951) 659-2228 Fax

Morongo Band of Mission Indians
Michael Contreras, Cultural Heritage Prog.
12700 Pumarra Road Cahuilla
Banning , CA 92220 Serrano
(951) 201-1866 - cell
mcontreras@morongo-nsn.
gov
(951) 922-0105 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012081034; CEQA Notice of Completion; draft Environmental Impact Report (DEIR for the RPT Centerpointe West Project; located in the City of Moreno Valley; Riverside County, California.

Native American Contacts
Riverside County
October 3, 2012

San Manuel Band of Mission Indians
Ann Brierty, Policy/Cultural Resources Departmen
26569 Community Center. Drive Serrano
Highland , CA 92346
(909) 864-8933, Ext 3250
abrierty@sanmanuel-nsn.gov
(909) 862-5152 Fax

Cahuilla Band of Indians
Uther Salgado, Chairperson
PO Box 391760 Cahuilla
Anza , CA 92539
tribalcouncil@cahuilla.net
915-763-5549

Rincon Band of Mission Indians
Bo Mazzetti, Chairperson
P.O. Box 68 Luiseno
Valley Center, CA 92082
bomazzetti@aol.com
(760) 749-1051
(760) 749-8901 Fax

Pechanga Cultural Resources Department
Anna Hoover, Cultural Analyst
P.O. Box 2183 Luiseño
Temecula , CA 92593
ahoover@pechanga-nsn.gov
951-770-8104
(951) 694-0446 - FAX

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
P.O. Box 1477 Luiseno
Temecula , CA 92593
tbrown@pechanga-nsn.gov
(951) 770-6100
(951) 695-1778 Fax

Ernest H. Siva
Morongo Band of Mission Indians Tribal Elder
9570 Mias Canyon Road Serrano
Banning , CA 92220 Cahuilla
siva@dishmail.net
(951) 849-4676

Serrano Nation of Mission Indians
Goldie Walker, Chairwoman
P.O. Box 343 Serrano
Patton , CA 92369

(909) 528-9027 or
(909) 528-9032

SOBOBA BAND OF LUISENO INDIANS
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487 Luiseno
San Jacinto , CA 92581
jontiveros@soboba-nsn.gov
(951) 663-5279
(951) 654-5544, ext 4137

This list is current only as of the date of this document.

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California Native American Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

Letter Dated October 3, 2012

NAHC-1

Comment:

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Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

Response:

The California Native American Heritage Commission (NAHC) notes its status as a Trustee Agency, and identifies applicable CEQA requirements addressing protection and preservation of historical resources, including archaeological resources. The City of Moreno Valley acknowledges the NAHC's Trustee Agency status, along with the NAHC's role and responsibilities in efforts to preserve and protect the State's valuable cultural resources (paleontological, archaeological, and historical).

Contact requirements and information cited by NAHC are recognized. Requirements and guidance provided by NAHC regarding tribal consultation for projects under the National Environmental Policy Act (NEPA) review are acknowledged; however, they are considered inapplicable, as the Project is not subject to review under NEPA. Similarly, because the Project involves the development of warehouse and distribution-related facilities on land designated for industrial use by the City's General Plan, and does not require the adoption of a Specific Plan or an amendment to the City's General Plan, consultation with Tribes pursuant to SB 18 is not applicable.

As noted in the Project Initial Study, past and on-going disturbance by human activities, and existing development of the Project site and surrounding areas indicates that whatever resources may have been previously present, have likely since been disturbed and/or removed. No historic structures, archaeological resources, or paleontological resources are known to occur within the Project site, nor would any off-site resources be affected by the Project.

Additionally, as indicated in the Project's Initial Study (please refer to Draft EIR Appendix A), the Lead Agency will comply with State law in the unlikely event that human remains are discovered in the course of Project-related earthwork. Compliance with existing State law reduces potential cultural resource impacts to a less-than-significant level. The results and conclusions of the Draft EIR are not affected.

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

E-MAILED: NOVEMBER 5, 2012 November 5, 2012

Mr. Jeff Bradshaw, Associate Planner, JeffreyB@moval.org
Community & Economic Development Department
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Draft Environmental Impact Report (Draft EIR) for the Proposed RPT Centerpointe West Prologis Eucalyptus Industrial Park Project (SCH #2012081034)

The South Coast Air Quality Management District (AQMD) 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 CEQA document.

In the project description, the lead agency proposes adding 507,720 square feet to the existing 779,016 square foot Harbor Freight warehouse distribution facility building and construction of two new warehouse buildings expanding the existing Harbor Freight Facility on adjoining properties. With the proposed expansion and two new buildings, the proposed project would include 1,281,000 square feet of new development on a 56.2 acre site. The proposed project would involve a total of 1,844 daily vehicle trips including 996 trucks per day. Construction would begin in March of 2013 and last two years. Project buildout would occur in 2017. AQMD-1

The AQMD staff is concerned that all feasible mitigation measures have not been considered to reduce operational mobile source emissions from vehicles operating at the project site since project operational emissions have been determined by the lead agency to be significant. Further, since there are many warehouse distribution facility projects under consideration within the city, the AQMD staff encourages the lead agency to establish uniform enforceable operational mitigation that go beyond existing rules and regulations to reduce mobile source impacts from the proposed project. Details regarding these comments and others follow in the attachment. AQMD-2

Pursuant to Public Resources Code Section 21092.5, please provide the AQMD with written responses to all comments contained herein prior to the adoption of the Final Environmental Impact Report. The AQMD staff is available to work with the Lead Agency to address these issues and any other air quality questions that may arise. Please contact Gordon Mize, Air Quality Specialist – CEQA Section, at (909) 396-3302, if you have any questions regarding these comments. AQMD-3

Sincerely,

Ian MacMillan
Program Supervisor, Inter-Governmental Review
Planning, Rule Development & Area Sources

IM:GM
Attachment

SBC120925-03
Control Number

Operational Mitigation Measures

1. In the air quality analysis, the lead agency has determined that regional air quality impacts from project operations will substantially exceed recommended regional thresholds for VOC and NOx, mostly attributed to mobile source tailpipe emissions from vehicles operating at the proposed facility. The lead agency then determined that feasible mitigation measures were unavailable to the lead agency or the project applicant to reduce these emissions. AQMD staff encourages the lead agency to develop a common set of measures that are enforceable and that reduce emissions to the maximum extent feasible since many warehouse projects are under consideration in the city. The mitigation measures proposed by the lead agency in the Draft EIR to reduce diesel particulate matter emissions on page 4.3.75 will only minimally reduce emissions from trucks. AQMD staff notes that in order to meet air quality standards as required by 2023, NOx emissions must be reduced by approximately two thirds beyond existing rules and regulations. The largest source of NOx emissions in our basin are heavy duty trucks. Without meeting air quality standards, our region faces federally mandated sanctions, including possible loss of transportation funding.

   AQMD staff therefore recommends that the lead agency consider the feasibility of the following additional measures to reduce project impacts. Other lead agencies that have used measures similar to these include the City of Banning[1], Riverside County[2], City of San Bernardino[3], the San Pedro Bay Ports[4], and the VIP Moreno Valley Warehouse Project[5], among others. AQMD-4

   Recommended additional measures:

   - Lease/purchase documents shall identify that tenants required to implement the following:
     - At project start, all heavy duty trucks entering the property must meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025.
   - If the above clean truck requirements are infeasible, a phase-in schedule should be put forth that will feasibly achieve emission reductions as soon as possible, and faster than existing regulations. Should an alternative schedule be found necessary, the AQMD staff should be consulted prior to approving the schedule.
   - Provide a phase-in schedule and goals for the introduction of zero or near-zero technology trucks (e.g., 10% by 2020, 20% by 2025, etc.) that visit warehouses.

[1] Banning Business Park http://banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf

[2] Mira Loma Commerce Center http://www.rctlma.org/online/content/conditions_of_approval.aspx?PERMITNO=pp17788

[3] Palm/Industrial Distribution Center http://www.ci.san-bernardino.ca.us/civica/filebank/blobdload.asp?BlobID=11793

[4] Clean Trucks Program http://www.cleanairactionplan.org/cleantrucks/

[5] VIP Moreno Valley Project Final EIR, Starting on page 71 (Suggested Mitigation Measures Incorporated by the Lead Agency) http://www.moval.org/misc/vip-eir060420.shtml .

- The facility operator will maintain a log of all trucks entering the facility to ensure that on average, the daily truck fleet meets the quantities and emission standards listed in the Draft EIR. This log should be available for inspection by city staff at any time.
- The facility operator will ensure that onsite staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies [for example, by requiring attendance at CARB approved courses (such as the free, one-day Course #512)].
- Limit the daily number of trucks allowed at each facility to levels analyzed in the Final EIR. If higher daily truck volumes are anticipated to visit the site, the lead agency should commit to re-evaluating the project through CEQA prior to allowing this higher activity level.
- Require at least a portion of the fleet to utilize alternative fueled technologies.
- The 2012 Regional Transportation Plan includes a zero-near-zero emissions truck corridor along the SR-60 freeway. Because at least a portion of the trucks serving this project may be expected to travel along this route, the project should provide onsite alternative fueling infrastructure, such as electric charging stations or natural gas fueling that will help facilitate these low-emitting trucks.
- At a minimum, require tenants upon occupancy that do not already operate 2007 and newer trucks to apply in good faith for funding to replace/retrofit their trucks, such as Carl Moyer, VIP, Prop 1B, or other similar funds. Should funds be awarded, the tenant should also be required to accept and use them.
- Restrict overnight parking in residential areas. Establish overnight parking within the warehouse/distribution center where trucks can rest overnight.
- Establish area(s) within the facility for repair needs.
- Post signs outside of the facility providing a phone number where neighbors can call if there is a specific issue.
- Develop, adopt and enforce truck routes both in and out of city, and in and out of facilities.
- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas.
- Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride.
- Provide food options, fueling, truck repair and or convenience store on-site to minimize the need for trucks to traverse through residential neighborhoods.
- Requiring all on-site vehicles (hostlers, forklifts, etc.) to utilize zero or near-zero emission technology.
- Use street sweepers that comply with SCAQMD Rules 1186 and 1186.1.

AQMD-4 cont'd.

- Install solar panels on all available roof space. If this isn't feasible, then at a minimum all buildings and electrical infrastructure should be designed to accommodate potential future solar panel upgrades.

AQMD-4 cont'd.

Vehicle Fleet Mix

2. In the air quality analysis and traffic and circulation sections of the Draft EIR, the lead agency cited vehicle fleet percentage inputs by truck category based on the Fontana Truck Trip Generation Study published in August 2003 (Fontana Truck Study). The recommended truck fleet mixture percentages from the Fontana Truck Study assumed 6.1 percent 2-axle trucks, 13.9 percent 3-axle trucks, and 34.0 percent 4-axle trucks totaling 54 percent. In the CalEEMod land use emissions model, however, the lead agency has input the following fleet mixture percentages: 3.2 percent 2-axle trucks, 24.4 percent 3-axle trucks, and 26.4 percent 4-axle trucks for the 54 percent total. In the Final EIR, applicable analyses should be revised to correctly capture the emissions from each truck category consistent with the truck category percentage assumptions in the Fontana Truck Study. The lead agency methodology used should also be consistent with the CalEEMod User's Guide methodology for fleet mix in Appendix E.

AQMD-5

Use of Non-Default Trip Rates

3. In the air quality analysis, the lead agency estimated project air quality impacts using the California Emissions Estimator Model (CalEEMod) land use software using a non-default trip rate of 1.44 trips per 1,000 square feet of building area for the land use high-cube warehouse (Land Use Code 152)[6]. As stated in Appendix E (Technical Source Documentation) in the CalEEMod User's Guide and absent a tenant-specific traffic study, a reasonable worst case trip rate would be the recommended default rate of 2.59 trips per 1,000 square feet. In order to avoid underestimating the number of project trips, the AQMD staff recommends that the lead agency re-evaluate air quality impacts using the default 2.59 trip rate as described in Appendix E of the CalEEMod User's Guide. The AQMD staff believes that the 2.59 trip rate is also more applicable to project-specific analyses. The 1.44 trip rate is a less conservative average rate and should be used only for multiple warehouse projects where greater than 10 warehouse facilities are being evaluated. The 1.44 trip rate would be used, for example, to estimate impacts for a general plan. If the lead agency chooses to use this non-default rate, it should add a condition to the project limiting the allowable number of trips to what is analyzed in the EIR.

AQMD-6

[6] AQMD staff notes that the 1.44 trip rate in the Draft EIR is derived from the ITE Trip Generation Handbook (2008). This reference has been updated this year, with a new average trip rate of 1.68.

Off-Road Construction Equipment Emissions Analysis

4. In the air quality analysis, the lead agency estimated project construction impacts using the CalEEMod land use emissions computer model. This model uses default and user-defined settings to estimate emissions based on the land use settings. The lead agency has estimated on-site, off-road equipment emissions calculated by the CalEEMod model. In the CalEEMod inputs, the lead agency has entered user comments stating reduction of load factors by 33 percent during the Construction Phase for Off-Road Equipment used in estimating off-road construction equipment emissions in the CalEEMod model. For example, the default load factor for tractors of 55 percent was reduced to 37 percent; graders from 61 percent to 41 percent; rubber tired dozers from 59 percent to 40 percent; excavators from 57 percent to 38 percent; and the load factor for scrapers from 72 percent to 48 percent in the CalEEMod model.

   Based on communication with ARB staff[7] regarding this issue, the AQMD staff believes that CARB staff does not recommend reducing the default settings in the current OFFROAD2007 without considering all parameters besides the load factor. Other parameters such as activity level, horsepower, and population all contribute to the emission factor estimate, and selectively changing only one parameter will lead to inaccurate estimates at a project level. For some equipment types, OFFROAD2007 may underestimate emissions while others may be overestimated. Because of these revisions (and others), CARB developed the new OFFROAD2011. The AQMD staff therefore recommends that the lead agency either use existing OFFROAD2007 defaults until OFFROAD2011 is incorporated into CalEEMod later this year or run OFFROAD2011 outside CalEEMod and use those results to modify the CalEEMod construction calculations. Therefore, even though the reductions might not change the lead agency's determination of significance for construction air quality impacts, these reductions related to reduced off-road equipment load factors are not recommended by the AQMD staff without further substantial evidence to support those emission reductions resulting from their use. Otherwise, the lead agency should commit to enforcing the assumed lower non-substantiated emission factors.

AQMD-7

[7] Personal communication with Nicole Dolney, June 1, 2012.

South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Letter Dated November 5, 2012

AQMD-1

Comment:

The South Coast Air Quality Management District (AQMD) 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 CEQA document.

In the project description, the lead agency proposes adding 507,720 square feet to the existing 779,016 square foot Harbor Freight warehouse distribution facility building and construction of two new warehouse buildings expanding the existing Harbor Freight Facility on adjoining properties. With the proposed expansion and two new buildings, the proposed project would include 1,281,000 square feet of new development on a 56.2 acre site. The proposed project would involve a total of 1,844 daily vehicle trips including 996 trucks per day. Construction would begin in March of 2013 and last two years. Project buildout would occur in 2017.

Response:

The Lead Agency appreciates SCAQMD input on the Project. Guidance provided by SCAQMD is considered and incorporated where applicable. The Project physical summary description provided by SCAQMD is materially correct. However, in terms of mobile emissions sources, the Project would not generate entirely new vehicle trips within the Basin.

That is, the necessary assumptions and inputs in modeling used in estimating the Project's mobile- source emissions likely results in the over-estimation and double-counting of emissions for distribution warehouse centers like the Project. This is because the proposed land use is likely to attract (divert) existing vehicle trips that are already on the circulation

system, as opposed to generating new trips. Distribution centers such as this Project are developed to facilitate more efficient distribution of goods, and likely result in an overall reduction in regional VMT by heavy duty freight trucks. Thus, development of this Project will not create 996 new truck trips within the region, as is reflected in the Project air quality modeling. Most, if not all, of those truck trips would exist within this region either with or without this Project – they will just travel to different destinations. There are no known methodologies for estimating the net effect of redistributed truck trips on freight truck vehicle miles within the region. Thus, the estimation of mobile-source emissions caused by this Project (including NOx emissions) is highly speculative, and likely results in the over-estimation of mobile-source emissions.

AQMD-2

Comment:

The AQMD staff is concerned that all feasible mitigation measures have not been considered to reduce operational mobile source emissions from vehicles operating at the project site since project operational emissions have been determined by the lead agency to be significant. Further, since there are many warehouse distribution facility projects under consideration within the city, the AQMD staff encourages the lead agency to establish uniform enforceable operational mitigation that go beyond existing rules and regulations to reduce mobile source impacts from the proposed project. Details regarding these comments and others follow in the attachment.

Response:

Additional pollutant reduction measures have been incorporated in the Project Description and within the EIR Mitigation Monitoring Plan as summarized below:

The following text has been added to the discussion of building design concepts, found on Draft EIR page 3-14, to reflect the Project's LEED design.

> *The RPT Centerpointe West Project will reflect design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green*

Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards.

Mitigation Measure 4.3.9 (below) has been added to the Project, and is now reflected in the Final EIR Mitigation Monitoring Plan (Final EIR Section 4.0). Results and conclusions of the Draft EIR are not affected.

4.3.9

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*

- *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.*

Other measures suggested for consideration by the SCAQMD and determined feasible by the Lead Agency would act to reduce operational emissions in total. However, exceedance of SCAQMD operational emissions thresholds for VOCs and NOx would persist. The Lead Agency agrees with SCAQMD that developing and applying uniform enforceable operational emissions control measures would be of benefit to all. The Lead Agency will coordinate with SCAQMD staff in developing and applying such uniform measures.

AQMD-3

Comment:

Pursuant to Public Resources Code Section 21092.5, please provide the AQMD with written responses to all comments contained herein prior to the adoption of the Final Environmental Impact Report. The AQMD staff is available to work with the Lead Agency to address these issues and any other air quality questions that may arise. Please contact Gordon Mize, Air Quality Specialist – CEQA Section, at (909) 396-3302, if you have any questions regarding these comments.

Response:

Written responses to all AQMD comments are provided consistent with Public Resources Code Section 21092.5. Contact information provided by SCAQMD is noted.

AQMD-4

Comment:

Operational Mitigation Measures

1. In the air quality analysis, the lead agency has determined that regional air quality impacts from project operations will substantially exceed recommended regional thresholds for VOC and NOx, mostly attributed to mobile source tailpipe emissions from vehicles operating at the proposed facility. The lead agency then determined that feasible mitigation measures were unavailable to the lead agency or the project applicant to reduce these emissions. AQMD staff encourages the lead agency to develop a common set of measures that are enforceable and that reduce emissions to the

maximum extent feasible since many warehouse projects are under consideration in the city. The mitigation measures proposed by the lead agency in the Draft EIR to reduce diesel particulate matter emissions on page 4.3.75 will only minimally reduce emissions from trucks. AQMD staff notes that in order to meet air quality standards as required by 2023, NOx emissions must be reduced by approximately two thirds beyond existing rules and regulations. The largest source of NOx emissions in our basin are heavy duty trucks. Without meeting air quality standards, our region faces federally mandated sanctions, including possible loss of transportation funding.

AQMD staff therefore recommends that the lead agency consider the feasibility of the following additional measures to reduce project impacts. Other lead agencies that have used measures similar to these include the City of Banning[1], Riverside County[2], City of San Bernardino[3], the San Pedro Bay Ports[4], and the VIP Moreno Valley Warehouse Project[5], among others.

Recommended additional measures:

• Lease/purchase documents shall identify that tenants required to implement the following:
• At project start, all heavy duty trucks entering the property must meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025.
• If the above clean truck requirements are infeasible, a phase-in schedule should be put forth that will feasibly achieve emission reductions as soon as possible, and faster than existing regulations. Should an alternative schedule be found necessary, the AQMD staff should be consulted prior to approving the schedule.
• Provide a phase-in schedule and goals for the introduction of zero or near-zero technology trucks (e.g., 10% by 2020, 20% by 2025, etc.) that visit warehouses.
• The facility operator will maintain a log of all trucks entering the facility to ensure that on average, the daily truck fleet meets the quantities and emission standards listed in the Draft EIR. This log should be available for inspection by city staff at any time.

• The facility operator will ensure that onsite staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies [for example, by requiring attendance at CARB approved courses (such as the free, one-day Course #512)].

• Limit the daily number of trucks allowed at each facility to levels analyzed in the Final EIR. If higher daily truck volumes are anticipated to visit the site, the lead agency should commit to re-evaluating the project through CEQA prior to allowing this higher activity level.

• Require at least a portion of the fleet to utilize alternative fueled technologies.

• The 2012 Regional Transportation Plan includes a zero-near-zero emissions truck corridor along the SR-60 freeway. Because at least a portion of the trucks serving this project may be expected to travel along this route, the project should provide onsite alternative fueling infrastructure, such as electric charging stations or natural gas fueling that will help facilitate these low-emitting trucks.

• At a minimum, require tenants upon occupancy that do not already operate 2007 and newer trucks to apply in good faith for funding to replace/retrofit their trucks, such as Carl Moyer, VIP, Prop 1B, or other similar funds. Should funds be awarded, the tenant should also be required to accept and use them.

• Restrict overnight parking in residential areas. Establish overnight parking within the warehouse/distribution center where trucks can rest overnight.

• Establish area(s) within the facility for repair needs.

• Post signs outside of the facility providing a phone number where neighbors can call if there is a specific issue.

• Develop, adopt and enforce truck routes both in and out of city, and in and out of facilities.

• Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas.

• Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride.

• Provide food options, fueling, truck repair and or convenience store on-site to minimize the need for trucks to traverse through residential neighborhoods.

- Requiring all on-site vehicles (hostlers, forklifts, etc.) to utilize zero or near-zero emission technology.
- Use street sweepers that comply with SCAQMD Rules 1186 and 1186.1.
- Install solar panels on all available roof space. If this isn't feasible, then at a minimum all buildings and electrical infrastructure should be designed to accommodate potential future solar panel upgrades.

Response:

With specific regard to the Project's operational NOx regional threshold exceedance, operational emissions of NOx are predominantly from mobile-source emissions that are beyond the control of the Project Applicant, future Project tenants, and the City of Moreno Valley. In this latter regard, all Project-related operational-source air quality impacts derive predominantly from mobile sources. Approximately 96.6 percent (by weight) of all Project operational-source emissions are generated by mobile sources (vehicles). Only the mobile-source emissions component, which as noted at Response AQMD-1 is highly speculative and outside the control of the Applicant, tenants, and the City, exceeds the thresholds. Neither the Project Applicant nor the City of Moreno Valley has regulatory control over tailpipe emissions from vehicle exhaust. Rather, these source emissions are regulated by the California Air Resources Board and the United States Environmental Protection Agency. The on-site, area sources of air pollution that are within the direct control of the Applicant and future users of the Project are well below the significance thresholds.

Regional NOx reduction targets identified by SCAQMD are recognized. Due to regulatory requirements and improved vehicle emissions technologies, NOx emissions from vehicles have diminished over the past years, and are expected to further decline as clean vehicle and fuel technologies improve. Locally declining NOx levels are reflected at Draft EIR Table 4.3-3, "Project Area Air Quality Monitoring Summary 2008-2010."

Many of the suggested measures are either conditions of approval for the Project or standard requirements of all warehouse facilities as stated in Municipal Code Section 9.05.050 Good Neighbor Guidelines for warehouse distribution facilities. Notwithstanding, Project operational exceedances of SCAQMD VOC and NOx regional thresholds would

persist. Please refer also to Responses AQMD-1, AQMD-2. Results and conclusions of the EIR are not affected.

AQMD-5

Comment:

Vehicle Fleet Mix

2. In the air quality analysis and traffic and circulation sections of the Draft EIR, the lead agency cited vehicle fleet percentage inputs by truck category based on the Fontana Truck Trip Generation Study published in August 2003 (Fontana Truck Study). The recommended truck fleet mixture percentages from the Fontana Truck Study assumed 6.1 percent 2-axle trucks, 13.9 percent 3-axle trucks, and 34.0 percent 4-axle trucks totaling 54 percent. In the CalEEMod land use emissions model, however, the lead agency has input the following fleet mixture percentages: 3.2 percent 2-axle trucks, 24.4 percent 3-axle trucks, and 26.4 percent 4-axle trucks for the 54 percent total. In the Final EIR, applicable analyses should be revised to correctly capture the emissions from each truck category consistent with the truck category percentage assumptions in the Fontana Truck Study. The lead agency methodology used should also be consistent with the CalEEMod User's Guide methodology for fleet mix in Appendix E.

Response:

As the SCAQMD is aware, the CalEEMod inputs for vehicle fleet mix do not correspond to 2-axle, 3-axle, and 4-axle trucks. The CalEEMod model includes inputs for Light Duty Auto, Light-Duty Trucks 1, Light-Duty Trucks 2, Medium-Duty Trucks, Light Heavy-Duty Trucks 1 (LHD1), Light Heavy-Duty Trucks 2 (LHD2), Medium Heavy-Duty Trucks, and Heavy-Heavy Duty Trucks. It should be noted that the Fontana Truck Study does not provide a breakdown of where the 2, 3, and 4 axle trucks fall into categories established by the California Air Resources Board for emissions inventory processes. The analytical method utilized in the technical air quality impact analysis for the Project is consistent with standard industry practice and is based on available scientific information published by CARB.

As noted within Draft EIR Appendix C, *RPT Centerpointe West Project Air Quality Impact Analysis* (Urban Crossroads, Inc.) August 22, 2012:

> For analysis purposes heavy truck trips include all light HD trucks through heavy HD trucks (Vehicle classes 5-8). The percentages have been apportioned according to data provided in a 1985 ARB document for converting number of axles to vehicle class (Assessment of Heavy-Duty Gasoline and Diesel Vehicles in California: Population and Use Patterns, ARB 1985). The passenger cars include light duty auto through medium duty trucks (vehicle classes 1-4), proportional to the default CalEEMod distribution for the SCAQMD. This would result in the distribution shown below.

Table 3-5
Passenger Car Percentage Breakdown

Vehicle Class		Percentage of Vehicles
01 - Light-Duty Autos (PC)	LDA	55%
02 - Light-Duty Trucks (T1)	LDT1	8%
03 - Light-Duty Trucks (T2)	LDT2	25%
04 - Medium-Duty Trucks (T3)	MDV	12%

Table 3-6
Heavy Duty Truck Percentage Breakdown

Vehicle Class		Percentage of Vehicles
05 - Light HD Trucks (T4)	LHD1	4.6%
06 - Light HD Trucks (T5)	LHD2	1.3%
07 - Medium HD Trucks (T6)	MHD	45.2%
08 - Heavy HD Trucks (T7)	HHD	48.9%

Results and conclusions of the EIR are not affected.

AQMD-6

Comment:

Use of Non-Default Trip Rates

3. In the air quality analysis, the lead agency estimated project air quality impacts using the California Emissions Estimator Model (CalEEMod) land use software using a non-default trip rate of 1.44 trips per 1,000 square feet of building area for the land use high-cube warehouse (Land Use Code 152)6. As stated in Appendix E (Technical Source Documentation) in the CalEEMod User's Guide and absent a tenant-specific traffic study, a reasonable worst case trip rate would be the recommended default rate of 2.59 trips per 1,000 square feet. In order to avoid underestimating the number of project trips, the AQMD staff recommends that the lead agency re-evaluate air quality impacts using the default 2.59 trip rate as described in Appendix E of the CalEEMod User's Guide. The AQMD staff believes that the 2.59 trip rate is also more applicable to project-specific analyses. The 1.44 trip rate is a less conservative average rate and should be used only for multiple warehouse projects where greater than 10 warehouse facilities are being evaluated. The 1.44 trip rate would be used, for example, to estimate impacts for a general plan. If the lead agency chooses to use this non-default rate, it should add a condition to the project limiting the allowable number of trips to what is analyzed in the EIR.

Response:

Because the CalEEMod guidance uses a trip rate based on the 95th percentile of all high-cube warehouses, it is assuming that all warehouses will have trip rates equivalent to the busiest 5% of all warehouses in the study, and thus, significantly overestimates trip rates. The Draft EIR assumed that the Project would attract a total of 1,844 daily vehicle trips (passenger car and truck trips), the calculation of which was derived from trip generation rates specified in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 8th Edition, 2008. Use of the ITE rates are standard industry practice for the calculation of projected traffic volumes in traffic studies supporting CEQA documents throughout the State of California.

It is important to note that six (6) of the seven (7) trip generation studies included in the SCAQMD meta-analysis were also included as part of the dataset for estimating the daily and peak hour trip generation rates for ITE Land Use: 152 (high-cube warehouse) in ITE's 8th Edition of the Trip Generation manual. In addition, ITE also includes data from three (3) additional studies performed in Livermore, California, Manalapan, New Jersey and Tampa, Florida for the purposes of estimating peak hour trip rates, which further expands the number of buildings included in the sample.

Based on review of aerial imagery and oblique photography, the SCAQMD Study asserts that due to the presence of rail spurs at some survey locations or potential for partial building vacancies at others, the number of daily vehicle trips for high cube warehouses provided in ITE's Trip Generation manual, 8th Edition (2008) may be understated. However, the SCAQMD Study goes on to acknowledge that a lack of adequate business histories or historical photographic coverage make it difficult to state with confidence whether there is significant correlation between these site specific observations and the number of daily trips per site. As such, the SCAQMD Study conservatively recommends using a daily trip generation rate based on the 95th percentile of trip generation rate observations. In other words, it advocates use of a daily trip generation rate that is greater than 95 percent of the observed trip generation rates. This approach results in an extremely conservative trip rate, and is not in conformance with standard traffic engineering trip generation estimating methodology as described in ITE's Trip Generation Handbook, 2nd Edition (June 2004). In fact, the use of such a conservative trip rate would not only tend to overstate vehicle trips on a per site basis, but could lead to a significant overestimation of vehicle trips on a cumulative level. It appears that the SCAQMD Study recognized this issue, which is likely why it acknowledges that when evaluating a large number of sites (>10), the average rate of 1.44 trips per TSF from the ITE 8th Edition Trip Generation manual is recommended.

The SCAQMD Study acknowledges that a lack historical photographic coverage and/or business history make it difficult to discern the degree of correlation between the variation in site specific observations and the conclusion that the ITE rates may be understated. In addition, the use of a 95th percentile trip generation rate is not standard traffic engineering

practice, as this approach will tend to overstate site specific vehicle trips estimates. Therefore, it was determined that the trip generation rates for high cube warehouse use (Land Use 152) as published in the 8th Edition of ITE's Trip Generation manual, and currently widely accepted throughout Riverside and San Bernardino Counties, are the most appropriate trip rates to be utilized to calculate vehicle trips for Project. Results and conclusions of the EIR are not affected.

Lastly, the SCAQMD provides a footnote that correctly states the ITE has released its new 9th Edition rates. It should be noted that the new 9th Edition rates were released the last week of September, after the close of the NOP period, and after completion of the technical studies.

AQMD-7

Comment:

Off-Road Construction Equipment Emissions Analysis

4. In the air quality analysis, the lead agency estimated project construction impacts using the CalEEMod land use emissions computer model. This model uses default and user-defined settings to estimate emissions based on the land use settings. The lead agency has estimated on-site, off-road equipment emissions calculated by the CalEEMod model. In the CalEEMod inputs, the lead agency has entered user comments stating reduction of load factors by 33 percent during the Construction Phase for Off-Road Equipment used in estimating off-road construction equipment emissions in the CalEEMod model. For example, the default load factor for tractors of 55 percent was reduced to 37 percent; graders from 61 percent to 41 percent; rubber tired dozers from 59 percent to 40 percent; excavators from 57 percent to 38 percent; and the load factor for scrapers from 72 percent to 48 percent in the CalEEMod model.

   Based on communication with ARB staff[7] regarding this issue, the AQMD staff believes that CARB staff does not recommend reducing the default settings in the current OFFROAD2007 without considering all parameters besides the load factor. Other parameters such as activity level, horsepower, and population all contribute to the emission factor estimate, and selectively changing only one parameter will lead to

inaccurate estimates at a project level. For some equipment types, OFFROAD2007 may underestimate emissions while others may be overestimated. Because of these revisions (and others), CARB developed the new OFFROAD2011. The AQMD staff therefore recommends that the lead agency either use existing OFFROAD2007 defaults until OFFROAD2011 is incorporated into CalEEMod later this year or run OFFROAD2011 outside CalEEMod and use those results to modify the CalEEMod construction calculations. Therefore, even though the reductions might not change the lead agency's determination of significance for construction air quality impacts, these reductions related to reduced off-road equipment load factors are not recommended by the AQMD staff without further substantial evidence to support those emission reductions resulting from their use. Otherwise, the lead agency should commit to enforcing the assumed lower non-substantiated emission factors.

Response:

The reduction for load factors for off-road equipment is applied based on information available from CARB's appendix for OFFROAD 2011(http://www.arb.ca.gov/regact/2010/offroadlsi10/offroadappd.pdf) states on page D-9: "A correction factor of 0.67 was estimated and applied to the original OFFROAD load factors for airport ground support equipment (GSE), construction and mining, industrial, and oil drilling equipment. Other studies that evaluated the load factors used in OFFROAD came to similar conclusions (San Pedro Bay Ports, 2009). Table 7 lists the original OFFROAD and proposed load factors for each type of off-road rule equipment." Table 7, in turn, shows a 33 percent reduction in load factor relative to OFFROAD2007 for the above-listed equipment.

Additionally, the SCAQMD's comments on the population and activity levels are not applicable to the Construction and Mining Sector (http://www.arb.ca.gov/msprog/ordiesel/documents/emissions_inventory_presentation_full_10_09_03.pdf, see slides 41-50). For the Construction and Mining sector ARB notes that the population and activity levels decrease in OFFROAD011, thus resulting in even lower emission factors. Therefore, the use of the OFFROAD2011 load factors does not result in an underestimation of emissions – in fact if the population and activity levels from

OFFROAD2011 were applied, the emissions would be reduced further. Notwithstanding, the sectors for Industrial and Airport GSE equipment may have higher emission levels due to increased population/activity as noted by CARB, however, the analysis does not include adjustments to these sectors. Results and conclusions of the EIR are not affected.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Palm Springs Fish and Wildlife Office
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262

In Reply Refer To:
FWS-WRIV-13B0022-12CPA0445

NOV - 5 2012

Mr. Jeff Bradshaw
City of Moreno Valley
Community and Economic Development Department
14177 Frederick Street
Moreno Valley, California 92553

Subject: Notice of Availability, RPT Centerpointe West Prologis Eucalyptus Industrial Park Project Draft Environmental Impact Report, City of Moreno Valley, Riverside County, California

Dear Mr. Bradshaw:

We have reviewed the Draft Environmental Impact Report (DEIR) for the above-mentioned project which we received on September 21, 2012. The project is the expansion of the existing Harbor Freight warehouse and distribution facility located northwest of the intersection of Cactus Avenue and Graham Street in the city of Moreno Valley. The U.S. Fish and Wildlife Service (Service) is providing the following comments as they relate to the project's consistency with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).

On June 22, 2004, the Service issued a section 10(a)(1)(B) permit for the MSHCP. The MSHCP established a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit. Permittees ensure covered activities are consistent with the MSHCP, its associated Implementing Agreement, and section 10(a)(1)(B) permit.

FWS-1

The project is located within the MSHCP Additional Survey Area for burrowing owl (MSHCP, section 6.3.2). Based on the documentation provided in the DEIR, it appears that a habitat assessment and focused burrowing owl surveys were not conducted on the project site as required for consistency with the MSHCP. The Additional Survey Needs and Procedures for burrowing owl require that surveys be conducted following approved methods (MSHCP, Burrowing Owl Survey Instructions, dated March 29, 2006). A habitat assessment and, as appropriate, focused burrowing owl surveys should be conducted by a biologist knowledgeable in burrowing owl habitat, ecology, and field identification of the species and burrowing owl sign. These surveys are necessary to adequately assess impacts to the species, and are required under the MSHCP.

FWS-2

Mr. Jeff Bradshaw (FWS-WRIV-13B0022-12CPA0445)

Although the DEIR provided a mitigation measure for burrowing owl (Mitigation Measure BR-2; 30-day preconstruction survey), this measure is limited to avoidance and minimization measures to avoid direct mortality of burrowing owl and, as discussed above, does not meet the requirements of the MSHCP. Depending on the results of breeding season surveys, the proposed project may need to incorporate onsite conservation measures for the burrowing owl as described in burrowing owl species-specific objective number 5 (MSHCP, Volume II, page B-65).

As stated above, focused surveys are required to determine burrowing owl presence and address consistency with the Additional Survey Needs and Procedures and species-specific objective number 5, and that pre-construction clearance surveys (species-specific objective number 6) are also required in order to prevent direct mortality of owls. If owls are not located onsite during focused breeding season surveys, pre-construction surveys will still need to be conducted within 30 days prior to project construction.

FWS-2 Cont'd

The DEIR states that no riparian habitat or wetlands are present onsite. However, it is unclear if an assessment of areas subject to the MSHCP policy for the Protection of Species Associated with Riparian /Riverine Areas and Vernal Pools (Riparian /Riverine Policy, section 6.1.2) was made. The Riparian/Riverine Policy covers areas where fresh water flows during all or a portion of the year even when such features are not vegetated with riparian vegetation. We recommend that a habitat assessment for riparian/riverine resources as described by the MSHCP Riparian/Riverine Policy be conducted. If riparian/riverine resources are present onsite and cannot be avoided, a Determination of Biologically Equivalent or Superior Preservation (MSHCP, section 6.1.2, Protection of Species Associated with Riparian and Riverine Areas and Vernal Pools) is required for consistency with the MSHCP.

We appreciate the inclusion of Mitigation Measure BR-1 to avoid or minimize impacts to birds protected by the Migratory Bird Treaty Act. Mitigation Measure BR-1 specifies that if vegetation is to be cleared during the nesting season (February 15 to July 31), and active nests are detected, a minimum 50-foot buffer and up to 300 feet for raptors, will be implemented. Please note that the Service typically recommends a 300-foot buffer for nesting birds and a 500-foot buffer for raptors and listed bird species.

FWS-3

Thank you for the opportunity to review the DEIR. If you have any questions or comments please contact Noelle Ronan at 760-322-2070, extension 215.

Sincerely,

Kennon A. Corey
Assistant Field Supervisor

U.S. Fish and Wildlife Service, Ecological Services
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, CA 92262

Letter Dated November 5, 2012

FWS-1

Comment:

We have reviewed the Draft Environmental Impact Report (DEIR) for the above-mentioned project which we received on September 21, 2012. The project is the expansion of the existing Harbor Freight warehouse and distribution facility located northwest of the intersection of Cactus Avenue and Graham Street in the city of Moreno Valley. The U.S. Fish and Wildlife Service (Service) is providing the following comments as they relate to the project's consistency with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).

On June 22, 2004, the Service issued a section 10(a)(1)(B) permit for the MSHCP. The MSHCP established a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit. Permittees ensure covered activities are consistent with the MSHCP, its associated Implementing Agreement, and section 10(a)(1)(B) permit.

Response:

The comment correctly summarizes the Project and its location. It is noted, however, that the reference in the subject line to the "Prologis Eucalyptus Industrial Park" appears to be an inadvertent reference to a separate project within the City that is not associated with the RPT Centerpointe West Project. The City further acknowledges the Fish and Wildlife Service as a Trustee Agency in the area of biological resources, and more specifically, as the permittor of the Western Riverside County MSHCP.

FWS-2

Comment:

The Project is located within the MSHCP Additional Survey Area for burrowing owl (MSHCP, section 6.3.2). Based on the documentation provided in the DEIR, it appears that a habitat assessment and focused burrowing owl surveys were not conducted on the project site as required for consistency with the MSHCP. The Additional Survey Needs and Procedures for burrowing owl require that surveys be conducted following approved methods (MSHCP), Burrowing Owl Survey Instructions, dated March 29, 2006). A habitat assessment and, as appropriate, focused burrowing owl surveys should be conducted by a biologist knowledgeable in burrowing owl habitat, ecology, and field identification of the species and burrowing owl sign. These surveys are necessary to adequately assess impacts to the species, and are required under the MSHCP.

Although the DEIR provided a mitigation measure for burrowing owl (Mitigation Measure BR-2; 30-day preconstruction survey), this measure is limited to avoidance and minimization measures to avoid direct mortality of burrowing owl and, as discussed above, does not meet the requirements of the MSHCP. Depending on the results of breeding season surveys, the proposed project may need to incorporate onsite conservation measures for the burrowing owl as described in burrowing owl species-specific objective number 5 (MSHCP, Volume II, page B-65).

As stated above, focused surveys are required to determine burrowing owl presence and address consistency with the Additional Survey Needs and Procedures and species-specific objective number 5, and that pre-construction clearance surveys (species-specific objective number 6) are also required in order to prevent direct mortality of owls. If owls are not located onsite during focused breeding season surveys, pre-construction surveys will still need to be conducted within 30 days prior to project construction.

The DEIR states that no riparian habitat or wetlands are present onsite. However, it is unclear if an assessment of areas subject to the MSHCP policy for the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools (Riparian/Riverine Policy, section 6.1.2) was made. The Riparian/Riverine Policy covers areas where fresh water flows

during all or a portion of the year even when such features are not vegetated with riparian vegetation. We recommend that a habitat assessment for riparian/riverine resources as described by the MSHCP Riparian/Riverine Policy be conducted. If riparian/riverine resources are present onsite and cannot be avoided, a Determination of Biologically Equivalent or Superior Preservation (MSHCP, section 6.1.2, Protection of Species Associated with Riparian and Riverine Areas and Vernal Pools) is required for consistency with the MSHCP.

Response:

As noted in the Project Initial Study (Draft EIR Appendix A, pgs. 8 to 9), the Project site is located in an urban setting, and has been heavily disturbed by human activities. The majority of the site was previously surveyed as part of a General Biological Habitat Assessment[1] performed prior to the development of the existing Harbor Freight Warehouse facilities, and no evidence of burrowing owl habitation or riparian/riverine characteristics was identified. A subsequent survey focused on the burrowing owl was also performed prior to the development of the Harbor Freight Warehouse,[2] also with negative results. Additionally, the Project site in its entirety was surveyed by Michael Brandman Associates to determine any potential for jurisdiction of the Army Corps of Engineers or the California Department of Fish and Game.[3] This report notes that "[t]he development areas have been subject to repeated disking and are generally devoid of vegetation. There are no channels with evidence of bed or bank or observable water marks. The lack of channels and riparian vegetation make these areas non-jurisdictional for both the USACE and CDFG. The connections to the Heacock Channel [located to the east of the RPT Centerpointe West Project site] will be made in the existing concrete channel which also has no wetland or riparian soils, vegetation, or habitat. Neither the development areas or the existing storm drain exhibit wildlife, wildlife habitat, vegetation or soil resources characteristic of jurisdictional areas or the resource values and functions protected by regulation." Copies of each of these studies are provided in Appendix B of this Final EIR. Nonetheless, the

1 *General Biological Habitat Assessment for Moreno Valley Centerpointe* (Ecological Sciences, Inc.), December 2003.
2 *Western Burrowing Owl Survey, ±125-acre Moreno Valley Centerpointe Site* (Ecological Sciences, Inc.), October 26, 2004.
3 *USACE and CDFG Jurisdiction – Moreno Valley Centerpointe TPM 32326, Moreno Valley California* (Michael Brandman Associates), December 7, 2005.

implementation of Mitigation Measure BR-3, requiring a Springtime survey that would specifically address the potential for both burrowing owl and riparian/riverine resources to occur onsite, will ensure that the intent of the MSHCP, to minimize and mitigate habitat loss and incidental take of biological species, is fully realized within the Project area.

> ***Mitigation Measure BR-3:*** *Prior to the issuance of a grading permit, the Project Applicant shall be responsible for ensuring that a biological resources survey is conducted for the Project site during nesting season (February 15 to July 31) by a qualified biologist, consistent with the policies of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). This survey will specifically address the identification of potential burrowing owl (*Athena cunicularia*) habitat, and the protection of species associated with riparian/riverine areas and vernal pools. The results of this biological survey shall be submitted to the City for review. If the City finds that the Project, in its final design, would involve areas of burrowing owl occupation, and/or areas of riparian or riverine resources, the following requirements would apply:*
>
> - *If the site contains, or is part of an area supporting less than 35 acres of suitable burrowing owl habitat, or the survey reveals that the site and the surrounding area supports fewer than three pairs of burrowing owls, then the on-site burrowing owls will be passively or actively relocated following accepted protocols.*
> - *If the site (including adjacent areas) supports three or more pairs of burrowing owls, supports greater than 35 acres of suitable habitat and is non-contiguous with MSHCP Conservation Area lands, at least 90 percent of the area with long-term conservation value and burrowing owl pairs will be conserved onsite.*
> - *If the 90 percent threshold cannot be met, the City of Moreno Valley, as a permittee of the MSHCP, must make a Determination of Biologically Equivalent or Superior Preservation.*
> - *If riparian/riverine resources are present onsite and cannot be avoided, a Determination of Biologically Equivalent or Superior Preservation will be required.*

In order to ensure compliance with the requirements of the MSHCP, Mitigation Measure BR-3 has been incorporated into the Project Mitigation Monitoring Plan. It is also noted that Mitigation Measure BR-2, requiring pre-construction surveys for the burrowing owl, will remain in effect as part of the Project's Mitigation Monitoring Plan, as reflected in Section 4.0 of this Final EIR.

FWS-3

Comment:

We appreciate the inclusion of Mitigation Measure BR-1 to avoid or minimize impacts to birds protected by the Migratory Bird Treaty Act. Mitigation Measure BR-1 specifies that if vegetation is to be cleared during the nesting season (February 15 to July 31), and active nests are detected, a minimum 50-foot buffer and up to 300 feet for raptors, will be implemented. Please note that the Service typically recommends a 300-foot buffer for nesting birds and a 500-foot buffer for raptors and listed bird species.

Response:

The referenced distances within Mitigation Measure BR-1 have been revised as follows, to reflect the recommendations of the Fish and Wildlife service. These revisions have been included in Final EIR Section 2.0, "Revisions and Errata," and are also carried forward in the Project's Mitigation Monitoring Program, included in Final EIR Section 4.0.

> ***Mitigation Measure BR-1:*** *If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed within 72 hours prior to clearing for the presence of nesting birds by a qualified Project biologist. The Project biologist shall be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the City Planning Department. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum* ~~*50*~~***300****-foot buffer and up to* ~~*300*~~***500*** *feet for raptors, with the final buffer distance to be determined by the*

qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

EASTERN MUNICIPAL WATER DISTRICT
SINCE 1950

November 2, 2012

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Re. NOA of DEIR, RPT Centerpointe West Project
PA 12-0020, PA 12-0021, PA 12-0019

Attn: Jeff Bradshaw, Associate Planner, City of Moreno Valley

Dear Mr. Bradshaw:

Thank you for the opportunity to review the Notice of Availability (NOA) for the above referenced project. The proposed project includes the following applications:

- PA12-0020 proposes adding 507,720 SF to an existing 779, 016 SF warehouse building for a total of 1,286,736 SF on an 18.6 acre site located at the NWC of Cactus Ave. and Graham St. This project requires the vacation of existing Joy St. between Brodiaea Ave. and Cactus Ave. (APN 297-170-067, -075, and 076);
- PA 12-0021 proposes a new 607,920 SF warehouse facility on approximately 30 acres located at the NWC of Graham St. and Brodiaea Ave. This project requires the vacation of existing Joy St. north of Brodiaea Ave. (APN 297-170-064, -065, and -082);
- PA 12-0019 for either a 164,720 SF warehouse building on 7.6 acres at the NEC of Cactus Ave. and Frederick St. or as an interim occupancy use as an equipment/truck trailer storage are in support of the existing/expansion of the adjacent warehouse distribution facility (APN 297-170-027). This use will require a related Zone Change (PA 12-0022) from BPX to LI; and
- The project will also include a tentative parcel map(s) to facilitate the creation parcels for each of the warehouse distribution buildings notes above.

EMWD-1

Eastern Municipal Water District (EMWD) offers the following comments:

The subject project requires water, sewer and recycled water services from EMWD. The details of said service connection points will be further detailed in a separate document, known as EMWD's Plan of Service (POS). It does not appear from our records that a POS was previously prepared for this project; therefore the project proponent is encouraged to prepare one. To that end, EMWD requires dialog with the project proponent, to develop the EMWD Plan of Service, as clarified in the attached letter.

EMWD-2

Again, EMWD appreciates the opportunity to comment on this project. Please forward the Final Environmental Impact Report to the attention of Helen Stratton at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Helen Stratton at 951 928-3777, Ext. 4545, or Maroun El-Hage Ext. 4468.

EMWD-3

Sincerely,

Jayne Joy
Director of Environmental and Regulatory Compliance

JJ:hs
Cc: Maroun El-Hage
Encls.

EASTERN MUNICIPAL WATER DISTRICT
SINCE 1950

November 2, 2012

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Re. NOA of DEIR, RPT Centerpointe West Project
PA12-0020, PA12-0021, PA12-0019

Attn: Jeff Bradshaw, Associate Planner, City of Moreno Valley

In order to receive water, sewer or recycled water service(s) from Eastern Municipal Water District (EMWD), the following information will be helpful to the project proponent:

EMWD requires beginning dialogue with the project proponent at an early stage in site design and development, via a one-hour complimentary Due Diligence meeting. To set up this meeting, the project proponent should complete a Project Questionnaire (form NBD-058) and submit to EMWD. To download this form or for additional information, please visit our "New Development Process" web page, under the "Businesses" tab, at www.emwd.org. This meeting will offer the following benefits:

1. Describe EMWD's development work-flow process
2. Identify project scope and parameters
3. Preliminary, high level review of the project within the context of existing infrastructure
4. Discuss potential candidacy for recycled water service

EMWD-4

Following the Due Diligence meeting, to proceed with this project, a Plan Of Service (POS) will need to be developed by the developer's engineer, and reviewed/approved by EMWD prior to submitting improvement plans for Plan Check. The POS process will provide the following:

1- Technical evaluation of the project's preliminary design
2- Defined facility requirements, i.e. approved POS
3- Exception: for feasibility evaluation of a purchase acquisition, only a conceptual facilities assessment may be developed.

If you have questions or concerns, please do not hesitate to contact me.

Sincerely,

Maroun El-Hage, M/S., P.E.
Senior Civil Engineer
New Business Development
(951) 928-3777 x4468
El-hagem@emwd.org

Eastern Municipal Water District
P.O. Box 8300
Perris, CA 92572

Letter Dated November 2, 2012

EMWD-1

Comment:

Thank you for the opportunity to review the Notice of Availability (NOA) for the above referenced project. The proposed project includes the following applications:

- PA12-0020 proposes adding 507,720 SF to an existing 779,016 SF warehouse building for a total of 1,286,736 SF on an 18.6 acre site located at the NWC of Cactus Ave. and Graham St. This project requires the vacation of existing Joy St. between Brodiaea Ave. and Cactus Ave. (APN 297-170-067, -075, and 076);
- PA 12-0021 proposes a new 607,920 SF warehouse facility on approximately 30 acres located at the NWC of Graham St. and Brodiaea Ave. This project requires the vacation of existing Joy St. north of Brodiaea Ave. (APN 297-170-064, -065, and -082);
- PA 12-0019 for either a 164,720 SF warehouse building on 7.6 acres at the NEC of Cactus Ave. and Frederick St. or as an interim occupancy use as an equipment/truck trailer storage are in support of the existing/expansion of the adjacent warehouse distribution facility (APN 297-170-027). This use will require a related Zone Change (PA 12-0022) from BPX to LI; and
- The project will also include a tentative parcel map(s) to facilitate the creation parcels for each of the warehouse distribution buildings notes above.

Response:

The comment accurately reflects the Project addressed by the Draft EIR.

EMWD-2

Comment:

The subject project requires water, sewer and recycled water services from EMWD. The details of said service connection points will be further detailed in a separate document,

known as EMWD's Plan of Service (POS). It does not appear from our records that a POS was previously prepared for this project; therefore the project proponent is encouraged to prepare one. To that end, EMWD requires dialog with the project proponent, to develop the EMWD Plan of Service, as clarified in the attached letter.

Response:
The City acknowledges the provision of EMWD's connection requirements and guidelines for the Project proponent. Should the Project be approved, the City will support the fulfillment of the District's requirements through the development review process, including the preparation and approval of a Plan of Service (POS).

EMWD-3

Comment:
Again, EMWD appreciates the opportunity to comment on this project. Please forward the Final Environmental Impact Report to the attention of Helen Stratton at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Helen Stratton at 951 928-3777, Ext. 4545, or Maroun El-Hage Ext. 4468.

Response:
The City will provide a copy of the Final EIR to the EMWD, as requested. The additional contact information provided is appreciated.

EMWD-4

Comment:
In order to receive water, sewer or recycled water service(s) from Eastern Municipal Water District (EMWD), the following information will be helpful to the project proponent:

EMWD requires beginning dialogue with the project proponent at an early stage in site design and development, via a one-hour complimentary Due Diligence meeting. To set up this meeting, the project proponent should complete a Project Questionnaire (form NBD-058) and submit to EMWD. To download this form or for additional information, please visit our "New Development Process" web page, under the "Businesses" tab, at

www.emwd.org. This meeting will offer the following benefits:

1. Describe EMWD's development work-flow process
2. Identify project scope and parameters
3. Preliminary, high level review of the project within the context of existing infrastructure
4. Discuss potential candidacy for recycled water service

Following the Due Diligence meeting, to proceed with this project, a Plan of Service (POS) will need to be developed by the developer's engineer, and reviewed/approved by EMWD prior to submitting improvement plans for Plan Check. The POS process will provide the following:

1- Technical evaluation of the project's preliminary design
2- Defined facility requirements, i.e. approved POS
3- Exception: for feasibility evaluation of a purchase acquisition, only a conceptual facilities assessment may be developed.

Response:

The City acknowledges this letter attachment as a provision of EMWD's connection requirements and guidelines for the Project proponent. As noted in the preceding Response EMWD-2, should the Project be approved, the City will support the fulfillment of the District's requirements through the development review process.

Riverside County
Waste Management Department
Hans W. Kernkamp, General Manager-Chief Engineer

November 5, 2012

Jeff Bradshaw, Associate Planner
Community and Economic Development Department
City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

RE: RPT Centerpointe West Project – PA12-0019, PA12-0020, PA12-0021 (Plot Plans) and PA12-0022 (Zone Change)
Draft Environmental Impact Report (DEIR) – SCH# 2012081034

Dear Mr. Bradshaw:

The Riverside County Waste Management Department (RCWMD) has reviewed the proposed Project and associated DEIR. The Project is an industrial development that entails construction of three warehouse/distribution facilities with a combined total building area of 1.281 million square feet, generating a maximum of 1,844 individual vehicle trips per day. The RCWMD provides the following comments on the DEIR for your consideration: WMD-1

Traffic & Circulation

1. The Concourse at Centerpointe Project, an approximately 522,000-square-foot warehouse development located at the northwest corner of Cactus Ave. and Frederick St., directly across from Building 2 of the Project, is identified in the DEIR and associated Traffic Impact Analysis (TIA); however, the DEIR and TIA did not account for the two driveways resulting from the Concourse Project directly across from the proposed Building 2 along Frederick Street.

   If built as proposed, Building #2 would have two driveways along Frederick Street. As a result, there would be altogether eight driveways/intersections along the short stretch of Frederick St. from Brodiaea Avenue to Cactus, namely, Brodiaea/Frederick, Waste Management Department Headquarters Driveway/Frederick, Resource Way/Frederick, Project Driveway #1/Frederick, Project Driveway #2/Frederick, two Concourse driveways /Frederick, and then Cactus/Frederick. WMD-2

   The short spacing between each of these eight driveways/intersections could cause confusion to drivers as well as result in too many vehicle turning movements and busy cross traffic. Having not fully studied the impacts of eight driveways/intersections heavily utilized by trucks within a short segment could result in a potential significant hazard to the safety of drivers, bicyclists, and pedestrians along Frederick Street. The DEIR has not adequately addressed the traffic safety issue nor explicitly discussed the congestion impact from the Project's two proposed driveways along Frederick St. in relation to the other six existing driveways/intersections.

   At a minimum, the City's or other applicable minimum requirements for intersection spacing and driveway spacing on a Major Arterial (Frederick's classification) should be followed or otherwise proved safe for a variance to the established standards. To ensure traffic safety

14310 Frederick Street • Moreno Valley, CA 92553 • (951) 486-3200 • Fax (951) 486-3205 • Fax (951) 486-3230
www.rivcowm.org

to all users of Frederick Street and avoid significant congestion at the eight (8) driveways/intersections, the RCWMD recommends further analysis of these eight driveways/intersections in the DEIR/TIA and implementation of additional traffic calming/control measures such as turn restrictions from Project Driveways #1 & 2, and/or eliminating one driveway while sharing Driveway #3 from Cactus Avenue for Building 2's secondary access. WMD-2 Cont'd

2. The DEIR concludes that even with Mitigation Measures 4.2.2 through 4.2.6 (widening of Cactus Avenue to six lanes) the Project's traffic impacts on intersection and roadway segment performance along Cactus Avenue was determined to be cumulatively significant in the Opening Year, and the DEIR declared these impacts as cumulatively significant and unavoidable.

   The RCWMD recommends, in addition to the improvements identified in Mitigation Measures 4.2.2 through 4.2.6, exploring alternative mitigation measures, such as traffic signal synchronization and/or other viable traffic congestion management practices that may reduce or eliminate any significant, unavoidable impacts along Cactus Avenue. WMD-3

Greenhouse Gas (GHG)

1. In discussing Project consistency with applicable GHG emissions reduction plans/strategies of the state's AB 32 Climate Change Scoping Plan, the DEIR determined without substantiation that Action RW-3, High Recycling/Zero Waste, is not germane to the Project. RCWMD disagrees. The Project is subject to compliance with the Mandatory Commercial Recycling provisions of AB 341. The Mandatory Commercial Recycling provisions are a direct result of Action RW-3.

   The RCWMD recommends that the Project implement a comprehensive in-house recycling program that targets and achieves source reduction and waste diversion via recycling. An in-house recycling program would be consistent with RW-3, thereby reducing the Project's GHG emissions. In addition to GHG reductions, the Project would also reduce its potential impact to disposal capacity of Riverside County landfills and contribute to the City's and County's efforts in achieving high recycling and waste diversion. WMD-4

Thank you for the opportunity to review the Project and DEIR. If you have any questions, please contact Sung Key Ma of my Planning staff at (951) 486-3283.

Sincerely,

Ryan Ross
Principal Planner

cc: Sung Key Ma, RCWMD

PD127971v2a

Riverside County Waste Management Department
14310 Frederick Street
Moreno Valley, CA 92553

Letter Dated November 5, 2012

WMD-1

Comment:

The Riverside County Waste Management Department (RCWMD) has reviewed the proposed Project and associated DEIR. The Project is an industrial development that entails construction of three warehouse/distribution facilities with a combined total building area of 1.281 million square feet, generating a maximum of 1,844 individual vehicle trips per day. The RCWMD provides the following comments on the DEIR for your consideration:

Response:

The RCWMD is acknowledged as a Trustee Agency for the Project. The commentor's summary scope of Project development is materially correct.

WMD-2

Comment:

The Concourse at Centerpointe Project, an approximately 522,000-square-foot warehouse development located at the northwest corner of Cactus Ave. and Frederick St., directly across from Building 2 of the Project, is identified in the DEIR and associated Traffic Impact Analysis (TIA); however, the DEIR and TIA did not account for the two driveways resulting from the Concourse Project directly across from the proposed Building 2 along Frederick Street.

If built as proposed, Building #2 would have two driveways along Frederick Street. As a result, there would be altogether eight driveways/intersections along the short stretch of Frederick St. from Brodiaea Avenue to Cactus, namely, Brodiaea/Frederick, Waste Management Department Headquarters Driveway/Frederick, Resource Way/Frederick, Project Driveway #1/Frederick, Project Driveway #2/Frederick, two Concourse driveways/Frederick, and then Cactus/Frederick.

The short spacing between each of these eight driveways/intersections could cause confusion to drivers as well as result in too many vehicle turning movements and busy cross traffic. Having not fully studied the impacts of eight driveways/intersections heavily utilized by trucks within a short segment could result in a potential significant hazard to the safety of drivers, bicyclists, and pedestrians along Frederick Street. The DEIR has not adequately addressed the traffic safety issue nor explicitly discussed the congestion impact from the Project's two proposed driveways along Frederick St. in relation to the other six existing driveways/intersections.

At a minimum, the City's or other applicable minimum requirements for intersection spacing and driveway spacing on a Major Arterial (Frederick's classification) should be followed or otherwise proved safe for a variance to the established standards. To ensure traffic safety to all users of Frederick Street and avoid significant congestion at the eight (8) driveways/intersections, the RCWMD recommends further analysis of these eight driveways/intersections in the DEIR/TIA and implementation of additional traffic calming/control measures such as turn restrictions from Project Driveways #1 & 2, and/or eliminating one driveway while sharing Driveway #3 from Cactus Avenue for Building 2's secondary access.

Response:

Frederick Street is a north-south oriented roadway located along the Project's western boundary. Based on field observations, it appears that Frederick Street is currently constructed to its ultimate General Plan roadway cross-section as a minor arterial along the Project's western boundary from the Project's northern boundary to Cactus Avenue. Field review also indicates that sidewalk and curb-and-gutter improvements are currently in place along the eastern side of Frederick Street along the Project's frontage (see page 13 of the TIA). There is a two-way left turn lane along Frederick Street from Resource Way to Cactus Avenue.

The Project trip distribution shows truck traffic generated by Building 2 will utilize the driveways on Frederick Street, as will approximately half of the passenger cars generated by Building 2. The total (non-PCE) volume at these two driveways is less than 15 vehicles

per hour in the peak hour (which is an average of one automobile or truck every four minutes in the peak hour).

The southerly Project driveway is aligned with the southerly Concourse driveway. The driveways meet the minimum spacing standard (150') and intersection spacing standard (250').

Based on the nominal traffic volumes generated by the Project at the noted driveways, and Project compliance with applicable design standards, no further analysis is deemed necessary, nor are additional traffic calming/control measures warranted.

WMD-3

Comment:

The DEIR concludes that even with Mitigation Measures 4.2.2 through 4.2.6 (widening of Cactus Avenue to six lanes) the Project's traffic impacts on intersection and roadway segment performance along Cactus Avenue was determined to be cumulatively significant in the Opening Year, and the DEIR declared these impacts as cumulatively significant and unavoidable.

The RCWMD recommends, in addition to the improvements identified in Mitigation Measures 4.2.2 through 4.2.6, exploring alternative mitigation measures, such as traffic signal synchronization and/or other viable traffic congestion management practices that may reduce or eliminate any significant, unavoidable impacts along Cactus Avenue.

Response:

No additional/alternate improvements are proposed, as the proposed improvements restore Cactus Avenue to acceptable LOS. Notwithstanding, impacts are considered significant and unavoidable because the required improvements are beyond the control of the Project Applicant. The alternate improvements suggested in the comment letter would similarly be beyond the control of the Project Applicant.

WMD-4

Comment:

In discussing Project consistency with applicable GHG emissions reduction plans/strategies of the state's AB 32 Climate Change Scoping Plan, the DEIR determined without substantiation that Action RW-3, High Recycling/Zero Waste, is not germane to the Project. RCWMD disagrees. The Project is subject to compliance with the Mandatory Commercial Recycling provisions of AB 341. The Mandatory Commercial Recycling provisions are a direct result of Action RW-3.

The RCWMD recommends that the Project implement a comprehensive in-house recycling program that targets and achieves source reduction and waste diversion via recycling. An in-house recycling program would be consistent with RW-3, thereby reducing the Project's GHG emissions. In addition to GHG reductions, the Project would also reduce its potential impact to disposal capacity of Riverside County landfills and contribute to the City's and County's efforts in achieving high recycling and waste diversion.

Response:

The mandatory commercial recycling provisions which apply to the Project will be implemented by the City. The remarks in the DEIR that RW-3 does not apply to the Project are not meant to indicate that the Project is exempt from, or would not comply with, adopted commercial recycling requirements. Rather, the salient point is that an individual development proposal (such as the Project) is not responsible for establishing City policies such as the Mandatory Commercial Recycling provisions noted at RW-3. The Project will comply with all applicable City of Moreno Valley Commercial Recycling policies and requirements. Results and conclusion of the EIR are not affected.

Community Development
Department
Planning Division

CITY OF
RIVERSIDE

November 1, 2012

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Community & Economic Development Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552

SUBJECT: NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE RPT CENTERPOINTE WEST PROLOGIS EUCALYPTUS INDUSTRIAL PARK PROJECT

Dear Mr. Bradshaw:

Thank you for the opportunity to comment on the Notice of Availability (NOA) of a Draft Environmental Impact Report (DEIR) for the proposed RPT Centerpointe West Prologis Eucalyptus Industrial Park Project. This Project proposes an expansion of approximately 507,720 square-feet to the existing 779,016 square-foot Harbor Freight warehouse/distribution facility, and construction of two warehouse/distribution buildings, of approximately 607,920 square-feet and a 164,720 square-feet, respectively, on approximately 56.2 acres, situated on the northwest corner of Graham Street and Cactus Avenue, immediately north of the March Air Reserve Base and March Joint Powers Authority lands, and easterly of the Interstate 215 Freeway corridor.

On September 4, 2012 City of Riverside staff provided comments on the Notice of Preparation of a DEIR which identified several concerns related to traffic-related impacts – on the City's infrastructure and traffic Level of Service (LOS) – the proposed project could have on City of Riverside streets. It was indicated that the prospective DEIR needed to adequately analyze, and mitigate, any traffic-related impacts to the City of Riverside. City staff has reviewed the DEIR and finds that our previous comments and concerns were not adequately addressed in the DEIR. To that end, City staff reiterates the following comments for your consideration.

COR-1

- The DEIR does not adequately analyze and mitigate regional impacts. As such, the DEIR needs to be revised to adequately evaluate regional impacts, including:

    - Assessments of traffic impacts generated by passenger vehicles and delivery trucks (those that would normally travel west along State Route 60 toward the Interstate 215/State Route 91 interchange) that will find the "path of least resistance" when the freeways are congested and take routes on City of Riverside arterials such as Van Buren Boulevard and Alessandro Boulevard to access State Route 91.

COR-2

- Beyond Interstate 215, this project is expected to generate a percentage of vehicle trips that will utilize Alessandro Boulevard or Van Buren Boulevard to access State Route 91 Freeway. As a result, the DEIR needs to fully evaluate this spill-over effect on streets within the City of Riverside.
- Determine how much traffic will be added along these two key corridors, the level of impact to the City of Riverside, and identify appropriate mitigation.
- Identify specific mitigation or fair share contribution toward mitigation (beyond TUMF) that may be needed to address these impacts to the City of Riverside.

COR-2 cont'd.

- The DEIR does not adequately analyze and mitigate truck traffic beyond the City of Moreno Valley's local transportation network. The DEIR needs to analyze project impacts regionally, considering the cumulative impact of truck traffic that will be added with the proposed project along with traffic that will be generated by other projects in Moreno Valley. These cumulative impacts to the region – including to the City of Riverside – need to be fully analyzed and mitigated.

COR-3

- The DEIR prepared for the Prologis Eucalyptus Industrial Park found that segments of State Route 60 (both westbound and eastbound) currently operate at an unacceptable LOS. Given this, the proposed project will worsen the existing unacceptable LOS on State Route 60, particularly when analyzed cumulatively alongside the Prologis Eucalyptus Industrial Park and the World Logistics Center. As this significant unavoidable impact cannot be adequately mitigated, traffic will spill over onto other roadways including City of Riverside streets as previously discussed. This further emphasizes the need for the DEIR to adequately analyze and mitigate for all spill-over impacts to the City of Riverside.

COR-4

The City of Riverside appreciates your consideration of the comments provided in this letter. Please forward any updated environmental documents related to the RPT Centerpointe West Prologis Eucalyptus Industrial Park Project to the Planning Division for further review.

Should you have any questions regarding this letter, please feel free to contact Moises A. Lopez, Associate Planner at (951) 826-5264 or by email at mlopez@riversideca.gov.

COR-5

Sincerely,

Steve Hayes, AICP
City Planner

c: Scott Barber, City Manager
Deanna Lorson, Assistant City Manager
Kristi Smith, Supervising Deputy City Attorney
Al Zelinka, FAICP, Community Development Director
Tom Boyd, Public Works Director
Steve Libring, Traffic Engineer
Ross Geller, Applied Planning, Inc., 5817 Pine Avenue, Suite #A, Chino Hills, CA 91709

City of Riverside, Planning Division
3900 Main Street
Riverside, CA 92522

Letter Dated November 1, 2012

COR-1

Comment:

Thank you for the opportunity to comment on the Notice of Availability (NOA) of a Draft Environmental Impact Report (DEIR) for the proposed RPT Centerpointe West Prologis Eucalyptus Industrial Park Project. This Project proposes an expansion of approximately 507,720 square-feet to the existing 779,016 square-foot Harbor Freight warehouse/distribution facility, and construction of two warehouse/distribution buildings, of approximately 607,920 square-feet and a 164,720 square feet, respectively, on approximately 56.2 acres, situated on the northwest corner of Graham Street and Cactus A venue, immediately north of the March Air Reserve Base and March Joint Powers Authority lands, and easterly of the Interstate 215 Freeway corridor.

On September 4, 2012 City of Riverside staff provided comments on the Notice of Preparation of a DEIR which identified several concerns related to traffic-related impacts - on the City's infrastructure and traffic Level of Service (LOS) - the proposed Project could have on City of Riverside streets. It was indicated that the prospective DEIR needed to adequately analyze, and mitigate, any traffic-related impacts to the City of Riverside. City staff has reviewed the DEIR and finds that our previous comments and concerns were not adequately addressed in the DEIR. To that end, City staff reiterates the following comments for your consideration.

Response:

Description of the Project as summarized by the commentor is materially correct. NOP comments provided by the City of Riverside are included at Draft EIR Appendix A, and are summarized at Draft EIR Table 1.6-1, "List of NOP Respondents and Summary of NOP Comments," page 1.1-14. Further responses to City of Riverside comments are provided herein.

COR-2

Comment:

- The DEIR does not adequately analyze and mitigate regional impacts. As such, the DEIR needs to be revised to adequately evaluate regional impacts, including:

    - Assessments of traffic impacts generated by passenger vehicles and delivery trucks (those that would normally travel west along State Route 60 toward the Interstate 215/State Route 91 interchange) that will find the "path of least resistance" when the freeways are congested and take routes on City of Riverside arterials such as Van Buren Boulevard and Alessandro Boulevard to access State Route 91.

    - Beyond Interstate 215, this project is expected to generate a percentage of vehicle trips that will utilize Alessandro Boulevard or Van Buren Boulevard to access State Route 91 Freeway. As a result, the DEIR needs to fully evaluate this spill-over effect on streets within the City of Riverside.

    - Determine how much traffic will be added along these two key corridors, the level of impact to the City of Riverside, and identify appropriate mitigation.

    - Identify specific mitigation or fair share contribution toward mitigation (beyond TUMF) that may be needed to address these impacts to the City of Riverside.

Response:

The DEIR thoroughly evaluated the directional orientation of Project-related passenger vehicles and trucks for the purposes of evaluating potential traffic impacts. As identified in the Project TIA (EIR Appendix B), twenty-five percent (25%) of passenger vehicles assumed to access the I-215 Freeway at Cactus Avenue are anticipated to be oriented to and from the north, while twenty percent (20%) are assumed to be oriented to and from the south. The Project TIA also indicates that seventy percent (70%) of the Project-related truck trips are anticipated to be oriented to and from the north via the I-215 Freeway at Cactus Avenue interchange, while twenty percent (20%) would access the I-215 Freeway at Cactus Avenue to head south. As noted in the Project TIA, trip distribution patterns for passenger vehicle

trips were based on a number of factors including existing travel patterns, the geographic location of the site, and the site's proximity to the state highway system. While trip distribution patterns for Project-related truck trips were based on these same factors, they also included data related to existing travel patterns for an existing on-site warehouse tenant Harbor Freight.

The passenger vehicle trips oriented to and from the south on the I-215 Freeway are anticipated to interact with residential and commercial areas in the City of Perris, City of Menifee, City of Riverside and unincorporated areas of Riverside County, whereas, all Project-related southbound I-215 trucks are anticipated to be oriented to destinations further to the south, such as Temecula and San Diego. As southbound I-215 truck trips oriented to regional destinations to the south would have no incentive to use Van Buren Boulevard to head west to the SR-91 freeway, only Project-related passenger vehicles oriented southbound on the I-215 Freeway would potentially utilize Van Buren Boulevard. However, even if it were conservatively assumed that up to fifty percent (50%) of all Project-related passenger vehicles oriented southbound on the I-215 Freeway were to utilize Van Buren Boulevard, this would equate to a total of five (5) trips in the AM peak hour and six (6) trips in the PM peak hour. This relatively de minimis number of Project trips is not anticipated to result in a significant impact to Van Buren Boulevard, nor does it meet the City of Riverside's stated potential impact criteria of fifty (50) or more peak hour trips (*City of Riverside Public Works Traffic Impact Analysis Preparation Guide*, August 2012).

Furthermore, Project-related passenger vehicles oriented to and from the north on the I-215 Freeway are anticipated to interact predominately with residential and commercial areas in northwest Moreno Valley, the City of Riverside, unincorporated areas of Riverside County, etc.; while Project-related truck trips oriented to and from the north on the I-215 Freeway are anticipated to be heavily oriented to regional destinations via the I-10 and SR-60 freeways. The truck trip patterns are consistent with existing travel patterns for Harbor Freight, and are primarily due to the fact that the SR-60 Freeway corridor provides the most direct and efficient route from the Ports of Los Angeles and Long Beach for inbound containers coming to Harbor Freight. Outbound truck trips also tend to heavily utilize both the SR-60 and I-10 freeway corridors to access regional destinations such as Los Angeles

metro area, central California, Las Vegas, Phoenix, along with other Harbor Freight distribution hubs to the east. Based on the Project's current truck-related origins and destinations, and anticipated travel patterns, it is highly unlikely that Project truck traffic would benefit from leaving the I-215/SR-60 freeway to head west on Alessandro Boulevard to the SR-91. This would result in trucks then needing to travel an additional three (3) miles north on the SR-91 through a typically congested downtown area to connect back to the original SR-60/I-215 route. This route would seem impractical even during the most congested of freeway conditions.

However, if it were conservatively assumed that up to fifty percent (50%) of the Project-related northbound I-215 passenger vehicles were to utilize Alessandro Boulevard to access destinations along this route or the SR-91 Freeway, this would equate to a total of six (6) trips in the AM peak hour and seven (7) trips in the PM peak hour. Furthermore, if it were also conservatively assumed that up to fifteen percent (15%) of the Project's northbound I-215 truck trips were to choose to utilize Alessandro Boulevard, the total number of passenger vehicles and trucks would be twenty-three (23) net AM peak hour passenger car equivalent (PCE) trips and twenty-six (26) net PM peak hour PCE trips. As noted previously, this relatively de minimis number of peak hour vehicles is far below the 50 peak hour trip threshold used by the City of Riverside to determine the likelihood of a Project-related traffic impact. Results and conclusions of the EIR are not affected.

COR-3

Comment:

- The DEIR does not adequately analyze and mitigate truck traffic beyond the City of Moreno Valley's local transportation network. The DEIR needs to analyze project impacts regionally, considering the cumulative impact of truck traffic that will be added with the proposed project along with traffic that will be generated by other projects in Moreno Valley. These cumulative impacts to the region - including to the City of Riverside - need to be fully analyzed and mitigated.

Response:

Contrary to the comment that the DEIR does not adequately analyze and mitigate truck traffic beyond the City of Moreno Valley's local transportation network, analysis in the DEIR adequately and appropriately evaluates potential traffic impacts extending beyond the City.

Opening Year Cumulative (2017) freeway segment analysis was performed for the I-215 Freeway north of Cactus Avenue and south of Cactus Avenue. Opening Year Cumulative (2017) freeway segment and ramp junction merge/diverge analysis are contained in Appendix B of the EIR (Tables 7-4, 7-5, 7-9 and 7-10 of the TIA). The Study Area mainline segments are anticipated to operate at acceptable services levels for Opening Year Cumulative (2017) without and with Project conditions. No traffic impacts were found in the Opening Year Cumulative (2017) freeway segment analysis.

Furthermore, the maximum potential impact of the Project on the freeway facilities is on I-215 north of the Cactus interchange. The Project contributes to an increase of less than 1 percent of capacity on I-215 north of Cactus. The Project was found to have no significant impacts on I-215 north of Cactus. Since freeway segments further away will receive even less Project traffic, the Project increases on SR-60 and Ramona Expressway will likewise be less that 1 percent of capacity, and will therefore have no significant impact on freeway operations. Project traffic coming from SR-60 along Frederick or Graham was considered; however, Project traffic would add less the 50 peak-hour trips to intersections on either of these two streets, including ramp intersections with SR-60. Results and conclusions of the EIR are not affected.

COR-4

Comment:

- The DEIR prepared for the Prologis Eucalyptus Industrial Park found that segments of State Route 60 (both westbound and eastbound) currently operate at an unacceptable LOS. Given this, the proposed project will worsen the existing unacceptable LOS on State Route 60, particularly when analyzed cumulatively alongside the Prologis Eucalyptus Industrial Park and the World Logistics Center. As this significant

unavoidable impact cannot be adequately mitigated, traffic will spill over onto other roadways including City of Riverside streets as previously discussed. This further emphasizes the need for the DEIR to adequately analyze and mitigate for all spillover impacts to the City of Riverside.

Response:

Please refer to Response COR-2. Results and conclusions of the EIR are not affected.

COR-5

Comment:

The City of Riverside appreciates your consideration of the comments provided in this letter. Please forward any updated environmental documents related to the RPT Centerpointe West Prologis Eucalyptus Industrial Park Project to the Planning Division for further review.

Should you have any questions regarding this letter, please feel free to contact Moises A. Lopez, Associate Planner at (951) 826-5264 or by email at mlopez@riversideca.gov.

Response:

The City of Moreno Valley will forward a copy of these responses, as well as a copy of the Final EIR for the City of Riverside's reference. Additionally, the City of Riverside will be included on the list of agencies to be notified of upcoming action in regard to the RPT Centerpointe West Project. Contact information provided is noted.

Gerald M. Budlong
24821 Metric Drive
Moreno Valley, CA 92557
October 29, 2012

Subject: Proposed RPT Centerpointe West Project EIR (P12-057)

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division
14177 Frederick Street, Moreno Valley City Hall
Moreno Valley, CA 92553

Dear Mr. Bradshaw:

The Proposed RPT Centerpointe West Project is consistent with the Moreno Valley General Plan and the zoning ordinance. The land has been designated long ago as industrial and is located within an existing industrial park and is an extension of an existing industrial building. My concerns with this environmental document is similar with my two previous comments concerning two other industrial project EIRs. The concerns are rising groundwater, liquefaction, and downstream flooding of the Heacock Ditch Channel. GMB-1

The U. S. Air Force environmental cleanup program, called the Installation Restoration Program (IRP), at March Field Reserve Air Base (March ARB), incorporates the former March AFB and the present March ARB. This program has monitored the groundwater levels from the 1980's to present. The groundwater levels have been rising an average of one to two feet annually. To date local groundwater levels are as high as 10 feet or less from the ground surface in many localities within the study area confirmed by measurements of monitoring wells. The Air Force is concerned about potential adverse impacts to March ARB buildings from liquefaction in the event of a future earthquake. GMB-2

Why doesn't this EIR address the issue of rising groundwater and potential safety issues related to liquefaction in the event of a significant earthquake in the future?

What are the average groundwater levels at the RPT Centerpoint West Project site?

The Heacock Ditch Channel is located downstream from the RPT Centerpointe West Project site. This waterway is a federal jurisdictional stream and is under the jurisdiction of the U.S. Army Corps of Engineers (COE). The COE in the past has notified the Air Force that the development of Moreno Valley within the drainage basin that drains into the Heacock Ditch Channel, exceeds flood flow design with potential flooding hazard to both the base and surrounding residential subdivisions, the industrial park located on the southern end of the city and the Serrano Elementary School. The junction of the Heacock Drainage Channel with the Perris Channefl is a choke point where floodwater backup potentially can cause flooding. Evidence of past flooding occurred in 2012 where Heacock Blvd., was closed due to floodwater s and mud and the street was closed to traffic for three to four days. A few photographs from this flooding event are attached as part of the EIR comments. GMB-3

Why doesn't the EIR address the flooding hazard from Heacock Drainage Channel? Why doesn't the EIR address the flooding in the Cumulative Impacts chapter in the EIS?

The COE has tabled the design and construction of a new Heacock Drainage Channel due to lack of GMB-4

federal funding together with their understanding that Southern California is experiencing a drought and as a result funding has been appropriated elsewhere to other localities.

Because the Heacock Drainage Channel is under Federal Jurisdiction, the City of Moreno Valley has no jurisdiction over this waterway. One mitigation recommendation would be the Moreno Valley Mayor and City Council seek assistance from the Congressional Members who serve the city as well as neighboring Congressional Representatives as well as the two U. S. Senators to get their support in supporting federal appropriations to design and construct a new Heacock Drainage Channel?

GMB-4 cont'd.

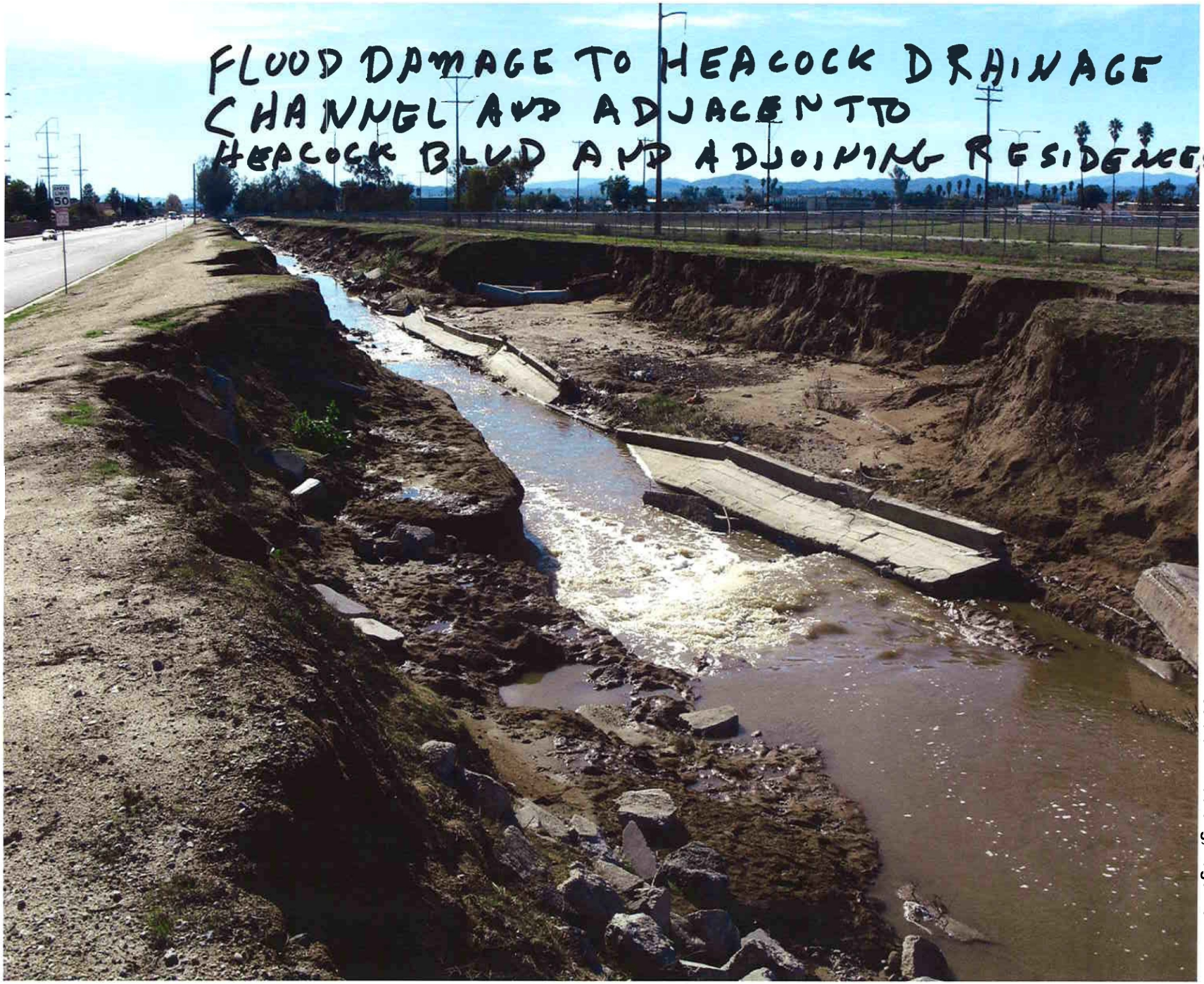
Attachments: Photos of 2012 flooding of Heacock Blvd., from the Heacock Drainage Channel

GMB-5

Sincerely,

Gerald M. Budlong


CENTER POINTE INDUSTRIAL PARK
HEACOCK BLVD
RESID
EYCE
HEACOCK DRAINAGE
CHANNEL WITH FLOOD
DAMMAGE


FLOOD DAMAGE TO HEACOCK DRAINAGE
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DAMAGED USAF BASE Fence
HEACOCK BLVD CLOSURE
FLOOD DAMAGE PARALLEL TO HEACOCK

Gerald M. Budlong
24821 Metric Drive
Moreno Valley, CA 92557

Letter Dated October 29, 2012

GMB-1

Comment:

The Proposed RPT Centerpointe West Project is consistent with the Moreno Valley General Plan and the zoning ordinance. The land has been designated long ago as industrial and is located within an existing industrial park and is an extension of an existing industrial building. My concerns with this environmental document is [sic] similar with my two previous comments concerning two other industrial project EIRs. The concerns are rising groundwater, liquefaction, and downstream flooding of the Heacock Ditch Channel.

Response:

The commentor is materially correct regarding the consistency of the Project with existing General Plan Land Use and Zoning designations. The EIR does, however, recognize that to allow for full Project implementation, a zone change is necessary for a portion of the Project site. Relevant DEIR text in this regard is excerpted below:

> . . . [T]he City's Zoning Map indicates that five of the six existing parcels within the Project site are currently zoned for Light Industrial (LI). The parcel not designated "LI," currently has a zoning designation of Business Park-Mixed Use (BPX). To allow for development of this parcel with the Project's proposed light industrial/distribution warehouse uses, a zone change is requested, re-designating this single parcel as Light Industrial (LI). See also: Table 4.1-1, "City of Moreno Valley General Plan Land Use-Goals, Objectives and Policies Consistency" (Draft EIR pages 4.1-14 and 4.1-15).

The requested zone change is noted as one of the discretionary actions necessary to implement the Project:

> **1.3.1.1 Lead Agency Discretionary Actions and Permits**
> CEQA Section 15124 states in pertinent part that if "a public agency must make more than one decision on a Project, all its decisions subject to CEQA should be listed . . ." Requested decisions, or discretionary actions, necessary to realize the Project include, but may not be limited to the following:
>
> • Certification of the EIR;
> • *A zone change from Business Park to Light Industrial will be necessary to accommodate the Project;* [emphasis added]
> • Joy Street Right-of-Way Vacation (may be included as an element of the proposed Parcel Map);
> • Development Plan Review; and
> • Parcel Map Approval (Draft EIR page 1-5, *et al.*).

Other concerns listed by the commentor (rising groundwater, liquefaction, and downstream flooding of the Heacock Ditch Channel) are addressed within these responses.

GMB-2

Comment:

The U. S. Air Force environmental cleanup program, called the Installation Restoration Program (IRP), at March Field Reserve Air Base (March ARB), incorporates the former March AFB and the present March ARB. This program has monitored the groundwater levels from the 1980's to present. The groundwater levels have been rising an average of one to two feet annually. To date local groundwater levels are as high as 10 feet or less from the ground surface in many localities within the study area confirmed by measurements of monitoring wells. The Air Force is concerned about potential adverse impacts to March ARB buildings from liquefaction in the event of a future earthquake.

Why doesn't this EIR address the issue of rising groundwater and potential safety issues related to liquefaction in the event of a significant earthquake in the future?
What are the average groundwater levels at the RPT Centerpointe West Project site?

Response:
The commentor's generalized statements regarding elevated groundwater tables within March Field Reserve Air Base (MARB), located southerly of the Project site, across Cactus Avenue, and reported Air Force concerns regarding liquefaction impacts to existing MARB structures, are noted. However, these statements are not substantiated by documentation, citation to documentation, or other supporting evidence. As such, specific responses to the commentor's statements are constrained by the lack of commentor-provided information.

With specific regard to the commentor's statements regarding groundwater levels and concerns regarding rising groundwater levels within the Project site, an estimation of groundwater levels in the Project area is included in the Project Phase I Environmental Site Assessments (ESAs), Draft EIR Appendix E. Representative discussion is excerpted below:

> According to Mr. Steven Maines of the Western Municipal Water District, depth to groundwater in the vicinity is variable, with areas of shallow water levels. State Well 3S3W7P located at 24440 Alessandro Boulevard (approximately 0.50 mile northeast) was last measured in April 2003 at a depth of 46.1 feet bgs. State Well 3S3W8N located at 25020 Alessandro Boulevard (approximately 1 mile northeast) was last measured in July 2002 at a depth of 33 feet bgs. Based on the topographic relief, groundwater flow direction in the vicinity of the Subject Property is expected to flow in a southerly direction [Draft EIR Appendix E; *Phase I Environmental Site Assessment Update for the Centerpointe Business Park Development Moreno Valley, Riverside County, California 92553* (Professional Service Industries, Inc.) February 4, 2009, page 1].

Further detail regarding estimated depth to groundwater is provided within the numerous previously-cited geotechnical studies conducted within Project site and adjacent Centerpointe Business Park. Representative discussions are excerpted below:

> **Groundwater**
>
> No free water was encountered during the drilling of the borings. In addition, delayed readings taken at the time of boring completion did not identify any free water. Based on the lack of any water within the borings, and the moisture contents of the recovered soil samples, the static water table is considered to have existed at a depth in excess of 30+/- feet at the time of the subsurface exploration [*Geotechnical Investigation Proposed Commercial/Industrial Development Centerpointe Business Park Graham Street and Cactus Avenue Moreno Valley, California for Ridge Property Trust* (Southern California Geotechnical, SCG) August 15, 2005, page 6].

> **Groundwater**
>
> Very moist to wet soils were encountered during drilling at Boring B-1 at a depth of 33+/- feet. Delayed readings taken within this boring did not identify free water due to caving. Based on the water level measurements, and the moisture contents of the recovered soil samples, the static groundwater table is considered to have existed at a depth of 33+/- feet at the time of the subsurface exploration.
>
> For the purposes of this geotechnical investigation, we also conducted research of available historic groundwater data. Groundwater information published by the California Department of Water Resources was reviewed. Several groundwater monitoring wells within a one-mile radius of the subject site indicated depths of groundwater in the range of 39 to 52+/- feet below ground surface. One of these wells was constructed at a ground surface elevation 20+/- feet above the elevation of the subject site. Based on these data, the historic groundwater table is considered to exist 22+/- feet below the

ground surface [*Geotechnical Investigation and Liquefaction Evaluation Proposed Warehouse Buildings Centerpointe Business Park* (SCG) March 20, 2008, page 7].

The latter citation provided would indicate that the groundwater table at the Project site is dropping, rather than rising as noted by the commentor.

The Project area is not considered to be adversely affected by underlying groundwater or related potential liquefaction impacts as documented in numerous prior geotechnical studies encompassing the Project site and surrounding areas (please refer to EIR Appendix A, Initial Study, Checklist Item VI., "Geology and Soils." Moreover, any liquefaction constraints identified through site- and Project-specific geotechnical engineering studies (mandated by the City as part of the Project Building Permit processes) would be adequately addressed through implementation of UBC/CBC seismic design requirements and application of conventional engineering practices. Lastly, CEQA addresses potential impacts of the Project on the environment, not impacts of the environment on the Project. Results and conclusions of the EIR are not affected.

GMB-3

Comment:

The Heacock Ditch Channel [Heacock Channel] is located downstream from the RPT Centerpointe West Project site. This waterway is a federal jurisdictional stream and is under the jurisdiction of the U.S. Army Corps of Engineers (COE). The COE in the past has notified the Air Force that the development of Moreno Valley within the drainage basin that drains into the Heacock Ditch Channel, exceeds flood flow design with potential flooding hazard to both the base and surrounding residential subdivisions, the industrial park located on the southern end of the city and the Serrano Elementary School. The junction of the Heacock Drainage Channel with the Perris Channel is a choke point where floodwater backup potentially can cause flooding. Evidence of past flooding occurred in 2012 where Heacock Blvd., was closed due to floodwater s [sic] and mud and the street was closed to traffic for three to four days. A few photographs from this flooding event are attached as part of the EIR comments.

Why doesn't the EIR address the flooding hazard from Heacock Drainage Channel? Why doesn't the EIR address the flooding in the Cumulative Impacts chapter in the EIS?

Response:

The commentor's remarks regarding Army Corps of Engineer (ACOE) jurisdictional waterways (e.g., Heacock Channel, Channel) existing in the Project vicinity are noted. However, the relevance of the commentor's remarks regarding ACOE jurisdiction is not clear. Neither substantiation nor specific context as to relevance are provided by commentor. On this basis, specific responses to the commentor's statements are constrained by the lack of commentor-provided information.

The Project does not propose any alteration of the Channel and would not require Clean Water Act (CWA) Section 404 permitting overseen by the ACOE. Further, the Project will comply with applicable CWA Section 401 permitting requirements for stormwater discharges that would eventually be conveyed to the Channel (please refer to Project Discretionary Actions and Permits, Draft EIR page 1-5, *et. al*).

The Project would not adversely affect any area stormwater conveyances, including but not limited to the Heacock Channel. In this regard, post-development discharges from the Project site are not permitted to exceed pre-development conditions. Moreover, stormwater management system concepts proposed by the Project indicate that post-development stormwater discharges at receiving systems would be incrementally reduced when compared to pre-development conditions, with cumulatively positive effects.

The topic of potential flooding/flood hazards is adequately addressed in the Project Initial Study (Draft EIR Appendix A) and is therefore not substantively discussed within the main body Draft EIR text. Relevant discussion from the EIR Initial Study is excerpted below:

> Alteration of water courses is not an element of this proposal. It is anticipated that runoff from the Project site and vicinity will be conveyed by manmade drainage structures, ultimately draining via an improved stormwater management systems to offsite watersheds with little or no net impact on

quantities of off-site surface waters. Consistent with City, County and RWQCB requirements, the Project stormwater management system will be designed, constructed, operated and maintained such that when comparing pre- and post-development conditions, no net increase in surface runoff will result from the Project. Moreover, the Project stormwater management system design and related WQMP (see [Initial Study] Checklist Item IXa., above) are required to incorporate structural and operational BMPs that preclude or minimize the potential for erosion or siltation as a result of Project-related stormwater discharges. The Project stormwater management system design and WQMP require approval by the City prior to the issuance of development permits. Based on the preceding, the potential for the Project to substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation on- or off-site; substantially alter the existing drainage pattern of the site or area in a manner which would result in flooding on- or off-site; or otherwise substantially degrade water quality is considered less-than-significant.

The Project site is not located within an existing, proposed or projected 100-year flood hazard area. Nor does the Project require or propose location of any structures within any off-site 100-year flood hazard area(s). [See: Federal Emergency Management Agency (FEMA) Map Number 06065C0745G; Panel 745 of 3805]. *It is further noted that the Project stormwater management system concept would provide for a net decrease in stormwater discharges from the Project site, and would therefore tend to decrease, rather than increase potential flooding hazards in the Project vicinity.* [emphasis added] The Project has no potential to place within a 100-year flood hazard area structures which would impede or redirect flood flows (Draft EIR Appendix A, *RPT Centerpointe West Project Initial Study*, [Applied Planning Inc.] August 2012, Initial Study/Environmental Checklist Form, page 16).

The preceding discussions substantiate that the Project's potential to result in or cause flood hazards is less-than-significant. It is again noted that CEQA addresses potential impacts of the Project on the environment, not impacts of the environment on the Project. Results and conclusions of the EIR are not affected.

GMB-4

Comment:

The COE has tabled the design and construction of a new Heacock Drainage Channel due to lack of federal funding together with their understanding that Southern California is experiencing a drought and as a result funding has been appropriated elsewhere to other localities.

Because the Heacock Drainage Channel is under Federal Jurisdiction, the City of Moreno Valley has no jurisdiction over this waterway. One mitigation recommendation would be the Moreno Valley Mayor and City Council seek assistance from the Congressional Members who serve the city as well as neighboring Congressional Representatives as well as the two U.S. Senators to get their support in supporting federal appropriations to design and construct a new Heacock Drainage Channel?

Response:

The commentor's remarks regarding design, construction and jurisdiction of Heacock Channel improvements are noted. While these improvements may act to relieve and resolve pre-existing drainage concerns, they are not required as mitigation for the Project. As summarized herein and discussed in the EIR, the Project will not result in or cause potentially significant off-site drainage/flooding impacts, and no mitigation for the Project's effects is required. The commentor's suggested strategy for acquiring political and financial support for Heacock Channel improvements is forwarded to the decision-makers for their consideration.

GMB-5

Comment:

Attachments: Photos of 2012 flooding of Heacock Blvd., from the Heacock Drainage Channel

Response:

The attached photographs provided by the commentor will be forwarded to the decision-makers. The Project would not add to, or exacerbate, any intermittent urban street flooding conditions that may occur within the City. The Project is not required to resolve pre-existing conditions. It is again noted that CEQA addresses potential impacts of the Project on the environment, not impacts of the environment on the Project. Results and conclusions of the EIR are not affected.

Johnson & Sedlack
ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq. Retired
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net
Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

November 5, 2012

VIA EMAIL

Jeff Bradshaw
Associate Planner
City of Moreno Valley, Planning Division
Community & Economic Development Dept.
14177 Frederick St.
P.O. Box 88005
Moreno Valley, CA 92553
(951) 413-3224
jeffreyb@moval.com

RE: RPT Centerpointe West Project (PA12-0019, -0020, -0021, -0022)

Greetings:

On behalf of the Sierra Club, Moreno Valley Group, and Residents for a Livable Moreno Valley, I hereby submit these comments on the RPT Centerpointe West Project.

General Comments:

The California Environmental Quality Act (CEQA) was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document. JS-1

Unfortunately, the Draft EIR for this Project fails as an informational document. The Project description and EIR as a whole fail to provide sufficient detail about the Project. Specifically, the EIR fails to detail lighting, parking, landscaping, truck dock doors, screening/buffering, signs, etc., so that the public and decision-makers will have adequate facts about the Project to even review the EIR. The minimal facts about this Project provided in the EIR completely precludes informed decision-making and public participation. JS-2

The EIR also misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. For instance, the EIR evaluates construction as occurring over the course of three years in many phases, yet claims that construction is presumed to occur in a single phase. (*Compare, for example,* p.1-4, 4.3-53 through 4.3-59) Furthermore, construction is likely to occur much faster so that construction air quality impacts in the EIR are severely understated. Alternatively, if Project construction is conditioned to take 3 years or longer, the noise impact assessment and traffic assessment must be modified to clarify that these "temporary" effects are, in fact, permanent for 3 years. Noise impacts will be more than merely a temporary or periodical increase in noise; likewise impacts from construction traffic. JS-3

As another example, the EIR fails to evaluate the use of "Building 2" on an allegedly interim basis as a vehicle (truck)/ trailer storage/parking area for an additional 305 vehicles on top of those spaces otherwise created for the Project. Associated increased air quality, traffic, and noise impacts from this use are not considered in the EIR. JS-4

The EIR misleads the public and decision-makers as to the extent and severity of Project impacts on nearby sensitive receptors. Almost every description of the Project site and nearby uses/ zoning/ General Plan designation leaves out the nearby residences and the March Life Campus health care campus. While these uses are illustrated on the Figures provided, for example Figure 4.1-1, they are glossed over in the narratives and potential impacts at these sensitive receptors are not adequately evaluated. Instead, the EIR assumes that all trucks will travel only from I-215 on Cactus to Frederick or Graham and thus not pass by the residences to the north or March Life Campus. This assumption is unsupported and not mandated with the Project. Given that SR-60 is located approximately 2 miles to the north, and the Ramona Expressway is located to the south, trucks using alternative routes and associated noise, air quality/health risk, and traffic impacts must be evaluated in the EIR. They were not. JS-5

On top of these inadequacies, the Draft EIR is almost constantly conclusory, and does not provide the analysis or examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions. For example, despite failing to disclose information with regards to parking, landscaping, building design, buffering, signs, lighting, etc., the EIR concludes that all will "conform to city standards" and result in less than significant impacts. These conclusions are utterly unsupported. JS-6

Moreover, the EIR evaluates only impacts to Land Use/Planning, Air Quality/Greenhouse Gas Emissions, Noise, Hazards, Public Services, and Traffic. The EIR determines, without basis in CEQA, to *not* evaluate in detail impacts which *are potentially significant* but which will be mitigated below a level of significance, including impacts to Biological Resources, Cultural Resources, Geology and Soils, and Hydrology and Water Quality. The EIR also fails to evaluate impacts determined to be less than significant. Effects which may be significant must be evaluated in an EIR, and then the mitigation measures or alternatives which would reduce or JS-7

avoid that effect must be described. (Public Res. C. § 21002.1(a), (e); State CEQA Guidelines § 15128, 15126, 15123) The EIR fails as an informational document by failing to analyze and evaluate **all potentially significant environmental effects of the project,** relying instead on the cursory evaluation performed for the Initial Study. JS-7 Cont'd

With regards to impacts to/from Geology/soils, the EIR not only fails to complete a geotechnical survey or study, but improperly defers the preparation of such a study until after Project approval. JS-8

Overall, the findings made in the EIR are not supported by substantial evidence in the record or any evidence/reasoning, but rather only by the baseless conclusions cited in the EIR.

The EIR also fails to adequately evaluate Project cumulative effects. Despite comments submitted by the City of Riverside in response to the Notice of Preparation calling for the incorporation of the World Logistics project (41.6 million sq.ft.) and Prologis Eucalyptus project (2.22 million sq. ft.) in the cumulative analysis, the EIR conspicuously leaves out these large warehouse projects. In fact, the cumulative analysis seems to only consider projects where the applications were submitted in 2009 or before, based on the City's planning numbering. (Table 5.1-1) Without consideration of these large projects, the EIR fails as an informational document and the conclusions with regards to cumulative impacts are unsupported. JS-9

CEQA also requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation** must be adopted. In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. This has not been done with this Project. For instance, the EIR fails to require *any* mitigation for the Project's significant operational air quality impacts from mobile sources. JS-10

Moreover, all mitigation measures required in the EIR must be fully enforceable and certain to occur. This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable approximations of mitigation measures.

Regarding traffic effects, the EIR relies heavily on TUMF and DIF programs and concludes that significant effects will be either immediately or promptly reduced by these programs. To the contrary, a significant amount of the streets impacted are not currently planned or funded for improvements, and given the underfunding of these programs are unlikely to see any improvement in the near term. The EIR accordingly understates the traffic and air quality impacts of the Project and fails to require all feasible mitigation. JS-11

The EIR fails to consider a reasonable range of Project alternatives. The EIR considers only one Alternative in addition to the mandatory No Project alternative, the Reduced Intensity JS-12

Alternative. The EIR should consider additional alternatives such as development of smaller distribution warehouses across the Project site.

The EIR also fails to make adequate findings, based on substantial evidence, that the environmentally superior alternative is infeasible. The environmentally superior alternative satisfies most, if not all, project objectives and significant reduces project impacts, particularly with regards to air quality in an area known to have some of the worst air quality in the nation. At the least, the environmentally superior alternative must be implemented in lieu of the project.

JS-12 Cont'd

Further shortcomings of the EIR are detailed below.

Project Summary:

The proposed development would result in the construction and operation of approximately 1,281,000 square feet of distribution warehouse uses on an approximately 56.2-acre site. The warehouse development will be as follows: (1) Expansion of the existing 779,016-sq. ft. Harbor Freight Warehouse distribution facility by 508,000-sq.ft on Cactus Avenue; (2) Construction of a new warehouse/distribution facility of 608,000-sq.ft to the north of the expansion area (Building 1); (3) construction of a new warehouse/distribution facility of up to 165,000-sq. ft. on the northeast corner of Frederick St. and Cactus Ave (Building 2). The Project would include the vacation, removal, and demolition of Joy Street.

While all the buildings are proposed for warehouse/distribution uses, Building 2 is proposed for "interim" vehicle/trailer storage usage within the building for 305 vehicles, meaning semi-trucks and trailers. The EIR does not evaluate or disclose potential impacts from this "interim" use but instead evaluated only the "ultimate development scenario."

JS-13

The Project site is located in northwest Moreno Valley at the intersection of Cactus and Frederick, and bounded by Cactus Ave. to the south, Frederick Street to the west, and Graham St. to the east. Brodiaea transects the site in an east-west direction. The Project site is North of March Air Reserve Base, one mile east of I-215, and about 2 miles South of SR-60. The Project site is currently vacant and consists of largely flat, disked land.

Aesthetics

The finding of less than significant impact is not supported. The EIR fails to disclose information as to the Project's plans with regards to parking, landscaping, building design, buffering, signs, lighting, etc. Signs are proposed for the Project but not disclosed. Lighting plans have apparently not been prepared yet. Landscaping will occur "as required," though there is not landscaping plan in the EIR.

JS-14

It is simply unknown what the aesthetic impact of the Project will be without these information disclosures. The EIR concludes that the plans will comply with the City's requirements. This conclusory statement is not based on facts or reasoning in the EIR. The EIR fails as an

informational document by failing to disclose this information within both the Project description of the EIR of a section on aesthetic impacts.

A finding of a less than significant impact to aesthetics and lighting is utterly unsupported.

JS-14 Cont'd

Agricultural Resources

The EIR concludes that the Project will have No Impact to agricultural resources despite the fact that the site is considered "Farmland of Local Importance." This conclusion is unsupported and contradicted by all evidence in the record. The EIR fails to evaluate or disclose potential impacts to agricultural resources, instead relying on the minimal reasoning provided in the Initial Study.

No Land Evaluation and Site Assessment evaluation was undertaken to determine the extent and significance of the site conversion.

Furthermore, the EIR fails to evaluate cumulative effects of this conversion of Farmland of Local Importance to warehouse/distribution uses where the Project will convert a substantial portion of such farmland. The Project's impact in accelerating the conversion of farmland in the City and surrounding jurisdictions through development pressure on nearby agricultural properties is likewise not evaluated in the EIR. Instead, the EIR concludes that, as the Project will allegedly have "No Impact" to agricultural resources, it will have no cumulative or accelerating impact as well. These conclusions are each unsupported by any evidence. The EIR must evaluate and mitigate for these potentially significant effects.

JS-15

Mitigation should be required in the form of the purchase of agricultural conservation easements or payment of in-lieu fees to purchase/maintain conservation easements at a ratio of at least 2:1.

Air Quality

The Project will result in significant and unavoidable impacts to air quality during operation and cumulatively significant impacts. However, the EIR finds that the Project will not result in significant construction air quality impacts on the basis that construction will occur over the course of 3 years. The minimum 3 year construction time frame is not required of the Project. Either the 3 year time frame relied on in the EIR must be required of the Project as a condition of approval or the EIR must evaluate Project air quality impacts from construction as occurring over a more reasonable, shorter time period.

While the EIR claims to consider no phasing of Project construction, construction is parsed out into six distinct phases: (1) demolition March 2015-April 2015; (2) site preparation April 2015-May 2015; (3) grading May 2015-June 2015; (4) construction June 2015-July 2016; (5) paving July 2016-October 2016; (6) architectural coating October 2016-February 2017. The EIR considers no potential overlap of construction phasing which would increase Project air quality impacts, such as completing paving and architectural coating at the same time; or construction and paving at the same time. The EIR must consider potential air quality impacts should overlap of construction activities/phases occur. In the alternative, this phasing must be made a condition of the Project.

JS-16

Several of the construction air quality impact "mitigation measures" are required by law, and therefore do not qualify as "mitigation." JS-17

It is unclear whether mitigation incorporated, certain, and enforceable to mitigate for the Project's significant air quality impacts. The EIR states that mitigation measures must be included as "notations" in documents; it is not apparent that the mitigation measures will be adopted and enforceable. It must be elucidated that all mitigation measures listed are required of the Project *and* will be included in the plans, etc. JS-18

With regards to operational air quality impacts, project VOC emissions are estimated to amount to 82.20 lbs/day, well above the 55 lbs/day threshold. NOx emissions far exceed the threshold of 55lbs/day, with estimated emissions of 478.75 lbs/day. Despite these exceedences, the Project identifies and requires no mitigation for operational impacts including increases in criteria pollutants, particularly VOC and NOx. Several mitigation measures are identified below which will reduce these operational effects of the Project. JS-19

With regards to operational impacts, the EIR wrongly assumes that trucks will travel to and from I-215 only, and not travel from SR-60 or the Ramona Expressway to the Project site. This assumption skews the air quality impact assessment, particularly with regards to health risks at nearby sensitive receptors and residences. The Project must either be conditioned to require that all trucks travel only to/from I-215 directly and set forth measures to ensure that the route is adhered to; or the EIR must evaluate air quality and health risk impacts from travel to/from these other highways. Travel from these highways will pass by residences as well as the March Life Campus and thus have a much greater impact to the health of these sensitive receptors than divulged in the EIR. JS-20

The EIR also fails to account for additional truck trips for the "interim use" of Building 2. JS-21

Existing air quality in the Project vicinity generally exceeds state and federal air quality standards for Ozone, Coarse Particulate Matter (PM10), Fine Particulate Matter (PM2.5) for the year. JS-22

The EIR fails to disclose all Moreno Valley General Plan Policies relevant to air pollutant emissions. Such omitted policies and objectives include: JS-23

Site preparation will require soils work including removal, fill, and re-compaction. The EIR does not evaluate or disclose where the soils will be obtained from and/or removed to, nor does the EIR evaluate associated air quality impacts from this soils import/export. JS-24

The EIR finds that the Project is consistent with the General Plan Objective 6.7: reduce mobile and stationary air pollutant emissions. This consistency finding is completely unsupported by the EIR which demonstrates that the Project will increase mobile and stationary emissions over existing conditions. Compliance with California law in the form of meeting Title 24 standards does nothing to *reduce* stationary emissions or in any way effect or reduce mobile emissions. JS-25

The Project is inconsistent with this objective. JS-25 Cont'd

The EIR then finds that the Project will not conflict with or obstruct the implementation of the applicable air quality plan despite extensive evidence to the contrary. The EIR finds that the Project is consistent with criterion No. 1 as the Project would not result in the frequency or severity of air quality violation or cause or contribute to new violations. In fact, the next page acknowledges that the Project would exceed SCAQMD thresholds, but nonetheless determined the Project to be consistent with this criterion. This determination is and countered by the evidence. JS-26

Mitigation Measures

Construction Impacts

1. Gravel pads must be installed at all access points to prevent tracking of mud onto public roads.
2. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect (e.g. Install wheel shakers, wheel washers, and limit site access.)
3. All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
4. Pave all construction roads.
5. Pave all construction access roads at least 100 feet on to the site from the main road.
6. Limit fugitive dust sources to 20 percent opacity.
7. Require a dust control plan for earthmoving operations.
8. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.
9. All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.
10. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
11. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.
12. Extend grading period sufficiently to reduce air quality impacts below a level of significance.
13. The simultaneous disturbance of the site shall be limited to five acres per day.
14. Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.
15. Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered three times daily.
16. Any site access points within 30 minutes of any visible dirt deposition on any public

JS-27

roadway shall be swept or washed.

17. A high wind response plan shall be formulated for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period.
18. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*
19. Develop a trip reduction plan to achieve a 1.5 AVR for construction employees
20. Require high pressure injectors on diesel construction equipment.*
21. Restrict truck operation to "clean" trucks, such as a 2007 or newer model year or 2010 compliant vehicles.*
22. Require the use of CARB certified particulate traps that meet level 3 requirements on all construction equipment.*
23. Utilize only CARB certified equipment for construction activities.*
24. The developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use and/or idling in excess of 3 minutes.*
25. Restrict engine size of construction equipment to the minimum practical size.*
26. Use electric construction equipment where technically feasible.*
27. Substitute gasoline-powered for diesel-powered construction equipment.*
28. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.*
29. Use methanol-fueled pile drivers.*
30. Install catalytic converters on gasoline-powered equipment.*
31. Require the use of Alternative Diesel Fuels on diesel equipment used. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.
32. Electrical powered equipment shall be utilized in-lieu of gasoline-powered engines where technically feasible.*
33. All forklifts shall be electric or natural gas powered.*
34. Suspend use of all construction equipment operations during second stage smog alerts.*
35. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
36. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.*
37. Reroute construction trucks away from congested streets and sensitive receptor areas.*
38. Configure construction parking to minimize traffic interference.*
39. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and

JS-27
Cont'd

will be supported by the contractor via incentives or other inducements.*
40. Minimize construction worker trips by requiring carpooling and providing for lunch onsite. *
41. Provide shuttle service to food service establishments/commercial areas for the construction crew.*
42. Provide shuttle service to transit stations/multimodal centers for the construction crew.*
43. Require the use of Zero-VOC paints, coatings, and solvents.

(* Would reduce impacts to GHGs as well)

JS-27 Cont'd

Operational Emissions

1. The operator of the primary facilities shall become SmartWay Partner.*
2. The Project shall meet SmartWay 1.25 ratings.*
3. The project shall use only freight companies that meet SmartWay 1.25 ratings.*
4. (ALTERNATIVELY from 2,3 above) The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
5. The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
6. All fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.*
7. All spaces utilizing refrigerated storage, including restaurants and food or beverage stores, shall provide an electrical hookup for refrigeration units on delivery trucks. Trucks incapable of utilizing the electrical hookup for powering refrigeration units shall be prohibited from accessing the site. All leasing documents shall include these requirements and provide that violation of those provisions will constitute a material breach of the lease that will result in the termination of the lease. Because of the fact that these terms of the lease are designed to benefit the public, the public shall be considered to be a third party beneficiary with standing to enforce the requirements of the lease.*
8. Install catalytic converters on gasoline-powered equipment.*
9. Where diesel powered vehicles are necessary, require the use of alternative diesel fuels. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.
10. Electrical powered equipment should be utilized in-lieu of gasoline-powered engines

JS-28

where technically feasible.*

11. Utilize electrical equipment for landscape maintenance.*
12. All forklifts shall be electric or natural gas powered.*
13. Utilize electric yard trucks.*
14. Prohibit idling of trucks for periods exceeding three minutes.*
15. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.*
16. Charge reduced or no parking fee for EVs and CNG vehicles.*
17. Install EV charging facilities for a minimum of 10% of all parking spaces.*
18. Install a CNG fueling facility.*
19. Provide preferential parking locations for EVs and CNG vehicles.*
20. Implement parking fee for single-occupancy vehicle commuters.*
21. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.*
22. Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.*
23. Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.*
24. Orient 75 percent or more of homes and buildings to face either north or south (within 30 degrees of N/S) and plant trees and shrubs that shed their leaves in winter nearer to these structures to maximize shade to the building during the summer and allow sunlight to strike the building during the winter months.*
25. Provide grass paving, tree shading, or reflective surface for unshaded parking lot areas, driveways, or fire lanes that reduce standard black asphalt paving by 10% or more.*
26. Electrical outlets shall be installed on the exterior walls of all residential and commercial buildings (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.*
27. Prohibit gas powered landscape maintenance equipment within residential, commercial, and mixed-use developments. Require landscape maintenance companies to use battery powered or electric equipment **or** contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.*
28. Implement parking cash-out program for non-driving employees.*
29. Require each user to establish a carpool/vanpool program.*
30. Create a car sharing program within the planned community.*
31. Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.*
32. Provide preferential parking for carpool/vanpool vehicles.*
33. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.*
34. Provide secure, weather-protected bicycle parking for employees.*
35. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.*
36. Provide direct safe, direct bicycle access to adjacent bicycle routes.*

JS-28
Cont'd

37. Provide showers and lockers for employees bicycling or walking to work.*
38. Short-term bicycle parking for retail customers and other non-commute trips.*
39. Connect bicycle lanes/paths to city-wide network.*
40. Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.*
41. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.*
42. Provide a display case or kiosk displaying transportation information in a prominent area accessible to employees or residents.
43. Provide shuttle service to food service establishments/commercial areas.*
44. Provide shuttle service to transit stations/multimodal centers.*
45. Provide on-site child care or contribute to off-site child care within walking distance.*
46. Implement a compressed workweek schedule.*
47. Implement home-based telecommunicating program, alternate work schedules, and satellite work centers.*
48. All buildings shall be constructed to LEED Platinum standards.*
49. Design buildings for passive heating and cooling and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.*
50. Construct photovoltaic solar or alternative renewable energy sources sufficient to provide 100% of all electrical usage for the entire Project.*
51. Install an ozone destruction catalyst on all air conditioning systems.*
52. Construct renewable energy sources sufficient to offset the equivalent of 100% of all greenhouse gas emissions from mobile sources (internal combustion engines) for the entire Project. *
53. Purchase only green/ renewable power from the electric company.*
54. Install solar water heating systems to generate all hot water requirements.*

JS-28 Cont'd

Health Risks

The nearest sensitive receptors to the project are rural residences located approximately 525 feet northeast of the Project site (Motel 7) and 680 feet northeast of the Project site (residences). (EIR p. 4.3-69, EIR p.4.3-72-73.) The EIR, however, fails to evaluate impacts to sensitive receptors at the motel. There is also no consideration in the EIR of impacts to the March Lifecare Campus located approximately 1,000 feet southeast of the Project site, despite the fact that health risks susceptibility from diesel PM emissions are greater to the elderly, infants, and children and despite the fact that over 710 hospital and institutional beds are expected in addition to medical office and other uses. (EIR p. 3-5, p. 5-3.)

JS-29

Instead, the EIR finds that the project will have less than significant operational health risk impacts on the basis that the Project will increase cancer risk a maximum of 8.48 cancer risk per million. However, risks are likely to be higher than disclosed in the EIR at the motel and at the health care campus.

The EIR also assumes the use of a single route to/from I-215 and no route to SR-60 or other highways. The health risk assessment is fatally flawed in this assumption as truck traffic and associated PM emissions will likely be higher than predicted at residents en route to SR-60 and at the health care campus.

JS-30

Diesel PM is known to cause immune system effects; reproductive, developmental, and endocrine effects; nervous system effects; and lung health problems, as recognized by the County in the General Plan. Immune system effects include increased allergic inflammatory responses and suppression of infection fighting ability. Diesel PM has also been associated with reproductive effects such as decreased sperm production, changes in fetal development, low birth weight and other impacts. Diesel PM exposure may also cause impairment to the central nervous system. (*The Health Effects of Air Pollution on Children*, Michael T. Kleinman, Ph.D, Fall 2000, <http://aqmd.gov/forstudents/health_effects_on_children.html#WhyChildren>; *See also, Diesel and Health in America: the Lingering Threat*, Clean Air Task Force, February 2005, <http://www.catf.us/resources/publications/files/Diesel_Health_in_America.pdf>)

Given these diesel PM- caused health risks and the Project's close proximity to a health care facility, these Project is likely to result in a significant health risk impact.

With regards to respiratory and cancer effects of diesel PM, SCAQMD has stated the following:

> "Diesel particles consist mainly of elemental carbon and other carbon-containing compounds… Diesel particles are microscopic…Due to their minute size, diesel particles can penetrate deeply into the lung. There is evidence that once in the lung, diesel particles may stay there for a long time.
>
> In addition to particles, diesel exhaust contains several gaseous compounds including carbon monoxide, nitrogen oxides, sulfur dioxide and organic vapors, for example formaldehyde and 1,3-butadiene. Formaldehyde and 1,3-butadiene have been classified as toxic and hazardous air pollutants. Both have been shown to cause tumors in animal studies and there is evidence that exposure to high levels of 1,3-butadiene can cause cancer in humans…
>
> Diesel emissions may also be a problem for asthmatics. Some studies suggest that children with asthma who live near roadways with high amounts of diesel truck traffic have more asthma attacks and use more asthma medication.
>
> Some human volunteers, exposed to diesel exhaust in carefully controlled laboratory studies, reported symptoms such as eye and throat irritation, coughing, phlegm production, difficulty breathing, headache, lightheadedness, nausea and perception of unpleasant odors. Another laboratory study, in which volunteers were exposed to relatively high levels of diesel particles for about an hour, showed that such exposures could cause lung inflammation." (*The Health Effects of Air Pollution on Children, supra*; *See also, Mira Loma Commerce Center EIR No. 450, Air Quality, Section 4.*)

JS-31

Again, this Project's close proximity to the health care campus makes these health effects extremely relevant.

Furthermore, infants, children, and the elderly are more susceptible to diesel PM and its associated health impacts. With regards to infants and children, increased susceptibility to TACs and diesel PM exists for a variety of reasons. Children are generally more active than

adults, have higher respiration rates, and inhale more pollutants deeper into the lung. Children also have more lung surface area in proportion to their body size and inhale more air pound for pound when compared to adults, taking in 20 to 50 percent more air and associated air pollutants than adults. When compared to adults, children spend more active time outdoors in polluted air environments and exert themselves harder than adults when playing outside. Importantly, this exposure to high pollutant levels in children occurs while their lungs are still developing, and therefore has more severe impacts on this sensitive group. (*The Health Effects of Air Pollution on Children, supra.*)

This increased susceptibility to air pollutant emissions for children has resulted in the California EPA Office of Environmental Health Hazard Assessment ("OEHHA") weighting cancer risk by a factor of 10 for exposures to carcinogens from birth to two years old, and by a factor of 3 for exposures from 2 years old to 15 years old. (*Technical Support Document for Cancer Potency Factors: Methodologies for derivation, listing of available values, and adjustments to allow for early life stage exposures*, California EPA OEHHA Air Toxicology and Epidemiology Branch, April 2009, p. 3. <http://www.oehha.ca.gov/air/hot_spots/pdf/TSDCPFApril_09.pdf.>) It is unclear that these increased risks were accounted for in the EIR. Additionally, recent studies conducted by SCAQMD's Brain and Lung Tumor and Air Pollution Foundation have found a specific connection between exposure to diesel PM and brain cancer in children. (Annual Meeting of the Brain & Lung Tumor and Air Pollution Foundation, April 2, 2010, <http://www.aqmd.gov/hb/2010/April/100425a.htm>)

JS-31 Cont'd

In addition to an increased risk of cancer, the effects of diesel PM on children include slowed lung function and growth, increased emergency room visits, increased incidences of asthma and bronchitis, crib death, asthma respiratory infections, allergic symptoms, and asthma hospitalizations. (*Diesel and Health in America: the Lingering Threat, supra.*)

The County of Riverside has recently acknowledged that due to poor air quality in the County:

- In 2005, the greatest percentage of asthma-related hospitalizations were among those under age 18 (38%) followed by those over 65 (19%). Blacks experienced the greatest rate of hospitalizations in 2005 at 225.7 per 100,000 population, versus 99.5 and 81.2 for Hispanics and whites, respectively.
- Risk of Cancer from Diesel Soot and Other Toxic Air Pollutants: Whereas the regional risk of cancer from diesel soot and other toxic air pollutants dropped by 8 percent between 1998 and 2005, the cancer risk in Riverside County increased by 2 percent.
- Poor air quality costs Riverside and San Bernardino around ***$6.3 billion annually*** in health care expenses.

The EIR fails as an informational document as the health risk assessment fails to calculate the cancer risk to nearby sensitive receptors and fails to provide a weighted risk assessment for children and the elderly residing in the area and persons using the health care campus.

Nevertheless, the Project will cumulatively contribute to an already bad cumulative diesel PM situation. The EIR wrongly concludes that since Project operations were evaluated t be less than significant individually, they are cumulatively insignificant. (EIR p. 5-14) This conclusion is

JS-32

utterly unsupported by the EIR and evidence. First, as discussed above, individual Project health risk impacts are likely significant and inadequately evaluated by failing to consider nearby sensitive receptors and failing to weight risks to children and the elderly residing nearby, and persons utilizing the health care campus. Second, also as discussed above, the cumulative impact assessment fails to consider all cumulative Projects in the area so that the EIR's cumulative assessments fail.

Third, the region has an existing cancer risk of 641 per million, well in excess of any acceptable levels. The Project will add diesel PM to that existing situation, up to an alleged 649.48 cancers per million, further exacerbating this significant environmental effect. While the Project's incremental contribution may appear relatively small when compared to this huge number, its cumulative effect is great especially accounting for recent warehouse/distribution projects proposed in the area and not considered in the EIR.

JS-32 Cont'd

Fourth, the EIR also fails as an informational document by failing to disclose cumulative non-carcinogenic health risks of the Project given these background levels of diesel PM.

Overall, the health risk assessment for the Project is fatally flawed as it fails to disclose, evaluate, and mitigate for the real health risk impacts of the Project. The EIR and health risk assessment must be re-prepared and re-circulated accounting for all impacted sensitive receptors, all cumulative projects, and the increased risk to the elderly, children, infants, and medical patients.

GHGs

The EIR finds that the Project will have a less than significant impact to GHGs but fails to evaluate such impacts with respect to SCAQMD's significance threshold tiered approach adopted December 5, 2008. Pursuant to this interim approach, if an industrial project exceeds the screening value, it is potentially significant and should be mitigated or the use of offsets employed. The screening value for an industrial project is 10,000MT/yr CO2e. By failing to provided updated evaluation of the Project's GHG impact based on the most recent SCAQMD approach, the EIR fails as an informational document.

JS-33

The Project will emit 27,899.09 MT/yr CO2e, thereby far exceeding the SCAQMD screening value. Project GHG impacts are significant without the incorporation of mitigation.

Additionally, the EIR does not find that the Project's GHG emissions will result in a cumulative impact. The evaluation of cumulative effects in the EIR is fatally defective as it omits many important projects including, for example, the World Logistics project or Prologis Eucalyptus project.

JS-34

Not all feasible mitigation has been adopted to reduce Project GHG emissions. The above recommended mitigation with an asterisk must be incorporated as well to mitigated for the Project's significant GHG effects.

JS-35

Cumulative Impacts

The finding of less than significant short-term cumulative impacts is unsupported by evidence in the record. The EIR provides no evaluation of such cumulative effects but instead merely concludes that because individual air quality construction impacts will be less than significant, cumulative construction air quality impacts will likewise be insignificant. (EIR p. 5-12) This entirely misses the purpose of a cumulative impact evaluation. Given the 3 year construction plan of this Project and construction timing of other nearby projects including, for instance, VIP Moreno Valley, Prologis Eucalyptus, World Logistics, March Lifecare Campus, etc., it is entirely plausible that the Project may result in cumulative construction air quality impacts. The EIR must evaluate these potentially significant effects rather than just conclude, based on no evidence, that such effects will be insignificant. JS-36

The project will result in significant and unmitigated cumulative operational impacts, yet not all feasible mitigation was adopted to reduce this impact. As discussed above, additional mitigation measures must be implemented to reduce operational impacts. JS-37

Additionally, the EIR undertakes no evaluation of potential cumulative operational impacts beyond VOC and NOx, those found individually significant. The EIR must analyze potential cumulative effects from the project to other air pollutants. JS-38

With regards to GHGs, the cumulative assessment again fails to look at/ disclose newer SCAQMD guidance. JS-39

Lastly, the HRA impact assessment fails to conclude that Project cumulative effects are significant despite adding to an already dire TAC situation in the basin. This conclusion is utterly unsupported. Moreover, the cumulative impact assessment fails to add in additional effects from cumulative projects to the existing ambient TAC cancer incidence in the region. With these cumulative projects considered, the cancer risk incidence is likely to be far in excess of even the ambient 641 per million. By failing to consider cumulative impacts in its cumulative impact assessment, the EIR utterly fails as an informational document and the conclusion that the Project will have less than significant health risk impacts is unsupported. JS-40

Biological Resources

The EIR finds that impacts to biological resources will be less than significant with mitigation incorporated, but fails to analyze, evaluate, or disclose the extent of such impacts or likelihood of such impacts in the EIR. Instead, the EIR relies on the minimal evaluation undertaken for the Initial Study to state that impacts to biological resources are mitigable below a level of significance. This conclusion is utterly unsupported by facts or evaluation in the EIR. The EIR fails as an informational document by not evaluating and disclosing these potentially significant effects. JS-41

The EIR fails to disclose or mitigate for impacts to foraging raptors on the Project site. Such impacts must be disclosed and mitigated for, through, for instance, the conservation of JS-42

agricultural lands within the city or payment of in lieu fees. JS-42 Cont'd

The mitigation required for burrowing owls is insufficient to demonstrate that impacts will be reduced below a level of significance.

Mitigation measures are stated to reduce biological impacts to burrowing owls below a level of significance are insufficient. A recent "Staff Report on Burrowing Owl Mitigation" by the Department of Fish and Game found that construction further from nesting sites is needed to mitigate for impacts to the owls dependant on level of disturbance. The Staff Report also provides updated guidance on passive relocation of burrowing owls which must be incorporated into any mitigation. ("Staff Report on Burrowing Owl Mitigation," State of California Natural Resources Agency, Department of Fish and Game March 7, 2012, <http://www.dfg.ca.gov/wildlife/nongame/docs/BUOWStaffReport.pdf>)

To ensure adequate mitigation of impacts to the owls, the following additional mitigation measures must be incorporated into the Project:

1. Where habitat will be temporarily disturbed, restore the disturbed area to pre-project condition including decompacting soil and revegetating. Permanent habitat protection may be warranted if there is the potential that the temporary impacts may render a nesting site (nesting burrow and satellite burrows) unsustainable or unavailable depending on the time frame, resulting in reduced survival or abandonment.

2. Mitigate for permanent impacts to nesting, occupied and satellite burrows and/or burrowing owl habitat such that the habitat acreage, number of burrows and burrowing owls impacted are replaced based on site-specific analysis and accounting for natal area, home range, foraging area, and other factors influencing burrowing owls and burrowing owl population persistence in the project area. JS-43

3. Mitigate for permanent impacts to nesting, occupied and satellite burrows and burrowing owl habitat with (a) permanent conservation of similar vegetation communities (grassland, scrublands, desert, urban, and agriculture) to provide for burrowing owl nesting, foraging, wintering, and dispersal (i.e., during breeding and non-breeding seasons) comparable to or better than that of the impact area, and (b) sufficiently large acreage, and presence of fossorial mammals.

4. Alternatively, where a burrowing owl population appears to be highly adapted to heavily altered habitats such as golf courses, airports, athletic fields, and business complexes, permanently protecting the land, augmenting the site with artificial burrows, and enhancing and maintaining those areas may enhance sustainability of the burrowing owl population onsite. Maintenance includes keeping lands grazed or mowed with weedeaters or push mowers, free from trees and shrubs, and preventing excessive human and human-related disturbance (e.g., walking, jogging, off-road activity, dog-walking) and loose and feral pets (chasing and, presumably, preying upon owls) that make the environment uninhabitable for burrowing owls

5. Permanently protect mitigation land through a conservation easement deeded to a

nonprofit conservation organization or public agency with a conservation mission, for the purpose of conserving burrowing owl habitat and prohibiting activities incompatible with burrowing owl use. If the project is located within the service area of a Department approved burrowing owl conservation bank, the project proponent may purchase available burrowing owl conservation bank credits.

6. Fund the maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment.

JS-43 Cont'd

Geology and Soils

Site preparation will require soils work including removal, fill, and re-compaction. The EIR does not evaluate or disclose where the soils will be obtained from and/or removed to, nor does the EIR evaluate associated air quality, traffic, noise, and other impacts from this soils import/export. Instead, the EIR only states that residual materials will be "appropriately disposed of and/or recycled." (EIR p. 3-10) By failing to consider impacts from the import/export of soils, the EIR fails as an informational document.

JS-44

The EIR requires the future preparation of a Project Geotechnical Investigation which will make recommendations as to soils concerns. This type of future, deferred evaluation/study is specifically barred by CEQA and contrary to the information disclosure purposes of an EIR. Any potential mitigation measures determined to be necessary from the Geotechnical Investigation are uncertain to reduce impacts below a level of significance as it is uncertain whether such impacts may be reduced to that extent.

The Initial Study acknowledges that no site specific geotechnical report has yet been prepared for the Project but instead cites to the area around the project. If the Project purports to rely on a study prepared for another of these projects, it should incorporate the study into the EIR, not merely state that previous studies are on file with the City.

The Project is located on expansive soil which will be removed from the site, according to the IS. This location on expansive soils must be considered a potentially significant impact in the EIR which relies on the deferred and uncertain mitigation of a future Project Geotechnical Report and the recommendations made therein. The EIR wrongly fails to evaluate this potential impact and defers the creation of mitigation.

JS-45

The IS also doesn't consider the potential for erosion impacts during operation. This should be considered in the EIR.

JS-46

Hazards and HazMat

There is the potential for unexploded ordnance onsite. The EIR concludes that the Environmental Assessments concluded that no residual hazards persist within the project area. However, the IS contradicts these statement and the conclusions of the EIR. The potential for

JS-47

hazardous materials onsite and the possibility of ordnance must be adequate evaluated and mitigated. It has not been in the EIR.

JS-47 Cont'd

The Project site lies within a 500 year floodplain, yet the potential for flooding and associated hazards is not evaluated in the EIR. This potential flooding impact must be considered, along with associated hazard, water quality, and other impacts.

JS-48

Land Use/ Planning

The vicinity land uses and vicinity General Plan land uses detailed in the EIR are too narrow and direct the focus away from the sensitive uses near the Project. In the Project vicinity to the north and east are residential uses; to the southeast are residential uses and an elementary school; and to the south is the March Lifecare Campus Specific Plan (196 acres for a health care campus). There is also a Motel 7 located approximately 525 feet northeast of the Project site. These residential, health care, and other uses with sensitive receptors may not be adjacent to the Project but are definitely within the Project vicinity and along probably truck routes to/from the Project site. The EIR must be amended to include these uses, zoning designations, and general plan land use designations in their respective sections in the Land Use/ Planning portion of the EIR and not just on maps and figures.

JS-49

The EIR fails to consider the potential for this Project, either individually or cumulatively, to result in an over-supply of warehousing in the City, and/or any potential blighting effects, in its consideration of effects to Land Use/ Planning. Recently, the Prologis Eucalyptus Industrial Park Draft EIR concluded that, based on current conditions, there may be an over-supply of warehousing in the City. (*See,* Prologis Eucalyptus Industrial Park Draft EIR, SCH No. 2008021002, p. 4.8-18). The Project seems to acknowledge this potential, providing for an "interim use" for Building 2. However, no such over-supply impact is considered in the EIR.

Additionally, the EIR does not consider potential impacts related to blighting from either the over-supply of warehousing or the excessive building of warehouse distribution facilities in Moreno Valley. Recently, the New York Times wrote an article about warehouse growth and labor issues arising out of, predominantly, Moreno Valley. ("As California Warehouses Grow, Labor Issues are a Concern," Jennifer Medina, July 22, 2012, <http://www.nytimes.com/2012/07/23/us/in-california-warehouse-industry-is-expanding.html?pagewanted=all&_moc.semityn.www>; *see also,* "Unsafe and Unfair: Labor Conditions in the Warehouse Industry," Jason Struna, Kevin Curwin, Edwin Elias, Ellen Reese, Tony Roberts, and Elizabeth Bingle, Policy Matters Vol.5, Issue 2, Summer 2012. <http://policymatters.ucr.edu/pmatters-vol5-2-warehouse.pdf>) While the City or applicant may not be responsible for such inadequate pay or illegal practices, the continued and additional development of warehouse/distribution facilities in the City, which do not rely on a skilled work force, may result in blighting impacts. The sheer size and number of distribution warehouses in Moreno Valley and surrounding areas may likewise have a blighting impact, especially if any

JS-50

number of those warehouses is in excess of demand and remains empty. The EIR must consider this potential blighting impact. JS-50 Cont'd

The EIR finds that the Project is consistent with the Goals, Objectives, and Policies of the General Plan but fails to consider all goals/policies. As discussed in the individual sections herein, the Project is, in fact, inconsistent with the General Plan. Moreover, the conclusion of consistency are unsupported by evidence in the EIR and instead contradicted in areas. For instance, Objective 2.5 is to promote a mix of industrial uses which provide a sound and diversifies economic base. The EIR finds the Project "consistent" where it adds yet another warehouse distribution facility to the sea of distribution warehousing in Moreno Valley. The alternatives section herein provides a mix of sound industrial uses which could diversify industrial uses in the City. JS-51

Also, the number of jobs projected to be created with the Project to be consistent with land use goals, 1,200-1,300 permanent jobs, is likely overestimated. In the recent VIP Moreno Valley EIR and relying on the Inland Empire Distribution Center Operations Profile, WCL Consulting, June 10, 2008, the EIR projected 1 job created per 2500 sq. ft. (VIP Moreno Valley DEIR p. 2-28, FN 2) In this EIR, the methodology relied on does not focus on distribution centers in particular but rather any "light industrial" use. As distribution generally employs fewer persons than more intensive and skilled light industrial uses, the 1 per 2,500 figure focused on distribution operations should be used in lieu of the 1 job per 1,030 sq. ft. ratio used in the EIR. Applying this methodology gives an estimated 512.4 jobs, less than half of those forecast in the EIR. JS-52

With regards to Policy 2.5.4, the EIR finds that the Project is consistent with the policy to, "Design industrial developments to discourage access through residential areas." The EIR finds consistency on the basis that, "Access to the Project site through residential neighborhoods is not required, nor is it proposed." This reasoning in no way finds that the development *discourages* access through residential areas or in any way prevents or seeks to prevent such access. The finding of consistency is unsupported.

Project mitigation for this inconsistency with the General Plan as well as noise, air quality/health, and traffic impacts from accessing the site through residential areas must include: designating a truck route from I -215 to the site; informing all drivers of the designated route; posting signs along the designated route; and actively discouraging the use of alternative routes through financial incentive/disincentive programs or some other manner. JS-53

The EIR also finds that the Project is consistent with the SCAG RTP/SCS; however, once more, the consistency determinations are not based on fact or reasoning. RTP/SCS G2 finds that the Project is consistent with maximizing mobility and accessibility for all people and goods in the region. This consistency finding is utterly unsupported by the Project's traffic impacts locally and regionally. Likewise the finding that the Project is consistent with RTP/SCS G3, ensuring JS-54

travel safety and reliability, is unsupported for the same reason.

The finding that the Project is consistent with RTP/SCS G6, protecting, "the environment and health for our residents by improving air quality and encouraging active transportation…" is utterly unsupported where the Project will have significant operational air quality impacts and will, as a mitigation measure, make alternatives such as walking more difficult through the removal of a crosswalk. JS-54 Cont'd

Overall, the EIR fails to disclose these potential land use impacts and the finding that such effects will be less than significant is unsupported by evidence in the EIR. JS-55

Noise

The noise study failed to evaluate impacts from traffic noise on sensitive receptors en route to SR-60 or the Ramona Expressway. In fact, the EIR cites only 4 locations where noise analysis occurred, thereby failing to adequately analyze or detail Project contribution to traffic noise. The existing noise levels at those locations fails to disclose CNEL for daytime versus nighttime levels. Nevertheless, existing noise levels exceed the noise threshold for at least three out of the four locations considered. The Project will thus contribute to an existing exceedance of noise standards. JS-56

The EIR arbitrarily creates a threshold for significance for noise of a 3dbA increase, stating that only this level of increase is considered potentially significant and that a 3 dbA change is used as a threshold of significance. This 3dbA change is ***not*** a threshold of significance adopted by the City of Moreno Valley. (Guidelines § 15064.7) Furthermore, the statement that only audible changes in existing ambient or background noise levels are considered potentially significant is unsupported except by further conclusory statements. JS-57

The EIR finds that Project construction noise is a temporary and intermittent significant impact. Given that construction is stated to take 3 years, this impact is neither temporary nor intermittent. If construction will take a lesser amount of time, the finding of a significant temporary noise impact is supported but noise levels will be elevated above the levels disclosed in the EIR. If construction is conditioned to take 3 or more years, this impact should be considered significant with respect to the thresholds of significance applicable to non-temporary or permanent noise. JS-58

The EIR also minimized construction noise impacts by evaluating construction as occurring over "six stages," despite the statement at the outset of the EIR that construction is evaluated to occur in a single phase. (*compare* EIR p. 3-9, EIR p. 4.4-18) The EIR wrongly does not consider potential noise effects should this "staging" of construction not occur or should two phases overlap. The maximum construction noise levels are therefore likely to be higher than disclosed in the EIR. JS-59

The EIR finds based on no record evidence that the Project's operational/ traffic noise JS-60

contribution to noise already in excess of applicable standards is less than significant both individually and cumulatively. The EIR concludes that noise increases on roadways from mobile sources will occur up to 3.9 dBA CNEL, yet concludes that this impact will be less than significant. (EIR p. 4.4-21) This conclusion is unsupported, ignores the threshold questions, and ignores even the arbitrary 3 CNEL "perceptible increase" level claimed in the EIR. First, the Project may result in operational noise impacts if either (1) the Project exposes persons to generation of noise or levels in excess of standards or (2) results in a permanent increase in ambient noise levels in the Project vicinity over levels existing without the Project. (EIR p. 4.4-15) While a 3.9 dBA CNEL increase may not cause noise in excess of standards, it nevertheless will result in a significant permanent increase in ambient noise above existing levels even applying the arbitrary and improper 3 dBA CNEL "threshold" wrongly claimed in the EIR. Operational noise impacts will be significant under, at least, existing conditions and Opening year (2017) conditions.

JS-60 Cont'd

The Project would also apparently add to exceedences of the 65 CNEL threshold, despite claims in the EIR that it would not. (EIR 5-16, FN 2.) Whether the noise contributed would be perceptible is not the threshold for this impact.

JS-61

Additionally, as discussed above, the EIR fails to evaluate impacts along other traffic routes including from the Project site to SR-60. Instead, the Project considers only a few discrete sensitive receptors. Impacts to far more numerous sensitive receptors must be evaluated. Also, the cumulative impact analysis must be updated to account for all cumulative projects.

JS-62

The EIR wrongly considers total Project noise levels at 200 feet from the property line, rather than at the property line itself; and improperly fails to consider whether operational noise impacts will significantly increasing ambient noise levels in the Project vicinity over existing levels. As noted above, several distinct threshold questions exist for noise impacts including whether the Project may result in a permanent increase in ambient noise levels in the Project vicinity over levels existing without the Project. Here, the EIR looks only to whether the project will *exceed noise standards* at 200 feet from the properly line, not whether the Project will increase ambient noise at the property line. The EIR must evaluate this potential effect, which is likely to be significant and unmitigated.

The EIR also fails to look at operational noise overall at the property line, and thereby fails as an informational document. Total Project noise at the property line must be disclosed.

JS-63

With regards to whether the Project exposes persons to generation of noise or levels in excess of standards, the operational noise assessment does not account for existing noise levels but only Project caused noise. Actual experienced noise which accounts for existing noise and the Project may be far in excess of the levels disclosed in the EIR, and likely will exceed the noise standards of the City.

JS-64

Overall, the EIR fails to disclose Project noise effects. Again, these studies must be re-prepared in a manner that discloses and evaluates Project effects and the EIR must be recirculated. JS-65

The cumulative noise analysis finds that construction noise will have a cumulatively significant impact. As with comments above re: individual impacts, this cumulative effect is proposed to occur over 3 years, so is arguably not temporary/ intermittent as stated in the EIR. JS-66

With regards to operational cumulative noise, the EIR finds that such impacts will be less than significant on the basis that, "there are no known potentially significant off-site noise sources that would interact with, or compound noise generated by Project operations…" (EIR p.5-16.) This conclusion is, again, unsupported by the EIR, especially where the evaluation of Project operational effects failed to account for existing ambient noise levels.

Cumulative operational mobile noise would also be significant, and is wrongly determined to be insignificant, for the reasons detailed above that noise would increase up to 3.9dB, a significant increase over existing levels at 100 feet. The EIR shows that, cumulatively, these increases over ambient levels would be up to 4.1 dBA in 2017 with the Project and other noise emitters at 100 feet. (EIR p. 5-17) This increase is likely understated given the failure to include essential projects in the cumulative impact analysis and all impacted roadways and sensitive receptors. Nevertheless, the conclusion that this cumulative increase would not be considerable or would be less than significant is unsupported for the same reasons as above. The EIR also wrongly fails to disclose the noise increase to existing with cumulative projects, and to Opening year with cumulative projects. The EIR also wrongly evaluates these increases at 100 feet and not at the property line. JS-67

Mitigation Measure 4.4.3 is vague, uncertain, unenforceable, and does not demonstrate that needed mitigation will occur. This measure states that, "The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. Haul routes shall not pass sensitive land uses or residential dwellings." The measure is vague in that it fails to set for the actual hours to which haul truck deliveries will be limited, and fails to designate a haul route or demonstrate that such a haul route exists. JS-68

Mitigation Measure 4.4.6 is uncertain to provide needed mitigation as it merely requires the posting of signs but does not require that the signs be complied with. The wording of MM 4.4.6 must be changes to state that the following measures must be implemented at the project site and the site shall be posted with signs to that effect. JS-69

Traffic/ Transportation

The EIR gives no number figure for the actual amount of parking spaces for trucks and cars that will be developed with the Project. The EIR also gives no figure as to how many truck-loading dock doors will be constructed with the Project, so that no person may even calculate the parking JS-70

figures. Again, the EIR utterly fails to provide the information needed to satisfy CEQA and inform the public and decision-makers about the Project and its potential environmental effects. JS-70 Cont'd

Traffic counts from the Project are unreasonably low. The EIR concludes that the Project will not result in significant individual traffic impacts. This conclusion is unsupported. JS-71

The Traffic analysis fails to take into account "interim uses" of Building 2 for parking. It is unclear whether Opening Year 2017 will actually be the Opening Year or whether this will be when Building 2 is no longer used for parking. The High-Cube warehouse ITE code does not account for this use in the trip generation summary. JS-72

Table 4.2-15 re: General Plan Consistency omits Policies 5.1.1-5.1.6. These policies should be evaluated in the EIR. JS-73

Caltrans submitted a letter re: the Project in response to the NOP stating that the data used in the TIS should not be more than 2 years old, state highway facilities that are experiencing noticeable delays should be analyzed in the traffic study if they add 50-100 peak hour trips, and LOS should be D. JS-74

The EIR omits a good deal of information concerning roadway segments determined not to be deficient. The EIR does not disclose how near to being deficient all roadway segments are or the additional volume, changed LOS, or other changes that will occur at the intersections. With regards to "Intersection Deficiencies," where the delay exceeds 80 seconds, the EIR merely states >80 secs. delay. The EIR fails to provide information as to the severity of Project impacts by not quantifying the delay which could be anywhere from 80 seconds to 800 seconds or more. JS-75

Similarly, where the 95th Percentile Stacking volume exceeds capacity, the queue is shown as "maximum" after two cycles, but may, in fact, be longer. (See, Table 4.2-27 Note 3) JS-76

While impacts to freeway ramps are deemed cumulatively significant, there is not evaluation of Opening Year contributions on freeway segments. No evaluation of impacts to SR-60 or the Ramona Expressway was conducted. The EIR fails as an informational document by failing to study impacts to roadways. JS-77

The EIR fails to study many local intersections and roadway segments that will be impacted by the Project. For instance, if a vehicle were to access the site from SR-60 to Frederick or Graham, additional intersections along those routes would experience impacts from Project related traffic which were not considered in the EIR. Likewise, impacts to ramps at SR-60 were not considered. JS-78

The EIR also fails to evaluate regional traffic impacts and associated air quality impacts. "[A]n EIR may not ignore the regional impacts of a project approval, including those impacts that occur outside of its borders; on the contrary, a regional perspective is required." (*Citizens of* JS-79

Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 575.) Here, the EIR fails to evaluate impacts from Project and cumulative traffic to the few routes from Moreno Valley to shipping destinations including the ports of Los Angeles and Long Beach. The EIR also fails to evaluate regional impacts to local roadways when these few routes along SR-60 and I-215 become congested or experience a traffic incident. By failing to evaluate regional traffic impacts, the EIR fails as an informational document. JS-79 Cont'd

Moreover, despite the Project's contribution to local traffic and significant effects to traffic/circulation, the Project does not require any additional mitigation to most intersections or roadways beyond contribution to the DIF and TUMF. The only traffic mitigation measure which will be wholly implemented by the applicant is removal of the existing southbound crosswalk at Elsworth St. and Cactus Ave. JS-80

The EIR finds that impacts to intersections and roadway segments within the DIF and TUMF programs will be reduced below a level of significance. However, the EIR fails to explain if the improvements are planned, scheduled, or funded under these programs. Mitigation is thus uncertain and unenforceable in contravention of CEQA's mandates.

In fact, the roadways reliant on TUMF funds are not presently scheduled for improvement nor are the improvements funded. (*See, e.g., 2011 Annual Report, Transportation Uniform Mitigation Fee Program,* Western Riverside Council of Governments, "Five Year Transportation Improvement Program," <http://www.wrcog.cog.ca.us/downloads/AnnualReport_for_web.pdf>, p.39, *See, also,* <http://www.wrcog.cog.ca.us/downloads/2012CentralZoneTIP020612.pdf> [detailing funded expenditures in the Central Zone]) Furthermore, TUMF improvements can take up to 9 years to become a reality from a local jurisdiction developing a project to completion of construction. (*2011 Annual Report, Transportation Uniform Mitigation Fee Program, supra,* p.7) Project prioritization, programming, and allocation of funds may also be a barrier to improvements on the roadways impacted by this project. (*2011 Annual Report, Transportation Uniform Mitigation Fee Program, supra,* p.10) The EIR's conclusion that project transportation impacts on local roadways and intersections are less than significant after mitigation is simply not supported by evidence and the realities of these fair share programs. JS-81

Moreover, the EIR states that the fair share fees would be $3,656,514 for the Project. The Project should require, as a mitigation measure, that these fair share fees be paid in full and not reduced/ discounted. (Ex. The current DIF fees were discounted by 50% for political reasons.) JS-82

The finding of less than significant impact after mitigation at these impacted intersections and roadway segments is therefore unsupported as such reduction to a level below significance may not occur in the short-term, long-term, or ever if these roadways are not given priority.

Mitigation requiring direct funding and completion of improvements at impacted roadways and intersections must be required of the project unless demonstrated to be infeasible. As the project JS-83

currently stands, not all feasible mitigation has been required of this project to reduce traffic related impacts below a level of significance, and mitigation is uncertain and deferred. JS-83 Cont'd

Also, no mitigation is proposed for impacts to interstate and interstate segments. JS-84

The cumulative list of Projects considered to determine traffic impacts omits large warehouse Projects such as Prologis Eucalyptus and World Logistics. Projects appear to cease at those submitted to Planning in 2009, despite the fact that the Table was completed August 6, 2012. (EIR p. 4.2-33-35) JS-85

Nevertheless, the EIR finds that the Project will result in significant and unavoidable cumulative traffic effect. However, the EIR omits freeway segments other than ramps from this cumulative significance finding. (EIR p. 5-9 through -11) Impacts to freeways should likewise be deemed significant. JS-86

Alternatives

Where there is an environmentally superior alternative that significantly decreases the significant impacts of the Project then that alternative must be approved rather than the Project if that alternative is feasible, even if the alternative would impede to some degree the attainment of the project objectives, or would be more costly. [(PRC§ 21002; *Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 597, State CEQA Guidelines § 15126.6(b)]

In this case, the reduced intensity alternative would greatly reduce impacts when compared with the Project. The Reduced intensity alternative assumes a 47% reduction in trip generation (1,620 daily vehicles), having corresponding reductions in traffic, traffic noise, air quality, GHGs, etc. The reduced intensity alternative would thus reduce most environmental impacts when compared to the proposed Project including air quality, GHGs, traffic, and noise. The reduced intensity alternative would also satisfy *all Project objectives.*

Project objectives are identified as follows: JS-87

1. Expand on the existing productive uses within the Project vicinity;
2. Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
3. Capitalize on the site's proximate regional freeway access;
4. Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation; and
5. Develop a project that is compatible with surrounding land uses.

The Reduced Intensity Alternative would meet all of these Project Objectives. Accordingly the

Reduced Intensity Alternative must be approved over the Project. JS-87 Cont'd

Satisfaction of Project Objectives

The Project's ability to meet the objective of increasing jobs is speculative. As discussed above, the Prologis Eucalyptus Industrial Park Draft EIR recently concluded that **there may be an over-supply of warehousing in the City.** (*See,* Prologis Eucalyptus Industrial Park Draft EIR, SCH No. 2008021002, p. 4.8-18). The EIR fails to disclose that, as a result of this oversupply of warehousing, the Project may not satisfy its own Project objectives, particularly: (1) provide jobs-producing, light industrial uses to the City of Moreno Valley and local community; and (2) increase economic benefits to the City of Moreno Valley through increased tax generation and job creation. If the market for industrial warehousing in Moreno Valley is indeed oversaturated, this undercuts alleged benefits of the Project. JS-88

Indeed, the Project seems to acknowledge this potential oversupply in considering the "interim" use of Building 2 for truck/trailer parking. If Building 2 is used for truck/trailer parking, presumably few, if any, jobs will be created for that building.

The alternatives analysis misrepresents the relative ability to satisfy Project objectives where it is not disclosed that the Project may not satisfy objectives as well as alleged in the EIR. The relative merits of the alternatives cannot be analyzed without this disclosure and consideration.

Failure to Consider a Reasonable Range of Alternatives

The EIR fails to consider a reasonable range of Project alternatives by discussing only one Project alternative in addition to the mandatory No Project alternative(s). The EIR should consider an alternative that builds smaller warehouses across the project site to reduce VMT for truck trips (thereby reducing air quality impacts) and increase employment opportunities. Reducing the size of the buildings at the Project site would correspondingly reduce the size of the trucks and distance of truck travel. This would substantially reduce the impact from the Project's mobile emissions of TACs while maintaining distribution warehouse uses. JS-89

Other alternatives which would substantially reduce air quality impacts from TACs would involve putting this development to alternative uses not reliant on heavy trucks. The land use designations for the Project sites permit land uses which will have considerably reduced TAC emissions. For example, the LI and/or BPX designations permit agricultural uses and animal raising, laboratories, research and development, public administration, manufacturing and assembly, nurseries, cabinet and business schools, athletic clubs, banks, offices, public administration, etc. which would reduce the Project's operational emissions and contribution to TACs. Development of the Project site with one of the permitted uses such as with laboratories, research and development, public administration, or manufacturing and assembly would better achieve Project objectives of creating jobs and increasing economic benefits. Such a use would JS-90

also be more compatible with the surrounding health care and residential uses while reducing the number of heavy trucks accessing the site and associated air quality, health, traffic, and noise impacts.

The EIR should also consider an alternative use as medical R&D, laboratory, or medical manufacturing or assembly, in order to take advantage of the proximity to the March Life Campus.

JS-90 Cont'd

Perhaps another alternative could include the 507,720sq.ft. expansion of the Harbor Freight facility while reserving the remainder of the site for other industrial of BPX uses less reliant on large trucks.

JS-91

Putting the proposed development toward these uses instead of its present proposed use will substantially reduce the impacts and health risks from VOC and NOx, diesel PM, traffic, and noise. What is more, development could potentially would meet or exceed the employment creation and economic objectives of the Project and occur in a manner that better diversifies industrial uses and jobs within the City and region.

JS-92

As a final note: Table 5.2-4 has a typo comparing "Project" to "Project" rather than to the reduced intensity alternative.

JS-93

Other Comments

SCAG evaluated the Project to be regionally significant, yet the EIR fails in many places to evaluate the regional effects of the Project. Regional impact analysis must occur in the EIR. Sierra Club also submitted comments to this effect on the Notice of Preparation (NOP), citing the recent Riverside Superior Court decision in the Villages of Lakeview (RIC 10007574, 10007586)

JS-94

The City of Riverside commented regarding the Project's potential regional traffic impacts, yet the EIR failed to evaluate these impacts. The City of Riverside's comments on the NOP must be taken to heart and the EIR updated accordingly.

JS-95

The Project description is inadequate for failing to state all surrounding and nearby land uses, among other things.

JS-96

Conclusion

Overall, the EIR is severely defective in terms of provided needed information and analysis to the public and decision-makers. It is our position that the EIR must be significantly added to, amended, and recirculated for additional review.

JS-97

Thank you for your consideration of these comments and the attached and/or referenced material.

JS-98

Sincerely,

Raymond W. Johnson
JOHNSON & SEDLACK

Attachments and Electronic Citations

(1) Western Riverside Council of Governments, *2011 Annual Report, Transportation Uniform Mitigation Fee Program,* <http://www.wrcog.cog.ca.us/downloads/AnnualReport_for_web.pdf>

(2) Western Riverside Council of Governments, *Funded Expenditures in the Central Zone,* <http://www.wrcog.cog.ca.us/downloads/2012CentralZoneTIP020612.pdf.>

(3) The Press Enterprise, Jack Katzanek (February 1, 2012)*"Moreno Valley: Sketchers' warehouse has caused net job loss,"* <http://www.pe.com/business/business-headlines/20120201-moreno-valley-skechers-warehouse-has-caused-net-job-loss.ece>

(4) *The Health Effects of Air Pollution on Children*, Michael T. Kleinman, Ph.D, Fall 2000, <http://aqmd.gov/forstudents/health_effects_on_children.html#WhyChildren>

(5) *Diesel and Health in America: the Lingering Threat*, Clean Air Task Force, February 2005, <http://www.catf.us/resources/publications/files/Diesel_Health_in_America.pdf>

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(6) Annual Meeting of the Brain & Lung Tumor and Air Pollution Foundation, April 2, 2010, <http://www.aqmd.gov/hb/2010/April/100425a.htm>

(7) *Technical Support Document for Cancer Potency Factors: Methodologies for derivation, listing of available values, and adjustments to allow for early life stage exposures*, California EPA OEHHA Air Toxicology and Epidemiology Branch, April 2009, p. 3. <http://www.oehha.ca.gov/air/hot_spots/pdf/TSDCPFApril_09.pdf.>

(8) California Air Pollution Control Officers Association. (January 2008) *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.*

(9) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapters 3, 4, and 9* <http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/index.cfm>

(10) Electronic Library of Construction Occupational Safety and Health (November/December 2002) *Construction Noise: Exposure, Effects, and the Potential for Remediation; A Review and Analysis.*

(11) U.S. Department of Housing and Urban Development. (March 1985) *The Noise Guidebook.*

(12) Suter, Dr. Alice H., Administrative Conference of the United States. (November 1991) *Noise and Its Effects*.

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Cont'd

RAYMOND W. JOHNSON, Esq., AICP LEED GA
26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Thirty years subdivision design: residential, commercial and industrial
- Thirty years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

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General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
  - Sierra Club
  - San Bernardino Valley Audubon Society
  - Sea & Sage Audubon Society
  - San Bernardino County Audubon Society
  - Center for Community Action and Environmental Justice
  - Endangered Habitats League
  - Rural Canyons Conservation Fund
  - California Native Plant Society
  - California Oak Foundation
  - Citizens for Responsible Growth in San Marcos
  - Union for a River Greenbelt Environment
  - Citizens to Enforce CEQA
  - Friends of Riverside's Hills
  - De Luz 2000
  - Save Walker Basin
  - Elsinore Murrieta Anza Resource Conservation District

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Cont'd

Education:

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals
- Member, U.S. Green Building Council, LEED GA

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

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Cont'd

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community.

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track Provided conceptual design of 800 acre mixed use development.

JS-100
Cont'd

Shepherd Realty Co.
Lee's Summit, MO 6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO 9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.
Project Coordinator 6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

JS-100
Cont'd

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS.

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco
Temecula, CA 92590

Letter Dated November 5, 2012

JS-1

Comment:

On behalf of the Sierra Club, Moreno Valley Group, and Residents for a Livable Moreno Valley, I hereby submit these comments on the RPT Centerpointe West Project.

General Comments:

The California Environmental Quality Act (CEQA) was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document.

Response:

The commentor's representative role is noted. The commentor's opinions regarding CEQA theory and intent are noted. Notwithstanding the commentor's interpretation of CEQA, the following citation from the *CEQA Guidelines* identifying the purpose of CEQA is excerpted for ease of reference:

> **15002. GENERAL CONCEPTS**
>
> (a) Basic Purposes of CEQA. The basic purposes of CEQA are to:
>
> (1) Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities.
>
> (2) Identify the ways that environmental damage can be avoided or significantly reduced.

> (3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
> (4) Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

It may be noted that CEQA makes no reference to "true environmental consequences." The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-2

Comment:

Unfortunately, the Draft EIR for this Project fails as an informational document. The Project description and EIR as a whole fail to provide sufficient detail about the Project. Specifically, the EIR fails to detail lighting, parking, landscaping, truck dock doors, screening/buffering, signs, etc., so that the public and decision makers will have adequate facts about the Project to even review the EIR. The minimal facts about this Project provided in the EIR completely precludes informed decision-making and public participation.

Response:

The commentor offers opinions regarding the Draft EIR and the Project Description included in the Draft EIR. Notwithstanding the commentor's opinions, the Lead Agency considers the Draft EIR Project Description to adequately and appropriately describe the Project. As noted in the *CEQA Guidelines*:

> **15124. PROJECT DESCRIPTION**
> The description of the project shall contain the following information but should not supply extensive detail beyond that needed for evaluation and review of the environmental impact.

Items noted by the commentor, e.g. details regarding lighting, parking, landscaping, truck dock doors, screening/buffering are not required to evaluate the Project's potential environmental impacts. It is neither feasible nor of substantive benefit in understanding the Project and its potential implications to provide design-level detail at the Project concept stage reflected in the Draft EIR. Moreover, irrespective of any detail provided, Project aspects such as lighting, parking, landscaping etc., are addressed in part or in total by adopted City Design Standards, which are enforced through development review processes based on final Project designs. As noted in the Draft EIR, "[d]evelopment of the Project would result in a compatible continuation of the industrial and office/commercial uses that currently exist in the Project area. All Project designs will conform to City of Moreno Valley development standards" (Draft EIR page 1-7, *et al.*).

The EIR adequately and appropriately responds to CEQA Project Description requirements as listed at *Guidelines* Section 15124 (a) through (d). That is: (a) the precise location of the Project and its boundaries is provided (Draft EIR page 3-2; Figure 3.2-1, Figure 3.3-1, Figure 3.4-1, Figure 3.6-1, *et al.*; (b) a statement of Project Objectives is provided (Draft EIR page 3-7); (c) a general description of the Project's technical, economic and environmental characteristics and supporting public services is provided (Draft EIR pages 3-7 through 3-22); (d)(1) the intended use of the EIR is identified (Draft EIR page 2-7); and (d)(2) a list of necessary Discretionary Actions and permits is provided (Draft EIR pages 3-22, 3-23).

It is further noted that CEQA requires that an EIR specifically address only those impacts determined to be potentially significant. The *CEQA Guidelines* also state that the significance of impacts should be considered in relation to their severity and probability of occurrence. The EIR Project Description responds accordingly by providing information sufficient to understand and analyze the Project without extensive detail beyond that needed for evaluation and review of the Project's potential environmental impacts.

The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-3

Comment:

The EIR also misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. For instance, the EIR evaluates construction as occurring over the course of three years in many phases, yet claims that construction is presumed to occur in a single phase. (*Compare, for example,* p.1-4, 4.3-53 through 4.3-59) Furthermore, construction is likely to occur much faster so that construction air quality impacts in the EIR are severely understated. Alternatively, if Project construction is conditioned to take 3 years or longer, the noise impact assessment and traffic assessment must be modified to clarify that these "temporary" effects are, in fact, permanent for 3 years. Noise impacts will be more than merely a temporary or periodical increase in noise; likewise impacts from construction traffic.

Response:

Construction air quality modeling was prepared consistent with SCAQMD protocols and appropriately employed parameters established for the AQMD's adopted CalEEMod air quality modeling program. To clarify, there are distinct stages of construction, each employing different types of equipment in differing applications. A single phase of construction means that construction would, as stated in the Draft EIR at page 1-4, be followed by operations. That is, there is no assumed break or stop in construction, followed by opening of a portion of the Project, followed by more construction, followed by opening of another portion of the Project, etc. The single phase of construction is comprised of multiple elements or stages, summarized in the Draft EIR as excerpted below:

> The duration of demolition/construction activities and associated equipment operations was estimated based on construction of similar projects in the City of Moreno Valley and CalEEMod model defaults. Estimated timelines for Project demolition/construction activities are as follows: demolition is expected to occur from March 2015 through April 2015, site preparation is expected to occur from April 2015 through May 2015, grading activities are expected to occur from May 2015 through June 2015, building construction is expected to occur from June 2015 through July 2016, paving is expected to

> occur from July 2016 through October 2016, architecture coating is expected to occur from October 2016 through February 2017. This construction schedule represents a "worst-case" analysis scenario should construction occur any time after these respective dates since emission factors for construction equipment decrease as the analysis year increases. Detailed assumptions regarding project construction activities are presented within the Project Air Quality Impact Analysis, EIR Appendix C (Draft EIR page 4.3-53).

The commentor speculates on construction time frames other than those reasonably assumed and reflected in the Project air quality modeling. As noted in the Draft EIR and reiterated above, "[t]he duration of demolition/construction activities and associated equipment operations was estimated based on construction of similar projects in the City of Moreno Valley and CalEEMod model defaults."

Notwithstanding the commentor's opinions, construction noise does not contribute to permanent noise increases. Construction noise is temporary and intermittent in that there is an expected cessation date, and as, or more importantly, increased noise levels would occur periodically and intermittently as certain noise producing construction activities occur in different portions of the site. There are no potentially significant impacts resulting from construction traffic. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-4

Comment:

As another example, the EIR fails to evaluate the use of "Building 2" on an allegedly interim basis as a vehicle (truck)/ trailer storage/parking area for an additional 305 vehicles on top of those spaces otherwise created for the Project. Associated increased air quality, traffic, and noise impacts from this use are not considered in the EIR.

Response:

Information and analysis related to potential interim use of the "Building 2" site for vehicle/trailer storage is presented in the Draft EIR:

> Additionally, a future warehouse/distribution facility of 165,000 square feet (Building 2) is proposed northeasterly of the intersection of Cactus Avenue and Frederick Street. On an interim basis, the site of this future warehouse/distribution facility may be developed as a fully-screened vehicle/trailer storage area. *Notwithstanding, for the purposes of this environmental review, the ultimate development scenario has been assessed, in which the site is presumed to be developed with a fully-operational warehouse/distribution center* (emphasis added).

To clarify, the Building 2 area interim vehicle storage use notwithstanding, the EIR analysis assumes and reflects the site as a fully developed warehouse, generating traffic, air emissions and noise. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-5

Comment:

The EIR misleads the public and decision makers as to the extent and severity of Project impacts on nearby sensitive receptors. Almost every description of the Project site and nearby uses/zoning/ General Plan designation leaves out the nearby residences and the March Life Campus health care campus. While these uses are illustrated on the Figures provided, for example Figure 4.1-1, they are glossed over in the narratives and potential impacts at these sensitive receptors are not adequately evaluated. Instead, the EIR assumes that all trucks will travel only from I-215 on Cactus to Frederick or Graham and thus not pass by the residences to the north or March Life Campus. This assumption is unsupported and not mandated with the Project. Given that SR-60 is located approximately 2 miles to the north, and the Ramona Expressway is located to the south, trucks using alternative routes and associated noise, air quality/health risk, and traffic impacts must be evaluated in the EIR. They were not.

Response:

The March Lifecare Campus Specific Plan and its relation to the Project are specifically noted at Draft EIR page 3-4, *et al.*:

> Southeasterly of the Project site, across Cactus Avenue, is the March Lifecare Campus Specific Plan (MLCSP). In late 2009, the MLCSP was approved for development of a sustainable and integrated health care campus on approximately 196 acres of the former March Air Force Base now under the jurisdiction of the March Joint Powers Authority. The MLCSP area is located generally southwesterly of the intersection of Cactus Avenue at Heacock Street, extending approximately 3,000 feet westerly from Heacock Street; and approximately 4,000 feet southerly of Cactus Avenue. At its nearest point, the northwesterly limit of the MLCSP is located approximately 1,000 feet southeasterly of the Project site.

The commentor offers opinions regarding potential impacts of Project-related mobile truck traffic along roadways proximate to the MLCSP and other sensitive receptors. The Draft EIR analysis presents and considers maximum impact scenarios regarding truck impacts at sensitive receptors. In no instance would vehicle-source noise be potentially significant; the Project Health Risk Assessment (HRA) reflects potential maximum impacts through assumed concentrated vehicle traffic emissions within the Project site, in combination with area sources. These combined emissions would exceed any transient emissions from a portion of Project traffic distributed along area roads as suggested by the commentor. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-6

Comment:

On top of these inadequacies, the Draft EIR is almost constantly conclusory, and does not provide the analysis or examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions. For example, despite failing to disclose information with regards to parking, landscaping, building design,

buffering, signs, lighting, etc., the EIR concludes that all will "conform to city standards" and result in less than significant impacts. These conclusions are utterly unsupported.

Response:

The Project is required to conform to City Development Standards. Please refer also to Responses JS-1 through JS-3.

JS-7

Comment:

Moreover, the EIR evaluates only impacts to Land Use/Planning, Air Quality/Greenhouse Gas Emissions, Noise, Hazards, Public Services, and Traffic. The EIR determines, without basis in CEQA, to *not* evaluate in detail impacts which *are potentially significant* but which will be mitigated below a level of significance, including impacts to Biological Resources, Cultural Resources, Geology and Soils, and Hydrology and Water Quality. The EIR also fails to evaluate impacts determined to be less than significant. Effects which may be significant must be evaluated in an EIR, and then the mitigation measures or alternatives which would reduce or avoid that effect must be described. (Public Res. C. § 21002.1(a), (e); State CEQA Guidelines §15128, 15126, 15123) The EIR fails as an informational document by failing to analyze and evaluate **all potentially significant environmental effects of the project,** relying instead on the cursory evaluation performed for the Initial Study.

Response:

The commentor offers opinions on appropriate content of the EIR. It may be noted that the EIR Initial Study (presented within Draft EIR Appendix A) serves as a tool to focus the EIR on potentially significant environmental issues. Impacts that are mitigated to levels that are less-than-significant through measures identified in the Initial Study are no longer potentially significant. CEQA requires that an EIR specifically address only those impacts determined to be potentially significant. The *CEQA Guidelines* also state that the significance of impacts should be considered in relation to their severity and probability of occurrence. The EIR adequately and appropriately responds to CEQA's intent and purpose. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-8

Comment:

With regards to impacts to/from Geology/soils, the EIR not only fails to complete a geotechnical survey or study, but improperly defers the preparation of such a study until after Project approval.

Overall, the findings made in the EIR are not supported by substantial evidence in the record or any evidence/reasoning, but rather only by the baseless conclusions cited in the EIR.

Response:

The commentor offers opinions regarding potential geotechnical/soils impacts and related analyses. The topic of potential geotechnical soils impacts occurring at the Project site is adequately and appropriately addressed in the Project Initial Study (Draft EIR Appendix A) are determined to be less-than-significant. As noted in the Draft EIR Summary, (please refer to Summary, page 1-6), Initial Study topics/impacts determined to be less-than-significant are not substantively discussed within the main body Draft EIR text. Relevant discussion from the EIR Initial Study is excerpted below:

> The Project site is not located within an Alquist-Priolo Earthquake Fault Zone; is not subject to adverse strong seismic ground shaking events that substantively differ from those affecting the City at large; and is not affected by known seismic-related ground failure hazards. In summary, the subject site is not affected by known seismic hazards other than generalized earthquake hazards that affect the City and Southern California in total.
>
> Moreover, it is noted that the Project does not propose activities or uses that would cause or result in rupture of a known earthquake fault, strong seismic ground shaking, or seismic-related ground failure, including liquefaction. In this latter regard, CEQA importantly addresses potential impacts of the Project on the environment, not impacts of the environment on the Project.

Notwithstanding, consistent with City Building Department requirements and City General Plan Policies, prior to the issuance of development permits, the Project Applicant is required to prepare and submit a site- and development-specific geotechnical report which identifies appropriate specific seismic design attributes, parameters, and performance standards for the Project. The City Building Department will review the Project Geotechnical Report and ensure that its recommendations and requirements are reflected in the Project construction plans and design specifications and that the project design and specifications comply with and implement applicable City, California Building Code (CBC), and Uniform Building Code (UBC) seismic design and construction [requirements]. It is further noted that the area encompassing the Project site has been previously and comprehensively evaluated in conjunction with existing industrial development of the area. (see: *Geotechnical Investigation Proposed Commercial/Industrial Development Centerpointe Business Park Graham Street and Cactus Avenue Moreno Valley, California for Ridge Property Trust* (Southern California Geotechnical, SCG) August 16 [15], 2005; *Additional Pavement Section Recommendations Proposed Commercial/lndustrial Development Centerpointe Business . . . Park Graham Street and Cactus Avenue Moreno Valley, California* (SCG) August 16, 2005; *Percolation Testing Proposed Centerpointe Business Park . . .* (SCG) November 30, 2005; *Soil Shrinkage Evaluation Proposed Commercial/Industrial Development Centerpointe Business Park . . .* (SCG) January 31, 2006; *Temporary Fire Access Road Centerpointe Business Park . . .* (SCG) April 27,2006; *Geotechnical Investigation Proposed Centerpointe Business Park . . .* (SCG) June 21,2006; *Addendum To Geotechnical Investigation Proposed Commercial/Industrial Building Centerpointe Business Park* (SCG) June 21, 2006; *Results of Percolation Testing Centerpointe Business Park . . .* (SCG) Feb 26, 2008; *Results of Percolation Testing Centerpointe Business Park . . .* (SCG) Feb 28, 2008; *Geotechnical Investigation and Liquefaction Evaluation Proposed Warehouse Buildings Centerpointe Business Park* (SCG) March 20, 2008. All of the previous studies are on file at, or are available through the City of Moreno Valley.

As documented in the above-noted studies and evidenced by development of the surrounding areas, any encountered geotechnical constraints have been adequately and appropriately addressed through application of recommended conventional engineering practices.

For the Project, verification of implemented seismic design requirements pursuant to the mandated Project Geotechnical Investigation is vetted through the City's construction inspection process, and ultimately at issuance of Certificate of Occupancy.

As supported by the preceding discussion, the potential for the Project to expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: rupture of a known earthquake fault; strong seismic ground shaking; or seismic-related ground failure hazards is considered less-than-significant (Draft EIR Appendix A, *RPT Centerpointe West Project Initial Study,* [Applied Planning Inc.] August 2012, Initial Study/Environmental Checklist Form, pages 10-11).

As indicated in the preceding discussions, the Project site is not subject to adverse geotechnical/soils hazards. Any geotechnical constraints identified through site and Project-specific geotechnical engineering studies (mandated by the City as part of the Project Building Permit processes) are adequately addressed through implementation of UBC/CBC seismic design requirements and application of conventional engineering practices. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-9

Comment:

The EIR also fails to adequately evaluate Project cumulative effects. Despite comments submitted by the City of Riverside in response to the Notice of Preparation calling for the incorporation of the World Logistics project (41.6 million sq.ft.) and Prologis Eucalyptus project (2.22 million sq. ft.) in the cumulative analysis, the EIR conspicuously leaves out

these large warehouse projects. In fact, the cumulative analysis seems to only consider projects where the applications were submitted in 2009 or before, based on the City's planning numbering. (Table 5.1-1) Without consideration of these large projects, the EIR fails as an informational document and the conclusions with regards to cumulative impacts are unsupported.

Response:

The commentor offers opinions regarding related projects listed in the EIR evaluation of cumulative impacts. Consistent with *CEQA Guidelines* Section 15130 "Discussion of Cumulative Impacts," the EIR discussion focuses on the cumulative impact to which the identified other related projects contribute, rather than the attributes of other projects which do not contribute to the cumulative impact. The projects cited by the commentor are more than five to seven miles distant from the Project site, and would not create individually discernible effects not already accounted for in the assumed ambient growth rate reflected in the EIR analyses:

> The [Draft EIR] ambient growth factor accounts for non-specific development within the Study Area, as well as anticipated growth in traffic volumes generated by projects outside the Study Area. Based on direction of City of Moreno Valley staff, the standard annual growth factor used within the City is two percent (2.0%) (Draft EIR, pages 4.2-31, 32).

The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-10

Comment:

CEQA also requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation** must be adopted. In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. This has not been done with this

Project. For instance, the EIR fails to require *any* mitigation for the Project's significant operational air quality impacts from mobile sources.

Moreover, all mitigation measures required in the EIR must be fully enforceable and certain to occur. This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable approximations of mitigation measures.

Response:

The commentor offers opinions regarding CEQA mitigation requirements. To clarify, CEQA requires mitigation of potentially significant impacts. Mitigation is not required for impacts that are less-than-significant. Mobile-source emissions mitigation is discussed in the Draft EIR:

> The Project is also required to comply with applicable SCAQMD and CARB regulations acting to control/limit vehicular tailpipe (mobile source) emissions.[4] However, in the context of the total Project operational source emissions, VOC and NOx emissions reductions achieved through these means would not be sufficient to comply with applicable SCAQMD thresholds.
>
> In this regard, and as noted previously, approximately 96.4 percent of the Project's operational emissions are generated by mobile sources (Project-related vehicular traffic). Accordingly, to achieve meaningful reductions in the Project operational emissions, individual mobile sources of emissions (vehicle tailpipe emissions) must be further controlled and reduced. At present, there are no feasible means for the Lead Agency or the Applicant to reduce or control these tailpipe emissions such that SCAQMD operational emissions thresholds for VOCs and NOx would be achieved.

4 At present, vehicles accessing the Project site and operating on area roads must comply with SCAQMD and CARB emissions requirements. Such requirements are reflected in the CalEEMod modeling of Project operational emissions.

Further definition of the Project provided by the Applicant, and measures suggested for consideration by the SCAQMD and determined feasible by the Lead Agency would act to reduce operational emissions in total. Please refer also to Sierra Club Responses SC-3 and SC-15 in this Final EIR. Regardless, exceedance of SCAQMD operational emissions thresholds for VOCs and NOx would persist. Enforceability of mitigation measures is provided through the EIR Mitigation Monitoring Plan. Please refer to the Mitigation Monitoring Plan, Final EIR Section 4.0. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-11

Comment:

Regarding traffic effects, the EIR relies heavily on TUMF and DIF programs and concludes that significant effects will be either immediately or promptly reduced by these programs. To the contrary, a significant amount of the streets impacted are not currently planned or funded for improvements, and given the underfunding of these programs are unlikely to see any improvement in the near term. The EIR accordingly understates the traffic and air quality impacts of the Project and fails to require all feasible mitigation.

Response:

The Project provides full opening year mitigation for Project-specific traffic impacts. The Project appropriately provides pro-rata mitigation for its contribution to cumulative traffic through payment of Transportation Uniform Mitigation Fees (TUMF) and Development Impact Fees (DIF). Impacts addressed through Project payment of TUMF and DIF are specifically recognized as significant pending completion of required improvements. Please refer to Draft EIR pages 5-8 through 5-12, *et al.* The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-12

Comment:

The EIR fails to consider a reasonable range of Project alternatives. The EIR considers only one Alternative in addition to the mandatory No Project alternative, the Reduced Intensity

Alternative. The EIR should consider additional alternatives such as development of smaller distribution warehouses across the Project site.

The EIR also fails to make adequate findings, based on substantial evidence, that the environmentally superior alternative is infeasible. The environmentally superior alternative satisfies most, if not all, project objectives and significant reduces project impacts, particularly with regards to air quality in an area known to have some of the worst air quality in the nation. At the least, the environmentally superior alternative must be implemented in lieu of the project.

Further shortcomings of the EIR are detailed below.

Response:

Consistent with *CEQA Guidelines* §15126.6, the EIR evaluates a reasonable range of alternatives to the Project that would potentially lessen the Project's environmental effects while allowing for attainment of most of the basic Project Objectives. In addition to the Alternatives analyzed, three (3) other Alternatives were considered and rejected. Construction of "smaller warehouses," as suggested by the commentor (unless reduced to a scope less than that currently reflected under the EIR Reduced Intensity Alternative), would not provide any discernible reduction in the Project's significant environmental effects. The Reduced Intensity Alternative was ultimately determined to be infeasible, and any further reduction in scope would similarly be infeasible. Moreover, the intent of the Project is to achieve full utility of the available site while providing region-serving logistic warehouse facilities. Feasibility and function of the proposed regional warehouse is dependent on its size and configuration, allowing for centralized and consolidated storage and transfer of large (numerically and dimensionally) inventories serving smaller local and end-use facilities. Division of the proposed building into substantively smaller components is not practically or economically feasible.

Such division of the Project would act to unnecessarily duplicate or expand serving utilities, would result in multiple and redundant internal operations (e.g., inter-site transfer of inventories), would restrict flexibility of warehouse operations and use of warehouse space;

and may necessitate additional access to adjacent roadways in order to serve the individual buildings, with potentially increased circulation/access impacts. Lastly, it is noted that the Project design is typical of other regional distribution warehouses implemented within the City, surrounding Riverside County, and throughout southern California.

Empirical evidence indicates that the Project design is an established functional and efficient format for regional distribution warehouse facilities. For these reasons, a compartmentalized building design scenario resulting in multiple smaller buildings is not a viable Alternative to the Project. Contrary to direction provided at *CEQA Guidelines* § 15126.6 (a), the commentor's suggested "smaller warehouses alternative" fails to foster informed decision making.

With regard to the identified Environmentally Superior Alternative, relevant Draft EIR text is excerpted below.

> **5.2.4 Comparison of Alternatives**
> The *CEQA Guidelines* require that the environmentally superior alternative (other than the No Project Alternatives) be identified among the Project and other Alternatives considered in an EIR. Based on comparative reductions in traffic generation, and associated reductions in noise and air emissions, and generally reduced scale, among the Alternatives considered, the Reduced Intensity Alternative would result in the greatest reduction in environmental effects, and is thus considered the environmentally superior alternative.
>
> Notwithstanding, the scope and total overall development would be substantively reduced under the Reduced Intensity Alternative. The resulting diminishment of the Project Objectives, to include substantive reduction in economic benefits to the City and region, and limited jobs creation would act to substantially reduce the feasibility of this Alternative (Draft EIR, page 5-53).

The ultimate decision to approve the Project, an Alternative to the Project, or to deny the Project resides with the Lead Agency. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-13

Comment:

Project Summary:

The proposed development would result in the construction and operation of approximately 1,281,000 square feet of distribution warehouse uses on an approximately 56.2-acre site. The warehouse development will be as follows: (1) Expansion of the existing 779,016-sq. ft. Harbor Freight Warehouse distribution facility by 508,000-sq.ft on Cactus Avenue; (2) Construction of a new warehouse/distribution facility of 608,000-sq.ft to the north of the expansion area (Building 1); (3) construction of a new warehouse/distribution facility of up to 165,000-sq. ft. on the northeast corner of Frederick St. and Cactus Ave (Building 2). The Project would include the vacation, removal, and demolition of Joy Street.

While all the buildings are proposed for warehouse/distribution uses, Building 2 is proposed for "interim" vehicle/trailer storage usage within the building for 305 vehicles, meaning semi-trucks and trailers. The EIR does not evaluate or disclose potential impacts from this "interim" use but instead evaluated only the "ultimate development scenario."

The Project site is located in northwest Moreno Valley at the intersection of Cactus and Frederick, and bounded by Cactus Ave. to the south, Frederick Street to the west, and Graham St. to the east. Brodiaea transects the site in an east-west direction. The Project site is North of March Air Reserve Base, one mile east of I-215, and about 2 miles South of SR-60. The Project site is currently vacant and consists of largely flat, disked land.

Response:

Description of the Project and its location are materially correct. Please refer to Response JS-4 regarding potential interim use of the "Building 2" site. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-14

Comment:

Aesthetics

The finding of less than significant impact is not supported. The EIR fails to disclose information as to the Project's plans with regards to parking, landscaping, building design, buffering, signs, lighting, etc. Signs are proposed for the Project but not disclosed. Lighting plans have apparently not been prepared yet. Landscaping will occur "as required," though there is not landscaping plan in the EIR.

It is simply unknown what the aesthetic impact of the Project will be without these information disclosures. The EIR concludes that the plans will comply with the City's requirements. This conclusory statement is not based on facts or reasoning in the EIR. The EIR fails as an informational document by failing to disclose this information within both the Project description of the EIR of a section on aesthetic impacts.

A finding of a less than significant impact to aesthetics and lighting is utterly unsupported.

Response:

The Project's potential aesthetic impacts are substantiated to be less-than-significant. Relevant discussion is excerpted from the Draft EIR:

> ***Aesthetics.*** The Project area and surrounding properties are developed or planned for urban uses. No designated scenic vistas, scenic highways, or scenic resources are located within the Project site or in the Project vicinity. Development of the Project would result in a compatible continuation of the industrial and office/commercial uses that currently exist in the Project area. All Project designs will conform to City of Moreno Valley development standards. The Project would not have adverse effects on existing aesthetic resources, nor would it introduce elements that would degrade the existing visual character of the site or its surroundings. On this basis, the Initial Study determined that the Project would have a less-than-significant effect in regard to aesthetics (Draft EIR, page 1-7).

Please refer also to Draft EIR Appendix A, Initial Study, Checklist Item I., Aesthetics. Representative concept renderings of the Project are presented at Initial Study Figures 2.6-2 through 2.6-4) and are refined and expanded at Draft EIR Figures 3.6-1, and 3.6-4 through 3.6-7. As noted in the Draft EIR, "[f]inal designs of the Project site and buildings will, at a minimum, conform to industrial design requirements and standards identified under Municipal Code Section 9.05.040, 'Industrial Site Development Standards'" (Draft EIR, page 3-11, *et al.*). Please refer also to Response JS-2. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-15

Comment:

Agricultural Resources

The EIR concludes that the Project will have No Impact to agricultural resources despite the fact that the site is considered "Farmland of Local Importance." This conclusion is unsupported and contradicted by all evidence in the record. The EIR fails to evaluate or disclose potential impacts to agricultural resources, instead relying on the minimal reasoning provided in the Initial Study.

No Land Evaluation and Site Assessment evaluation was undertaken to determine the extent and significance of the site conversion.

Furthermore, the EIR fails to evaluate cumulative effects of this conversion of Farmland of Local Importance to warehouse/distribution uses where the Project will convert a substantial portion of such farmland. The Project's impact in accelerating the conversion of farmland in the City and surrounding jurisdictions through development pressure on nearby agricultural properties is likewise not evaluated in the EIR. Instead, the EIR concludes that, as the Project will allegedly have "No Impact" to agricultural resources, it will have no cumulative or accelerating impact as well. These conclusions are each unsupported by any evidence. The EIR must evaluate and mitigate for these potentially significant effects.

Mitigation should be required in the form of the purchase of agricultural conservation easements or payment of in-lieu fees to purchase/maintain conservation easements at a ratio of at least 2:1.

Response:

The Project's potential impacts to agricultural resources are adequately and appropriately addressed in the Draft EIR and EIR Initial Study. Representative discussion is excerpted from the Draft EIR:

> ***Agricultural Resources.*** The Project site is not designated as Prime Farmland, Unique Farmland or Farmland of Statewide Importance. The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) does, however, indicate that the site is considered Farmland of Local Importance. Notwithstanding, the City of Moreno Valley has envisioned urban buildout of the site through its General Plan and Zoning designations. In this regard, the Moreno Valley General Plan Final Program EIR (GPEIR) acknowledged that adoption of the 2006 General Plan Update would result in a significant and unavoidable impact associated with the general conversion of existing agricultural land to non-agricultural uses. No feasible mitigation measures were identified that would minimize this significant impact. The General Plan Final Program EIR also examined an alternative designed to result in increased preservation of agricultural land;[5] however, this alternative was not adopted. The Project would not result in potential impacts to agricultural lands not previously addressed through the City's General Plan processes. Based on these facts, the Initial Study identified no potentially significant impacts in regard to agricultural resources.

Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the

5 Section 6.2, pages 6-3 to 6-7, *City of Moreno Valley General Plan Final Program EIR*, State Clearinghouse No. 2000091075, July 2006.

Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-16

Comment:

Air Quality

The Project will result in significant and unavoidable impacts to air quality during operation and cumulatively significant impacts. However, the EIR finds that the Project will not result in significant construction air quality impacts on the basis that construction will occur over the course of 3 years. The minimum 3 year construction time frame is not required of the Project. Either the 3 year time frame relied on in the EIR must be required of the Project as a condition of approval or the EIR must evaluate Project air quality impacts from construction as occurring over a more reasonable, shorter time period.

While the EIR claims to consider no phasing of Project construction, construction is parsed out into six distinct phases: (1) demolition March 2015-April 2015; (2) site preparation April 2015-May 2015; (3) grading May 2015-June 2015; (4) construction June 2015-July 2016; (5) paving July 2016-October 2016; (6) architectural coating October 2016-February 2017. The EIR considers no potential overlap of construction phasing which would increase Project air quality impacts, such as completing paving and architectural coating at the same time; or construction and paving at the same time. The EIR must consider potential air quality impacts should overlap of construction activities/phases occur. In the alternative, this phasing must be made a condition of the Project.

Response:

Commentor remarks regarding the timing of Project construction activities are addressed at the previous Response JS-3. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-17

Comment:

Several of the construction air quality impact "mitigation measures" are required by law, and therefore do not qualify as "mitigation."

Response:

SCAQMD Rules are acknowledged as such. Rules are listed within the summary of Impacts and Mitigation to facilitate their implementation and monitoring. Complementing SCAQMD rule compliance, the Draft EIR incorporates additional requirements as mitigation measures. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-18

Comment:

It is unclear whether mitigation incorporated, certain, and enforceable to mitigate for the Project's significant air quality impacts. The EIR states that mitigation measures must be included as "notations" in documents; it is not apparent that the mitigation measures will be adopted and enforceable. It must be elucidated that all mitigation measures listed are required of the Project *and* will be included in the plans, etc.

Response:

Mitigation implementation and monitoring is facilitated through the EIR Mitigation Monitoring Plan. Please refer to Final EIR Section 4.0, Mitigation Monitoring Plan. As noted therein: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.* The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-19

Comment:

With regards to operational air quality impacts, project VOC emissions are estimated to amount to 82.20 lbs/day, well above the 55 lbs/day threshold. NOx emissions far exceed the threshold of 55lbs/day, with estimated emissions of 478.75 lbs/day. Despite these exceedences, the Project identifies and requires no mitigation for operational impacts including increases in criteria pollutants, particularly VOC and NOx. Several mitigation measures are identified below which will reduce these operational effects of the Project.

Response:

Commentor remarks regarding potential Project operational-source air quality impacts are addressed at previous Response JS-10. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-20

Comment:

With regards to operational impacts, the EIR wrongly assumes that trucks will travel to and from I -215 only, and not travel from SR-60 or the Ramona Expressway to the Project site. This assumption skews the air quality impact assessment, particularly with regards to health risks at nearby sensitive receptors and residences. The Project must either be conditioned to require that all trucks travel only to/from I-215 directly and set forth measures to ensure that the route is adhered to; or the EIR must evaluate air quality and health risk impacts from travel to/from these other highways. Travel from these highways will pass by residences as well as the March Life Campus and thus have a much greater impact to the health of these sensitive receptors than divulged in the EIR.

Response:

As noted previously in Response JS-9, Project-related trips that may occur outside the Project TIA Study Area are accounted for through the assumed ambient growth rate reflected in EIR analyses. Commentor remarks regarding potential Project health risks are addressed at Response JS-5. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-21

Comment:

The EIR also fails to account for additional truck trips for the "interim use" of Building 2.

Response:

Commentor remarks regarding potential interim use of the "Building 2" site are addressed at Response JS-4. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-22

Comment:

Existing air quality in the Project vicinity generally exceeds state and federal air quality standards for Ozone, Coarse Particulate Matter (PM10), Fine Particulate Matter (PM2.5) for the year.

Response:

SCAQMD-monitored air quality conditions in the Project vicinity are presented at Draft EIR Table 4.3-3, excerpted below. Exceedances of state and federal air quality standards for Ozone, PM_{10}, and $PM_{2.5}$ are identified. Consistent with the intent of implementation of the SCAQMD Air Quality Management Plan strategies, the number of days when exceedances of Ozone and PM_{10} standards have occurred has trended downward over the monitored time frame. The number of days when exceedances of $PM_{2.5}$ standards has occurred has remained relatively static. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

Table 4.3-3
Project Area Air Quality Monitoring Summary 2008-2010

		Year		
Pollutant	**Standard**	**2008**	**2009**	**2010**
Ozone (O_3)[a]				
Maximum 1-Hour Concentration (ppm)		0.142	0.125	0.122
Maximum 8-Hour Concentration (ppm)		0.114	0.108	0.107
Number of Days Exceeding State 1-Hour Standard	> 0.09 ppm	65	53	42
Number of Days Exceeding State 8-Hour Standard	> 0.07 ppm	94	88	82
Number of Days Exceeding Federal 1-Hour Standard	> 0.12 ppm	4	1	0
Number of Days Exceeding Federal 8-Hour Standard	> 0.075 ppm	77	67	50
Number of Days Exceeding Health Advisory	≥ 0.15 ppm	0	0	0
Carbon Monoxide (CO)[b]				
Maximum 1-Hour Concentration (ppm)		7	3	3
Maximum 8-Hour Concentration (ppm)		2	1.8	1.7
Number of Days Exceeding State 1-Hour Standard	> 20 ppm	0	0	0
Number of Days Exceeding Federal/State 8-Hour Standard	> 9.0 ppm	0	0	0
Number of Days Exceeding Federal 1-Hour Standard	> 35 ppm	0	0	0
Nitrogen Dioxide (NO_2) [b]				
Maximum 1-Hour Concentration (ppm)		0.09	0.08	0.0608
Annual Arithmetic Mean Concentration (ppm)		0.0258	0.0200	0.0172
Number of Days Exceeding State 1-Hour Standard	> 0.18 ppm	0	0	0
Inhalable Particulates (PM_{10})[a]				
Maximum 24-Hour Concentration (μg/m^3)		85	80	51
Number of Samples		45	58	61
Number of Samples Exceeding State Standard	> 50 μg/m^3	12	9	1
Number of Samples Exceeding Federal Standard	> 150 μg/m^3	0	0	0
Ultra-Fine Particulates ($PM_{2.5}$)[b]				
Maximum 24-Hour Concentration (μg/m^3)		43.0	42.2	43.7
Annual Arithmetic Mean (μg/m^3)		13.4	13.4	11.0
Number of Samples Exceeding Federal 24-Hour Standard	> 35 μg/m^3	4	2	2

Source: South Coast AQMD (www.aqmd.gov)
[a] Perris Monitoring Station (SRA 24) data.
[b] Metropolitan Riverside County 2 (SRA 23/Magnolia) data.

JS-23

Comment:

The EIR fails to disclose all Moreno Valley General Plan Policies relevant to air pollutant emissions. Such omitted policies and objectives include:

Response:

The commentor lists no omitted General Plan air quality Policies or Objectives. The Draft EIR appropriately cites and considers City General Plan air quality Policies and Objectives germane to the Project (please refer to Draft EIR Table 4.3-4). No further response is required. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-24

Comment:

Site preparation will require soils work including removal, fill, and re-compaction. The EIR does not evaluate or disclose where the soils will be obtained from and/or removed to, nor does the EIR evaluate associated air quality impacts from this soils import/export.

Response:

Removal fill and re-compaction activities are internal to the site. No substantial import or export of soils is required. Relevant Draft EIR text is excerpted in pertinent part below:

> The existing Project site will require soil removal, fill, and re-compaction to establish building pads and suitable sub-base for parking areas as well as to ensure proper foundation support. This work will be realized consistent with recommendations and requirements of the Project Geotechnical Exploration Report. The site is relatively level, and *no substantial import or export of soils is anticipated (*emphasis added, Draft EIR page 4.3-53).

The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-25

Comment:

The EIR finds that the Project is consistent with the General Plan Objective 6.7: reduce mobile and stationary air pollutant emissions. This consistency finding is completely unsupported by the EIR which demonstrates that the Project will increase mobile and stationary emissions over existing conditions. Compliance with California law in the form of meeting Title 24 standards does nothing to *reduce* stationary emissions or in any way effect or reduce mobile emissions. The Project is inconsistent with this objective.

Response:

As noted at Draft EIR Table 4.3-4:

> The Project site is located proximate to existing and proposed major roadways, acting to generally reduce vehicle trip lengths, thereby reducing mobile source emissions. The Project will further reduce mobile source emissions by creating local employment opportunities, reducing commuter vehicle miles traveled (VMT) within the region. Additionally, the Project will implement energy efficient designs and operational programs meeting or surpassing California Code of Regulations (CCR) Title 24 Building Standards, including but not limited to compliance with or betterment of, energy conservation requirements identified at CCR Title 24, Part 6, Energy Code. Energy efficient designs and programs implemented by the Project reduce resources consumption with correlating reductions in stationary-source emissions (Draft EIR page 4.3-17).

As indicated, the project acts to reduce emissions within the region. By the commentor's interpretation of City Policies and Objectives, any project that generates any vehicle trips or emissions of any type would be considered to be inconsistent with the City's General Plan Objective to reduce mobile and stationary source air pollutant emissions. It also is important to note that the Project's operational-source emissions are predominantly from mobile-source emissions that are beyond the control of the Project Applicant, future Project tenants, and the City of Moreno Valley. In this latter regard, all Project-related operational-

source air quality impacts derive predominantly from mobile sources. Approximately 96.6 percent (by weight) of all Project operational-source emissions are generated by mobile sources (vehicles). Only the mobile-source emissions component, which is outside the control of the Applicant, tenants, and the City, exceeds the thresholds. Neither the Project Applicant nor the City of Moreno Valley has regulatory control over tailpipe emissions from vehicle exhaust. Rather, these source emissions are regulated by the California Air Resources Board and the United States Environmental Protection Agency. The on-site, area sources of air pollution that are within the direct control of the Applicant and future users of the Project are well below the significance thresholds.

The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-26

Comment:

The EIR then finds that the Project will not conflict with or obstruct the implementation of the applicable air quality plan despite extensive evidence to the contrary. The EIR finds that the Project is consistent with criterion No. 1 as the Project would not result in the frequency or severity of air quality violation or cause or contribute to new violations. In fact, the next page acknowledges that the Project would exceed SCAQMD thresholds, but nonetheless determined the Project to be consistent with this criterion. This determination is and countered by the evidence.

Response:

The commentor offers opinions on Project consistency with applicable provisions of the applicable Air Quality Management Plan (AQMP). EIR discussion of Project Consistency with the AQMP in context (omitted by the commentor) is provided below:

> The purpose of the 2007 AQMP for the Basin (and those portions of the Salton Sea Air Basin under the SCAQMD's jurisdiction) is to establish a comprehensive program that will lead these areas into compliance with federal and state air quality planning requirements for ozone and PM2.5.

Criteria for determining consistency with the AQMP are defined in Chapter 12, Section 12.2 and Section 12.3 of the SCAQMD's CEQA Air Quality Handbook (1993). These indicators are discussed below:

- Consistency Criterion No. 1: The project under consideration will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.

The violations that Consistency Criterion No. 1 refers to are the CAAQS and NAAQS. CAAQS and NAAQS violations would occur if localized significance thresholds (LSTs) were exceeded. As evaluated as part of the Project LST analysis (presented subsequently [in the Draft EIR]), the Project's mitigated localized construction-source emissions will not exceed applicable LSTs, and a less-than-significant impact is expected. Similarly, the Project LST analysis demonstrates that Project operational-source emissions would not exceed applicable LSTs, and are therefore less-than-significant.

Project operations would however, result in or cause exceedances of certain SCAQMD regional thresholds. Although operational emissions will be generated in excess of SCAQMD's regional threshold criteria, these emissions are accounted for in the AQMP and the AQMP air quality attainment goals. That is, land uses and development proposed by the Project are consistent with land uses and development intensities reflected in the currently adopted City General Plan, and consequently, within the scope of air quality considerations reflected in the AQMP. Moreover, urban location of the Project proximate to local and regional transportation facilities acts to reduce vehicle miles traveled and associated mobile-source (vehicular) emissions. Additionally, Project incorporation of contemporary energy-efficient technologies and operational programs, and compliance with SCAQMD emissions reductions and control requirements act to reduce stationary-

source air emissions. These Project attributes and features are consistent with and support AQMP air pollution reduction strategies and promote timely attainment of AQMP air quality standards (Draft EIR, pages 4.3-49, 50).

The preceding Draft EIR discussion substantiates the Project's consistency with applicable provisions of the AQMP. It may be noted that the SCAQMD, in their review of the Project (as included in this Final EIR) did not find the Project at variance with provisions of the AQMP.

JS-27

Comment:

Mitigation Measures

Construction Impacts

1. Gravel pads must be installed at all access points to prevent tracking of mud onto public roads.
2. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect (e.g. Install wheel shakers, wheel washers, and limit site access.)
3. All roadways, driveways, sidewalks, etc., should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
4. Pave all construction roads.
5. Pave all construction access roads at least 100 feet on to the site from the main road.
6. Limit fugitive dust sources to 20 percent opacity.
7. Require a dust control plan for earthmoving operations.
8. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.
9. All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing reclaimed water trucks if visible soil materials are carried to adjacent streets.

10. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
11. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.
12. Extend grading period sufficiently to reduce air quality impacts below a level of significance.
13. The simultaneous disturbance of the site shall be limited to five acres per day.
14. Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.
15. Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered three times daily.
16. Any site access points within 30 minutes of any visible dirt deposition on any public roadway shall be swept or washed.
17. A high wind response plan shall be formulated for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period.
18. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*
19. Develop a trip reduction plan to achieve a 1.5 AVR for construction employees
20. Require high pressure injectors on diesel construction equipment.*
21. Restrict truck operation to "clean" trucks, such as a 2007 or newer model year or 2010 compliant vehicles.*
22. Require the use of CARB certified particulate traps that meet level 3 requirements on all construction equipment.*
23. Utilize only CARB certified equipment for construction activities.*

24. The developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use and/or idling in excess of 3 minutes.*
25. Restrict engine size of construction equipment to the minimum practical size.*
26. Use electric construction equipment where technically feasible.*
27. Substitute gasoline-powered for diesel-powered construction equipment.*
28. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.*
29. Use methanol-fueled pile drivers.*
30. Install catalytic converters on gasoline-powered equipment.*
31. Require the use of Alternative Diesel Fuels on diesel equipment used. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.
32. Electrical powered equipment shall be utilized in-lieu of gasoline-powered engines where technically feasible.*
33. All forklifts shall be electric or natural gas powered.*
34. Suspend use of all construction equipment operations during second stage smog alerts.*
35. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
36. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.*
37. Reroute construction trucks away from congested streets and sensitive receptor areas.*
38. Configure construction parking to minimize traffic interference.*
39. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been

encouraged and will be supported by the contractor via incentives or other inducements.*

40. Minimize construction worker trips by requiring carpooling and providing for lunch onsite. *
41. Provide shuttle service to food service establishments/commercial areas for the construction crew.*
42. Provide shuttle service to transit stations/multimodal centers for the construction crew.*
43. Require the use of Zero-VOC paints, coatings, and solvents.

(* Would reduce impacts to GHGs as well)

Response:

Various construction-source emissions mitigation measures listed by the commentor are acknowledged. Pursuant to application of the EIR mitigation measures, the Project will not result in or cause potentially significant construction-source air quality impacts. No additional mitigation is required. The Lead Agency may impose additional measures as Project Conditions of Approval.

Within the listed measures, the commentor note various GHG/GCC mitigation schemes, none of which are required in this case since the Project's GHG/GCC individual and cumulative impacts are less-than-significant. Mitigation measures are not required for effects which are not found to be significant (*CEQA Guidelines* § 15126.4, subd. [a] [3]). The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-28

Comment:

Operational Emissions

1. The operator of the primary facilities shall become SmartWay Partner.*
2. The Project shall meet SmartWay 1.25 ratings.*
3. The project shall use only freight companies that meet SmartWay 1.25 ratings.*

4. (ALTERNATIVELY from 2,3 above) The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
5. The operator of the primary facilities shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
6. All fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.*
7. All spaces utilizing refrigerated storage, including restaurants and food or beverage stores, shall provide an electrical hookup for refrigeration units on delivery trucks. Trucks incapable of utilizing the electrical hookup for powering refrigeration units shall be prohibited from accessing the site. All leasing documents shall include these requirements and provide that violation of those provisions will constitute a material breach of the lease that will result in the termination of the lease. Because of the fact that these terms of the lease are designed to benefit the public, the public shall be considered to be a third party beneficiary with standing to enforce the requirements of the lease.*
8. Install catalytic converters on gasoline-powered equipment.*
9. Where diesel powered vehicles are necessary, require the use of alternative diesel fuels. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in

performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.

10. Electrical powered equipment should be utilized in-lieu of gasoline-powered engines where technically feasible.*
11. Utilize electrical equipment for landscape maintenance.*
12. All forklifts shall be electric or natural gas powered.*
13. Utilize electric yard trucks.*
14. Prohibit idling of trucks for periods exceeding three minutes.*
15. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.*
16. Charge reduced or no parking fee for EVs and CNG vehicles.*
17. Install EV charging facilities for a minimum of 10% of all parking spaces.*
18. Install a CNG fueling facility.*
19. Provide preferential parking locations for EVs and CNG vehicles.*
20. Implement parking fee for single-occupancy vehicle commuters.*
21. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.*
22. Plant at least 50 percent low-ozone forming potential (Low-OFP) trees and shrubs, preferably native, drought-resistant species, to meet city/county landscaping requirements.*
23. Plant Low-OFP, native, drought-resistant, tree and shrub species, 20% in excess of that already required by city or county ordinance. Consider roadside, sidewalk, and driveway shading.*
24. Orient 75 percent or more of homes and buildings to face either north or south (within 30 degrees of N/S) and plant trees and shrubs that shed their leaves in winter nearer to these structures to maximize shade to the building during the summer and allow sunlight to strike the building during the winter months.*
25. Provide grass paving, tree shading, or reflective surface for unshaded parking lot areas, driveways, or fire lanes that reduce standard black asphalt paving by 10% or more.*

26. Electrical outlets shall be installed on the exterior walls of all residential and commercial buildings (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.*
27. Prohibit gas powered landscape maintenance equipment within residential, commercial, and mixed-use developments. Require landscape maintenance companies to use battery powered or electric equipment **or** contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.*
28. Implement parking cash-out program for non-driving employees.*
29. Require each user to establish a carpool/vanpool program.*
30. Create a car sharing program within the planned community.*
31. Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.*
32. Provide preferential parking for carpool/vanpool vehicles.*
33. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.*
34. Provide secure, weather-protected bicycle parking for employees.*
35. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.*
36. Provide direct safe, direct bicycle access to adjacent bicycle routes.*
37. Provide showers and lockers for employees bicycling or walking to work.*
38. Short-term bicycle parking for retail customers and other non-commute trips.*
39. Connect bicycle lanes/paths to city-wide network.*
40. Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.*
41. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.*
42. Provide a display case or kiosk displaying transportation information in a prominent area accessible to employees or residents.
43. Provide shuttle service to food service establishments/commercial areas.*
44. Provide shuttle service to transit stations/multimodal centers.*

45. Provide on-site child care or contribute to off-site child care within walking distance.*
46. Implement a compressed workweek schedule.*
47. Implement home-based telecommunicating program, alternate work schedules, and satellite work centers.*
48. All buildings shall be constructed to LEED Platinum standards.*
49. Design buildings for passive heating and cooling and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.*
50. Construct photovoltaic solar or alternative renewable energy sources sufficient to provide 100% of all electrical usage for the entire Project.*
51. Install an ozone destruction catalyst on all air conditioning systems.*
52. Construct renewable energy sources sufficient to offset the equivalent of 100% of all greenhouse gas emissions from mobile sources (internal combustion engines) for the entire Project. *
53. Purchase only green/ renewable power from the electric company.*
54. Install solar water heating systems to generate all hot water requirements.*

Response:

Various operational-source emissions mitigation measures listed by the commentor are acknowledged. Further definition of the Project provided by the Applicant, and measures suggested for consideration by the SCAQMD and determined feasible by the Lead Agency would act to reduce operational emissions in total. Please refer also to Sierra Club Responses SC-3 and SC-15 in this Final EIR. The Lead Agency may impose additional measures as Project Conditions of Approval. However, exceedance of SCAQMD operational emissions thresholds for VOCs and NOx would persist.

Within the listed measures, the commentor notes various GHG/GCC mitigation schemes, none of which are required in this case since the Project's GHG/GCC individual and cumulative impacts are less-than-significant. Mitigation measures are not required for effects which are not found to be significant (*CEQA Guidelines* § 15126.4, subd. [a] [3]). The

commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-29

Comment:

Health Risks

The nearest sensitive receptors to the project are rural residences located approximately 525 feet northeast of the Project site (Motel 7) and 680 feet northeast of the Project site (residences). (EIR p. 4.3-69, EIR p.4.3-72-73.) The EIR, however, fails to evaluate impacts to sensitive receptors at the motel. There is also no consideration in the EIR of impacts to the March Lifecare Campus located approximately 1,000 feet southeast of the Project site, despite the fact that health risks susceptibility from diesel PM emissions are greater to the elderly, infants, and children and despite the fact that over 710 hospital and institutional beds are expected in addition to medical office and other uses. (EIR p. 3-5, p. 5-3.)

Instead, the EIR finds that the project will have less than significant operational health risk impacts on the basis that the Project will increase cancer risk a maximum of 8.48 cancer risk per million. However, risks are likely to be higher than disclosed in the EIR at the motel and at the health care campus.

Response:

All Project HRA modeling was conducted pursuant to, and consistent with SCAQMD HRA protocols and parameters. Even at the nearest and maximally impacted residential receptors (the residences located approximately 680 feet from the Project site), health risks were determined to be less-than-significant. The modeled exposures at these residences reflect the most stringent 70-year exposure criteria established by the SCAQMD. The motel noted by the commentor is not a "residence" where transient motel patrons would be subjected to potential 70-year residential lifetime exposures reflected in the modeling. Even under the "near-term" 45-year worker exposure (applicable to the motel employees) the maximally impacted receptor reflected in the modeling is not subject to potentially significant health risks. Any risks for motel employees would be further reduced. Health risks at the motel would be even less than that experienced at the maximally impacted

residential receptor or worker receptor, and similarly would be less-than-significant. At the more distant MLCSP (approximately 1,000 feet from the Project site) persons again are not subject to 70-year residential exposure criteria. MLSCP employees would experience reduced exposures compared to the maximally impacted workers reflected in the HRA. Health risks at the MLSCP would be even less than that experienced at the maximally impacted residential and worker receptors indicated in the Project HRA, and would similarly be less-than-significant. Further, the HRA dispersion modeling indicates that pollutant concentrations at the MLSCP land uses would be even less than that experienced at the maximally impacted receptors.

JS-30

Comment:

The EIR also assumes the use of a single route to/from I-215 and no route to SR-60 or other highways. The health risk assessment is fatally flawed in this assumption as truck traffic and associated PM emissions will likely be higher than predicted at residents en route to SR-60 and at the health care campus.

Response:

The Draft EIR analysis presents and considers maximum impact scenarios regarding truck impacts at sensitive receptors. The Project Health Risk Assessment reflects potential maximum impacts through assumed concentrated vehicle traffic emissions within the Project site, in combination with area sources. These combined emissions would exceed any transient emissions from a portion of Project traffic distributed along area roads as suggested by the commentor. Please refer also to Response JS-5. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-31

Comment:

Diesel PM is known to cause immune system effects; reproductive, developmental, and endocrine effects; nervous system effects; and lung health problems, as recognized by the County in the General Plan. Immune system effects include increased allergic inflammatory responses and suppression of infection fighting ability. Diesel PM has also been associated

with reproductive effects such as decreased sperm production, changes in fetal development, low birth weight and other impacts. Diesel PM exposure may also cause impairment to the central nervous system. (*The Health Effects of Air Pollution on Children*, Michael T. Kleinman, Ph.D, Fall 2000, <http://aqmd.gov/forstudents/health_effects_on_children.html#WhyChildren>; *See also, Diesel and Health in America: the Lingering Threat*, Clean Air Task Force, February 2005, <http://www.catf.us/resources/publications/files/Diesel_Health_in_America.pdf>)

Given these diesel PM-caused health risks and the Project's close proximity to a health care facility, these Project is likely to result in a significant health risk impact.

With regards to respiratory and cancer effects of diesel PM, SCAQMD has stated the following:

> "Diesel particles consist mainly of elemental carbon and other carbon-containing compounds… Diesel particles are microscopic…Due to their minute size, diesel particles can penetrate deeply into the lung. There is evidence that once in the lung, diesel particles may stay there for a long time.
>
> In addition to particles, diesel exhaust contains several gaseous compounds including carbon monoxide, nitrogen oxides, sulfur dioxide and organic vapors, for example formaldehyde and 1,3-butadiene. Formaldehyde and 1,3-butadiene have been classified as toxic and hazardous air pollutants. Both have been shown to cause tumors in animal studies and there is evidence that exposure to high levels of 1,3-butadiene can cause cancer in humans…
>
> Diesel emissions may also be a problem for asthmatics. Some studies suggest that children with asthma who live near roadways with high amounts of diesel truck traffic have more asthma attacks and use more asthma medication.

> Some human volunteers, exposed to diesel exhaust in carefully controlled laboratory studies, reported symptoms such as eye and throat irritation, coughing, phlegm production, difficulty breathing, headache, lightheadedness, nausea and perception of unpleasant odors. Another laboratory study, in which volunteers were exposed to relatively high levels of diesel particles for about an hour, showed that such exposures could cause lung inflammation." (*The Health Effects of Air Pollution on Children, supra*; *See also, Mira Loma Commerce Center EIR No. 450, Air Quality, Section 4.*)

Again, this Project's close proximity to the health care campus makes these health effects extremely relevant.

Furthermore, infants, children, and the elderly are more susceptible to diesel PM and its associated health impacts. With regards to infants and children, increased susceptibility to TACs and diesel PM exists for a variety of reasons. Children are generally more active than adults, have higher respiration rates, and inhale more pollutants deeper into the lung. Children also have more lung surface area in proportion to their body size and inhale more air pound for pound when compared to adults, taking in 20 to 50 percent more air and associated air pollutants than adults. When compared to adults, children spend more active time outdoors in polluted air environments and exert themselves harder than adults when playing outside. Importantly, this exposure to high pollutant levels in children occurs while their lungs are still developing, and therefore has more severe impacts on this sensitive group. (*The Health Effects of Air Pollution on Children, supra*.)

This increased susceptibility to air pollutant emissions for children has resulted in the California EPA Office of Environmental Health Hazard Assessment ("OEHHA") weighting cancer risk by a factor of 10 for exposures to carcinogens from birth to two years old, and by a factor of 3 for exposures from 2 years old to 15 years old. (*Technical Support Document for Cancer Potency Factors: Methodologies for derivation, listing of available values, and adjustments to allow for early life stage exposures*, California EPA OEHHA Air Toxicology and Epidemiology Branch, April 2009, p. 3. <http://www.oehha.ca.gov/air/hot_spots/pdf/TSDCPFApril_09.pdf.>) It is unclear that these

increased risks were accounted for in the EIR. Additionally, recent studies conducted by SCAQMD's Brain and Lung Tumor and Air Pollution Foundation have found a specific connection between exposure to diesel PM and brain cancer in children. (Annual Meeting of the Brain & Lung Tumor and Air Pollution Foundation, April 2, 2010, <http://www.aqmd.gov/hb/2010/April/100425a.htm>)

In addition to an increased risk of cancer, the effects of diesel PM on children include slowed lung function and growth, increased emergency room visits, increased incidences of asthma and bronchitis, crib death, asthma respiratory infections, allergic symptoms, and asthma hospitalizations. (*Diesel and Health in America: the Lingering Threat*, *supra*.)

The County of Riverside has recently acknowledged that due to poor air quality in the County:

- In 2005, the greatest percentage of asthma-related hospitalizations were among those under age 18 (38%) followed by those over 65 (19%). Blacks experienced the greatest rate of hospitalizations in 2005 at 225.7 per 100,000 population, versus 99.5 and 81.2 for Hispanics and whites, respectively.
- Risk of Cancer from Diesel Soot and Other Toxic Air Pollutants: Whereas the regional risk of cancer from diesel soot and other toxic air pollutants dropped by 8 percent between 1998 and 2005, the cancer risk in Riverside County increased by 2 percent.
- Poor air quality costs Riverside and San Bernardino around ***$6.3 billion annually*** in health care expenses.

The EIR fails as an informational document as the health risk assessment fails to calculate the cancer risk to nearby sensitive receptors and fails to provide a weighted risk assessment for children and the elderly residing in the area and persons using the health care campus.

Response:

The commentor excerpts various discussions regarding diesel particulate matter (DPM)-source health risks. The Draft EIR discusses DPM-source health risks (Draft EIR pages 4.3-8, 4.3-9 *et al.*). Please refer to Response JS-5 and JS-29 regarding health risk exposures at the

MLSCP. The SCAQMD HRA modeling protocol employed in the EIR analysis reflects and accounts for characteristics of sensitive receptors. Please refer to EIR Appendix C, Health Risk Assessment, pages 18-20, *et al.*). The "weighted risk" referenced by the commentor is reflected in the Project HRA, and is less-than-significant at all receptors. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-32

Comment:

Nevertheless, the Project will cumulatively contribute to an already bad cumulative diesel PM situation. The EIR wrongly concludes that since Project operations were evaluated t[o] be less than significant individually, they are cumulatively insignificant. (EIR p. 5-14) This conclusion is utterly unsupported by the EIR and evidence. First, as discussed above, individual Project health risk impacts are likely significant and inadequately evaluated by failing to consider nearby sensitive receptors and failing to weight risks to children and the elderly residing nearby, and persons utilizing the health care campus. Second, also as discussed above, the cumulative impact assessment fails to consider all cumulative Projects in the area so that the EIR's cumulative assessments fail.

Third, the region has an existing cancer risk of 641 per million, well in excess of any acceptable levels. The Project will add diesel PM to that existing situation, up to an alleged 649.48 cancers per million, further exacerbating this significant environmental effect. While the Project's incremental contribution may appear relatively small when compared to this huge number, its cumulative effect is great especially accounting for recent warehouse/distribution projects proposed in the area and not considered in the EIR.

Fourth, the EIR also fails as an informational document by failing to disclose cumulative noncarcinogenic health risks of the Project given these background levels of diesel PM. Overall, the health risk assessment for the Project is fatally flawed as it fails to disclose, evaluate, and mitigate for the real health risk impacts of the Project. The EIR and health risk assessment must be re-prepared and re-circulated accounting for all impacted sensitive

receptors, all cumulative projects, and the increased risk to the elderly, children, infants, and medical patients.

Response:

As discussed in detail in the Draft EIR and the supporting HRA (Draft EIR Appendix C) potential Project-related health risk impacts are individually less-than-significant. Pursuant to SCAQMD guidance (below), impacts that are less-than-significant at the project level are not considered cumulatively considerable.

> [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0 [*the maximum Project HI is 0.0053*]. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts [*the maximum Project MICR is 8.48]*. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. 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 (South Coast Air Quality Management District *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, Appendix D, page D-3).

Quantified cumulative health risks impacts are identified in the Draft EIR and are excerpted here:

Table 5.1-2
Cumulative Cancer Risk Summary
(incidence per one million population)

	Background	Project Increment	Total Cumulative Risk
Maximum Impact to All Receptors Without Project	641		641
Maximum Residential Impact With Project	641	8.48	649.48
Maximum Worker Impact With Project	641	0.56	641.56
Maximum School Impact With Project	641	0.06	641.06

Sources: *RPT Centerpointe West Project Mobile Source Health Risk Assessment* (Urban Crossroads, Inc.) August 27, 2012; MATES III Carcinogenic Risk Interactive Map (SCAQMD) 2008. (http://www2.aqmd.gov/webappl/matesiii/)

With regard to cumulative non-cancer health risks, the maximum Project non-carcinogenic health risk (Hazard Index [HI]) is 0.0053, or approximately 0.053 percent of the SCAQMD's most stringent HI threshold of 1.0. In perspective, an emissions source with impacts 188 times greater than the Project would be required to exceed the SCAQMD project-specific 1.0 HI threshold.

The SCAQMD cumulative (facility-wide) threshold of 3.0 addresses impacts of multiple emissions sources resulting from a given action. If the Project were considered to be a combination of multiple emissions sources, resulting impacts would be even farther removed from SCAQMD threshold considerations.

The Project would not exceed SCAQMD project-specific or cumulative non-cancer risk thresholds, and on this basis the Project's non-cancer risks are not cumulatively considerable. The Draft EIR discussion of cumulative air quality impacts at EIR Section 5.0, page 5-15 is amended accordingly. Please refer also to Final EIR Section 2.0, Revisions and Errata Corrections.

It is also noted that the MATES background conditions noted in the Draft EIR reflect cancer risk estimates and are not applicable to non-cancer risks. Lastly, the *CEQA Guidelines* at

§15064 (h)(4) provide guidance regarding less-than-significant contributions to pre-existing cumulative conditions:

> (h)(4) The mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable.

Commentor opinions regarding cumulative projects are previously addressed at Response JS-9. The commentor's remarks are forwarded to the decision makers. The conclusions of the EIR are not affected.

JS-33

Comment:

GHGs

The EIR finds that the Project will have a less than significant impact to GHGs but fails to evaluate such impacts with respect to SCAQMD's significance threshold tiered approach adopted December 5, 2008. Pursuant to this interim approach, if an industrial project exceeds the screening value, it is potentially significant and should be mitigated or the use of offsets employed. The screening value for an industrial project is 10,000MT/yr CO2e. By failing to provided updated evaluation of the Project's GHG impact based on the most recent SCAQMD approach, the EIR fails as an informational document.

The Project will emit 27,899.09 MT/yr CO2e, thereby far exceeding the SCAQMD screening value. Project GHG impacts are significant without the incorporation of mitigation.

Response:

The outdated proposed 2008 SCAQMD GHG interim emission threshold cited by the commentor (10,000 MT/yr. CO_2E) is for area-sources only; and only for projects where SCAQMD is the Lead Agency. Notwithstanding, the Project area-source emissions (1,278.41 MT/yr. CO_2E) would be approximately 13 percent of, and would not exceed, the previously considered SCAQMD threshold.

Current (2010) South Coast Air Quality Management District Draft GHG Threshold Recommendations are presented at Draft EIR page 4.3-45. The City of Moreno Valley (the Lead Agency for the proposed RPT Centerpointe West Project) has not adopted quantified GHG emissions thresholds.

The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-34

Comment:

Additionally, the EIR does not find that the Project's GHG emissions will result in a cumulative impact. The evaluation of cumulative effects in the EIR is fatally defective as it omits many important projects including, for example, the World Logistics project or Prologis Eucalyptus project.

Response:

As substantiated within these Responses; within the Draft EIR at pages 4.3-78 through 4.3-93; and within the Project GHG Analysis presented at EIR Appendix C, the Project's GHG emissions impacts are less-than-significant, and as a corollary, are not cumulatively considerable. Commentor opinions regarding cumulative projects are previously addressed at Response JS-9. Moreover, Global Climate Change (GCC) impacts are, by their definition, cumulative effects at a Global scale. Any individual projects (whether included in a list of related projects or not) would have an indiscernible and infinitesimally incremental effect (if any) in a global perspective. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-35

Comment:

Not all feasible mitigation has been adopted to reduce Project GHG emissions. The above recommended mitigation with an asterisk must be incorporated as well to mitigated for the Project's significant GHG effects.

Response:

As substantiated within these Responses; within the Draft EIR at pages 4.3-78 through 4.3-93; and within the Project GHG Analysis presented at EIR Appendix C, the Project's GHG emissions impacts are less-than-significant. Mitigation measures are not required for effects which are not found to be significant (*CEQA Guidelines* § 15126.4, subd. [a] [3]).

Further definition of the Project provided by the Applicant, and measures suggested for consideration by the SCAQMD and determined feasible by the Lead Agency would act to reduce operational emissions in total. Please refer also to Sierra Club Responses SC-3 and SC-15 in this Final EIR. GHG emissions would be reduced as a byproduct of these measures. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-36

Comment:

Cumulative Impacts

The finding of less than significant short-term cumulative impacts is unsupported by evidence in the record. The EIR provides no evaluation of such cumulative effects but instead merely concludes that because individual air quality construction impacts will be less than significant, cumulative construction air quality impacts will likewise be insignificant. (EIR p. 5-12) This entirely misses the purpose of a cumulative impact evaluation. Given the 3 year construction plan of this Project and construction timing of other nearby projects including, for instance, VIP Moreno Valley, Prologis Eucalyptus, World Logistics, March Lifecare Campus, etc., it is entirely plausible that the Project may result in cumulative construction air quality impacts. The EIR must evaluate these potentially significant effects rather than just conclude, based on no evidence, that such effects will be insignificant.

Response:

As substantiated in the Draft EIR and within these Responses, construction-source air quality impacts are less-than-significant or are less-than-significant as mitigated (Draft EIR pages 4.3-52 through 4.3-59). Pursuant to SCAQMD protocols and methodologies, Project-

specific construction-source air quality impacts that are less-than-significant are not cumulatively considerable. Please refer also to Response JS-32. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-37

Comment:

The project will result in significant and unmitigated cumulative operational impacts, yet not all feasible mitigation was adopted to reduce this impact. As discussed above, additional mitigation measures must be implemented to reduce operational impacts.

Response:

Further definition of the Project provided by the Applicant, and measures suggested for consideration by the SCAQMD and determined feasible by the Lead Agency would act to reduce operational emissions in total. Please refer also to Sierra Club Responses SC-3 and SC-15 in this Final EIR. However, exceedance of SCAQMD operational emissions thresholds for VOCs and NOx would persist. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-38

Comment:

Additionally, the EIR undertakes no evaluation of potential cumulative operational impacts beyond VOC and NOx, those found individually significant. The EIR must analyze potential cumulative effects from the project to other air pollutants.

Response:

As substantiated in the Draft EIR and within these Responses, within the exception of VOC and NOx exceedances discussed in the Draft EIR, operational-source air quality impacts are less-than-significant or are less-than significant as mitigated (Draft EIR pages 4.3-60 through 4.3-69). Pursuant to SCAQMD protocols and methodologies, Project-specific operational-source air quality impacts that are less-than-significant are not cumulatively considerable. Please refer also to Response JS-32. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-39

Comment:

With regards to GHGs, the cumulative assessment again fails to look at/ disclose newer SCAQMD guidance.

Response:

Current and germane SCAQMD GHG emissions guidance is provided at Draft EIR page 4.3-45. Please refer also to Response JS-33. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-40

Comment:

Lastly, the HRA impact assessment fails to conclude that Project cumulative effects are significant despite adding to an already dire TAC situation in the basin. This conclusion is utterly unsupported. Moreover, the cumulative impact assessment fails to add in additional effects from cumulative projects to the existing ambient TAC cancer incidence in the region. With these cumulative projects considered, the cancer risk incidence is likely to be far in excess of even the ambient 641 per million. By failing to consider cumulative impacts in its cumulative impact assessment, the EIR utterly fails as an informational document and the conclusion that the Project will have less than significant health risk impacts is unsupported.

Response:

Project HRA impacts are not cumulatively considerable as discussed in the Draft EIR and within these Responses. Please refer also to Response JS-32. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-41

Comment:

Biological Resources

The EIR finds that impacts to biological resources will be less than significant with mitigation incorporated, but fails to analyze, evaluate, or disclose the extent of such impacts

or likelihood of such impacts in the EIR. Instead, the EIR relies on the minimal evaluation undertaken for the Initial Study to state that impacts to biological resources are mitigable below a level of significance. This conclusion is utterly unsupported by facts or evaluation in the EIR. The EIR fails as an informational document by not evaluating and disclosing these potentially significant effects.

Response:

The commentor correctly states that the Project EIR determines potential impacts to biological resources to be less-than-significant with mitigation. As noted in the Project Initial Study (Draft EIR Appendix A, pages 8 to 9), the Project site is located in an urban setting, and has been heavily disturbed by human activities. This finding, combined with the results of biological surveys that were prepared prior to the development of the existing Harbor Freight Warehouse facilities located adjacent to the site, which consistently identified no evidence of biological resources or habitat, led to the City's determination that further analysis of biological resources would not be required as part of the Draft EIR. The commentor is referred to Appendix B of this Final EIR, which contains copies of a General Biological Habitat Assessment performed for the previously approved Centerpointe project; a subsequent survey focused on the burrowing owl, and an Army Corps of Engineers/California Department of Fish and Game jurisdictional assessment. None of these studies identify sensitive species or biological habitat within or adjacent to the Project site. The findings of these studies, as reflected in the Project Initial Study, thoroughly support the City's determination that potential impacts to biological resources would be less-than-significant as mitigated. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-42

Comment:

The EIR fails to disclose or mitigate for impacts to foraging raptors on the Project site. Such impacts must be disclosed and mitigated for, through, for instance, the conservation of agricultural lands within the city or payment of in lieu fees.

Response:

As noted within the Project Initial Study (Draft EIR Appendix A, page 9), the Project site is located within the MSHCP [Western Riverside County Multiple Species Habitat Conservation Plan], a natural communities conservation plan that provides coverage for 146 species and up to 510,000 acres. Upon approval, the City of Moreno Valley, as an MSHCP participant, would ensure that development of the Project proceeds in compliance with the MSHCP. Participants in the MSHCP are issued "take" authorization for covered species, including raptors. Additionally, the Draft EIR identifies mitigation specifically addressing raptor nests, as required under the Migratory Bird Treaty Act. Mitigation Measure BR-1, which is included below for ease of reference, addresses potential impacts to all nesting birds, including raptors. It may be noted that, in response to comments received from the United States Fish and Wildlife Service, this Mitigation Measure has been revised to reflect a 300-foot minimum buffer for bird nests of any types, and a buffer of 500 feet is specifically identified for raptor nests. These revisions are reflected in the measure below, and have been carried forward into the Project's Mitigation Monitoring Program, included in Section 4.0 of this Final EIR.

Mitigation Measure BR-1: *If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed within 72 hours prior to clearing for the presence of nesting birds by a qualified Project biologist. The Project biologist shall be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the City Planning Department. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 300-foot buffer and up to 500 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.*

The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-43

Comment:

The mitigation required for burrowing owls is insufficient to demonstrate that impacts will be reduced below a level of significance.

Mitigation measures are stated to reduce biological impacts to burrowing owls below a level of significance are insufficient. A recent "Staff Report on Burrowing Owl Mitigation" by the Department of Fish and Game found that construction further from nesting sites is needed to mitigate for impacts to the owls dependant on level of disturbance. The Staff Report also provides updated guidance on passive relocation of burrowing owls which must be incorporated into any mitigation. ("Staff Report on Burrowing Owl Mitigation," State of California Natural Resources Agency, Department of Fish and Game March 7, 2012, <http://www.dfg.ca.gov/wildlife/nongame/docs/BUOWStaffReport.pdf>)

To ensure adequate mitigation of impacts to the owls, the following additional mitigation measures must be incorporated into the Project:

1. Where habitat will be temporarily disturbed, restore the disturbed area to pre-project condition including decompacting soil and revegetating. Permanent habitat protection may be warranted if there is the potential that the temporary impacts may render a nesting site (nesting burrow and satellite burrows) unsustainable or unavailable depending on the time frame, resulting in reduced survival or abandonment.

2. Mitigate for permanent impacts to nesting, occupied and satellite burrows and/or burrowing owl habitat such that the habitat acreage, number of burrows and burrowing owls impacted are replaced based on site-specific analysis and accounting for natal area, home range, foraging area, and other factors influencing burrowing owls and burrowing owl population persistence in the project area.

3. Mitigate for permanent impacts to nesting, occupied and satellite burrows and burrowing owl habitat with (a) permanent conservation of similar vegetation communities (grassland, scrublands, desert, urban, and agriculture) to provide for burrowing owl nesting, foraging, wintering, and dispersal (i.e., during breeding and nonbreeding seasons) comparable to or better than that of the impact area, and (b) sufficiently large acreage, and presence of fossorial mammals.

4. Alternatively, where a burrowing owl population appears to be highly adapted to heavily altered habitats such as golf courses, airports, athletic fields, and business complexes, permanently protecting the land, augmenting the site with artificial burrows, and enhancing and maintaining those areas may enhance sustainability of the burrowing owl population onsite. Maintenance includes keeping lands grazed or mowed with weedeaters or push mowers, free from trees and shrubs, and preventing excessive human and human-related disturbance (e.g., walking, jogging, off-road activity, dog-walking) and loose and feral pets (chasing and, presumably, preying upon owls) that make the environment uninhabitable for burrowing owls

5. Permanently protect mitigation land through a conservation easement deeded to a purpose of conserving burrowing owl habitat and prohibiting activities incompatible with burrowing owl use. If the project is located within the service area of a Department approved burrowing owl conservation bank, the project proponent may purchase available burrowing owl conservation bank credits.

6. Fund the maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment.

Response:

As noted in the preceding response JS-42, the Project site is located in an urban setting, and has been heavily disturbed by human activities. No evidence of burrowing owls has been identified within the Project area, despite the numerous biological surveys that have been conducted onsite as part of environmental review associated with previous development. Nonetheless, in response to comments received from the United States Fish and Wildlife

Service, Mitigation Measure BR-3 (included below for ease of reference, has been incorporated into the Project's Mitigation Monitoring Program (Section 4.0 of this Final EIR) in order to ensure the Project's compliance with the requirements of the MSHCP.

> ***Mitigation Measure BR-3:*** *Prior to the issuance of a grading permit, the Project Applicant shall be responsible for ensuring that a biological resources survey is conducted for the Project site by a qualified biologist, consistent with the policies of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). This survey will specifically address the identification of potential burrowing owl (*Athena cunicularia*) habitat, and the protection of species associated with riparian/riverine areas and vernal pools. The results of this biological survey shall be submitted to the City for review. If the City finds that the Project, in its final design, would involve areas of burrowing owl occupation, and/or areas of riparian or riverine resources, the following requirements would apply:*
>
> - *If the site contains, or is part of an area supporting less than 35 acres of suitable burrowing owl habitat, or the survey reveals that the site and the surrounding area supports fewer than three pairs of burrowing owls, then the on-site burrowing owls will be passively or actively relocated following accepted protocols.*
> - *If the site (including adjacent areas) supports three or more pairs of burrowing owls, supports greater than 35 acres of suitable habitat and is non-contiguous with MSHCP Conservation Area lands, at least 90 percent of the area with long-term conservation value and burrowing owl pairs will be conserved onsite.*
> - *If the 90 percent threshold cannot be met, the City of Moreno Valley, as a permittee of the MSHCP, must make a Determination of Biologically Equivalent or Superior Preservation.*
> - *If riparian/riverine resources are present onsite and cannot be avoided, a Determination of Biologically Equivalent or Superior Preservation will be required.*

This measure would ensure that the Project complies with the requirements of the MSHCP, which was developed in cooperation with the California Department of Fish and Game and the United States Fish and Wildlife Service. It may also be noted that Mitigation Measure BR-2, requiring pre-construction surveys for the burrowing owl, will remain in effect as part of the Project's Mitigation Monitoring Program, as reflected Section 4.0 of this Final EIR. The mitigation suggested for inclusion by the commentor would be more appropriately applied if the Project site were located outside the jurisdiction of the MSHCP. Mitigation measure BR-3 reflects the recommendations and requirements of the MSHCP and the United States Fish and Wildlife Service. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-44

Comment:

Geology and Soils

Site preparation will require soils work including removal, fill, and re-compaction. The EIR does not evaluate or disclose where the soils will be obtained from and/or removed to, nor does the EIR evaluate associated air quality, traffic, noise, and other impacts from this soils import/export. Instead, the EIR only states that residual materials will be "appropriately disposed of and/or recycled." (EIR p. 3-10) By failing to consider impacts from the import/export of soils, the EIR fails as an informational document.

Response:

The statement quoted by the commentor in regard to the disposal of residual soil that may be removed from the site is presented accurately, but is taken from the Project Description, which provides a relatively brief summary of the Project's construction-related activities. The Draft EIR's air quality analysis (page 4.2-53) provides the following expanded discussion of the site preparation activities that are anticipated to occur prior to building development:

The existing Project site will require soil removal, fill, and re-compaction to establish building pads and suitable sub-base for parking areas as well as to ensure proper foundation support. This work will be realized consistent with recommendations and

requirements of the Project Geotechnical Exploration Report. The site is relatively level, and no substantial import or export of soils is anticipated.

The Project's Air Quality Analysis, Traffic Impact Analysis, and Noise Impact Analysis each present a thorough analysis of the Project's potential construction-related impacts, including impacts related to the import and/or export of soils. The commentor is referred to Draft EIR Appendices B, C and D, respectively. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-45

Comment:

The EIR requires the future preparation of a Project Geotechnical Investigation which will make recommendations as to soils concerns. This type of future, deferred evaluation/study is specifically barred by CEQA and contrary to the information disclosure purposes of an EIR. Any potential mitigation measures determined to be necessary from the Geotechnical Investigation are uncertain to reduce impacts below a level of significance as it is uncertain whether such impacts may be reduced to that extent.

The Initial Study acknowledges that no site specific geotechnical report has yet been prepared for the Project but instead cites to the area around the project. If the Project purports to rely on a study prepared for another of these projects, it should incorporate the study into the EIR, not merely state that previous studies are on file with the City.

The Project is located on expansive soil which will be removed from the site, according to the IS. This location on expansive soils must be considered a potentially significant impact in the EIR which relies on the deferred and uncertain mitigation of a future Project Geotechnical Report and the recommendations made therein. The EIR wrongly fails to evaluate this potential impact and defers the creation of mitigation.

Response:

Despite the commentor's statements to the contrary, the Project does not defer the evaluation of geologic conditions within the Project site. As noted within the Project Initial

Study (Draft EIR Appendix A, pages 10-11), and re-stated in the preceding Response JS-8, the Project site and surrounding areas have been previously and comprehensively evaluated in conjunction with existing industrial development of the area. The Project site is not subject to adverse geotechnical hazards. Any geotechnical constraints identified through site and Project-specific geotechnical engineering studies (mandated by the City as part of the Project Building Permit processes) are adequately addressed through implementation of UBC/CBC seismic design requirements and application of conventional engineering practices. The potential for expansive soils within the Project area was appropriately not considered a potentially significant impact within the Draft EIR because any such soils would be removed, recompacted, and/or blended with other soils pursuant to the recommendations of the Geotechnical Study prior to Project construction. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-46

Comment:

The IS also doesn't consider the potential for erosion impacts during operation. This should be considered in the EIR.

Response:

The Project Initial Study (Draft EIR Appendix A, page 16) includes the following discussion of the Project's potential erosion impacts:

[T]he Project stormwater management system design and related WQMP (see Checklist Item IXa., above) are required to incorporate structural and operational BMPs that preclude or minimize the potential for erosion or siltation as a result of Project-related stormwater discharges. The Project stormwater management system design and WQMP require approval by the City prior to the issuance of development permits. Based on the preceding, the potential for the Project to substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation on- or off-site; substantially alter the existing drainage pattern of the site or area in a manner which would

result in flooding on- or off-site; or otherwise substantially degrade water quality is considered less-than-significant.

The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-47

Comment:

Hazards and HazMat

There is the potential for unexploded ordnance onsite. The EIR concludes that the Environmental Assessments concluded that no residual hazards persist within the project area. However, the IS contradicts these statement and the conclusions of the EIR. The potential for hazardous materials onsite and the possibility of ordnance must be adequate evaluated and mitigated. It has not been in the EIR.

Response:

Contrary to the commentor's assertions, the analysis within the Draft EIR verifies that the Project's potential hazards and hazardous materials impacts, including the potential for unexploded ordnance to remain onsite, are less-than-significant. This assessment is based on the findings of three Environmental Site Assessment (ESA) reports that were prepared for the Project and included in Draft EIR Appendix E.

It should be noted that the statements referenced by the commentor as appearing within the Initial Study were prepared prior to the analysis of the Draft EIR, and are in fact intended to focus the scope of the Draft EIR on impacts that are determined to be potentially significant. Because the Initial Study found that impacts under the topical area of hazards and hazardous materials were potentially significant, this topic was appropriately carried forward for further analysis within Draft EIR Section 4.5. The Draft EIR summarizes the findings of the Project-specific ESAs on Page 4.5-5, which is excerpted below for ease of reference.

4.5.3 EXISTING HAZARDS/HAZARDOUS CONDITIONS

Existing hazardous conditions affecting the Project site and surrounding areas are documented within the Phase I/Phase II ESAs noted previously in this Section. The Phase I/II ESAs incorporated historical records review, regulatory records review, onsite and off-site visual reconnaissance and evaluation of environmental factors, and interviews with persons having knowledge of the subject site and its past and current uses. Results and findings of the Phase I/Phase II ESAs are summarized below.

4.5.3.1 Historic Hazards/Hazardous Materials Considerations

Historically, the Project area may have been utilized for, or affected by MAFB activities and operations. The Phase I/II ESAs investigated use of the site for past MAFB activities and concluded that if such activities occurred in the past, no residual hazards persist within the Project area. The Phase I/II ESAs conclude further that hazardous or potentially hazardous activities or operations known to have occurred, or that exist within the MAFB (now MARB) site, are physically removed from the Project site and are oriented such that these hazards do not adversely affect the Project area.

Additional detail is available within Draft EIR Appendix E, where the Phase I and Phase II ESA reports summarized in Draft EIR Section 4.5 have been included in their entirety. Specifically, the Phase I ESA dated February 4, 2009, states on page 9 that based on a geophysical survey of the site, "[n]o unexploded ordnances, shell casings or bullet fragments were detected during the subsurface investigation." The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-48

Comment:

The Project site lies within a 500 year floodplain, yet the potential for flooding and associated hazards is not evaluated in the EIR. This potential flooding impact must be considered, along with associated hazard, water quality, and other impacts.

Response:

As noted in the Draft EIR, the City does not impose building or use restrictions within 500-year floodplain areas (Draft EIR page 4.5-6). There is no specific requirement under CEQA that requires an EIR to address conditions that might occur as a result of a 500-year flood; instead, the standard CEQA checklist provided in Appendix G of the *CEQA Guidelines* identifies the more frequently occurring 100-year flood condition as a threshold for potential flooding impacts. As discussed in the Draft EIR, the Project site is not located within a 100-year floodplain (Draft EIR page 1-10). The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-49

Comment:

Land Use/ Planning

The vicinity land uses and vicinity General Plan land uses detailed in the EIR are too narrow and direct the focus away from the sensitive uses near the Project. In the Project vicinity to the north and east are residential uses; to the southeast are residential uses and an elementary school; and to the south is the March Lifecare Campus Specific Plan (196 acres for a health care campus). There is also a Motel 7 located approximately 525 feet northeast of the Project site. These residential, health care, and other uses with sensitive receptors may not be adjacent to the Project but are definitely within the Project vicinity and along probably truck routes to/from the Project site. The EIR must be amended to include these uses, zoning designations, and general plan land use designations in their respective sections in the Land Use/ Planning portion of the EIR and not just on maps and figures.

Response:

The City disagrees with the commentor's statement that the EIR must be amended to expand its discussion of sensitive land uses within the Project vicinity. The Project's compatibility with vicinity land uses has been adequately addressed within the Draft EIR's Land Use Section. In summary, it should be noted that the uses proposed by the Project are allowed under the City's existing General Plan Land Use designation of "Business Park/Light Industrial" (Draft EIR, page 4.1-17). Although a change of zone from "Business Park-Mixed Use (BPX)" to "Light Industrial (LI)" is requested for one of the Project's six

parcels, the Draft EIR's analysis of alternatives finds that development of this parcel under its existing BPX zoning designation would result in increased traffic, with correlating increases in air pollutant emissions and noise (Draft EIR, pages 5-25 to 5-28).

Further, the Project's potential to adversely affect neighboring sensitive uses has been thoroughly and specifically addressed within the Draft EIR's subsequent discussions of air quality, and noise. Each of the sensitive uses identified by the commentor is acknowledged within the EIR, and presented in a manner that illustrates their relationship to the Project site in terms of distance and intervening uses. It is unclear what benefit would be derived from further, text-based discussion of surrounding land uses within the Draft EIR's Land Use Section.

It may also be noted that the Project-related trucks will travel primarily between the Project site and I-215 along Cactus Avenue, which is a designated truck route and major arterial (Draft EIR, page 4.1-18), as indicated in the City of Moreno Valley General Plan Circulation Element. The Project's compatibility with vicinity land uses has been adequately addressed within the EIR. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-50

Comment:

The EIR fails to consider the potential for this Project, either individually or cumulatively, to result in an over-supply of warehousing in the City, and/or any potential blighting effects, in its consideration of effects to Land Use/ Planning. Recently, the Prologis Eucalyptus Industrial Park Draft EIR concluded that, based on current conditions, there may be an over-supply of warehousing in the City. (*See*, Prologis Eucalyptus Industrial Park Draft EIR, SCH No. 2008021002, p. 4.8-18). The Project seems to acknowledge this potential, providing for an "interim use" for Building 2. However, no such over-supply impact is considered in the EIR.

Additionally, the EIR does not consider potential impacts related to blighting from either the over-supply of warehousing or the excessive building of warehouse distribution

facilities in Moreno Valley. Recently, the New York Times wrote an article about warehouse growth and labor issues arising out of, predominantly, Moreno Valley. ("As California Warehouses Grow, Labor Issues are a Concern," Jennifer Medina, July 22, 2012, <http://www.nytimes.com/2012/07/23/us/in-california-warehouse-industry-is expanding.html?pagewanted=all&_moc.semityn.www>; *see also,* "Unsafe and Unfair: Labor Conditions in the Warehouse Industry," Jason Struna, Kevin Curwin, Edwin Elias, Ellen Reese, Tony Roberts, and Elizabeth Bingle, Policy Matters Vol.5, Issue 2, Summer 2012. <http://policymatters.ucr.edu/pmatters-vol5-2-warehouse.pdf>) While the City or applicant may not be responsible for such inadequate pay or illegal practices, the continued and additional development of warehouse/distribution facilities in the City, which do not rely on a skilled work force, may result in blighting impacts. The sheer size and number of distribution warehouses in Moreno Valley and surrounding areas may likewise have a blighting impact, especially if any number of those warehouses is in excess of demand and remains empty. The EIR must consider this potential blighting impact.

Response:

The commentor correctly notes that the Draft EIR does not address the potential for the Project to result in an over-supply of warehouse facilities within the City. This is primarily due to the Project's location within an existing business park/industrial corridor, and the fact that the Project proposes the expansion of an existing, successful distribution center that is currently operating within the City. The proposed interim use of approximately 7.6 acres within the 56.2-acre Project site for vehicle storage is a reflection of the short-term needs of the planned building tenants, rather than an indication of excess warehouse space within the City, as suggested by the commentor. Further, it should be noted that blighting does not automatically occur as a result of temporary vacancies within a commercial or industrial market. The term "blight," or as it is more descriptively identified under CEQA, "urban decay" refers to unsightly conditions and physical deterioration caused by the closure of businesses and resultant long-term vacancies.

Despite the commentor's comparison, the RPT Centerpointe West Project bears little resemblance to the referenced Prologis Eucalyptus Industrial Park project, which proposes the development of 2.25 million square feet of warehouse uses on over 120 acres, more than

70 acres of which are currently designated for residential use by the City's General Plan Land Use Map. On the basis of the preceding discussions, the potential for the Project to lead to blighting based on the "excessive building of warehouse distribution facilities in Moreno Valley," as expressed by the commentor, is considered unlikely. The referenced articles and additional opinions of the commentor will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-51

Comment:

The EIR finds that the Project is consistent with the Goals, Objectives, and Policies of the General Plan but fails to consider all goals/policies. As discussed in the individual sections herein, the Project is, in fact, inconsistent with the General Plan. Moreover, the conclusion of consistency are unsupported by evidence in the EIR and instead contradicted in areas. For instance, Objective 2.5 is to promote a mix of industrial uses which provide a sound and diversifies economic base. The EIR finds the Project "consistent" where it adds yet another warehouse distribution facility to the sea of distribution warehousing in Moreno Valley. The alternatives section herein provides a mix of sound industrial uses which could diversify industrial uses in the City.

Response:

The Draft EIR has considered the Project's consistency with *relevant* goals and policies of the City's General Plan. The following clarifying discussion is excerpted from Draft EIR page 4.1-15:

> The City's General Plan provides direction and vision for long-term development of the City, as expressed in its seven elements: Community Development; Economic Development; Parks, Recreation and Open Space; Circulation; Safety; Conservation; and Housing. It is recognized that, to a certain extent, all Elements of the City's General Plan are interrelated, and all General Plan Elements (along with their associated goals and policies) are tied to land use considerations within the City. The following discussions focus on General Plan goals and policies *directly applicable to the Project within*

the context of the potential environmental impacts addressed by this Draft EIR (emphasis added).

Specific comments regarding the Project's perceived inconsistencies with the Moreno Valley General Plan have been addressed at the point where they were presented within the commentor's letter. Specifically, the commentor's concerns regarding Objective 2.5 have been addressed subsequently within Response JS-90. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-52

Comment:

Also, the number of jobs projected to be created with the Project to be consistent with land use goals, 1,200-1,300 permanent jobs, is likely overestimated. In the recent VIP Moreno Valley EIR and relying on the Inland Empire Distribution Center Operations Profile, WCL Consulting, June 10, 2008, the EIR projected 1 job created per 2500 sq. ft. (VIP Moreno Valley DEIR p. 2-28, FN 2) In this EIR, the methodology relied on does not focus on distribution centers in particular but rather any "light industrial" use. As distribution generally employs fewer persons than more intensive and skilled light industrial uses, the 1 per 2,500 figure focused on distribution operations should be used in lieu of the 1 job per 1,030 sq. ft. ratio used in the EIR. Applying this methodology gives an estimated 512.4 jobs, less than half of those forecast in the EIR.

Response:

The commentor's opinions in regard to the Project's likely jobs production are noted, and will be forwarded to decision makers. As noted in the *CEQA Guidelines*, Section 15064 subd. (e), "economic and social changes resulting from a project shall not be treated as significant effects on the environment." No further response is required. Results and conclusions of the Draft EIR are not affected.

JS-53

Comment:

With regards to Policy 2.5.4, the EIR finds that the Project is consistent with the policy to, "Design industrial developments to discourage access through residential areas." The EIR finds consistency on the basis that, "Access to the Project site through residential neighborhoods is not required, nor is it proposed." This reasoning in no way finds that the development *discourages* access through residential areas or in any way prevents or seeks to prevent such access. The finding of consistency is unsupported.

Project mitigation for this inconsistency with the General Plan as well as noise, air quality/health, and traffic impacts from accessing the site through residential areas must include: designating a truck route from I-215 to the site; informing all drivers of the designated route; posting signs along the designated route; and actively discouraging the use of alternative routes through financial incentive/disincentive programs or some other manner.

Response:

As stated in the Draft EIR, truck travel through residential neighborhoods has been discouraged by virtue of the Project's location. The most fuel-efficient and direct route for regional distribution trucks to travel between the Project site and I-215 is along Cactus Avenue. Because Cactus Avenue is both adjacent to the Project site and designated by the City as a truck route, the benefit of additional signage and "active" discouragement of alternate routes, as suggested by the commentor, is questionable. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-54

Comment:

The EIR also finds that the Project is consistent with the SCAG RTP/SCS; however, once more, the consistency determinations are not based on fact or reasoning. RTP/SCS G2 finds that the Project is consistent with maximizing mobility and accessibility for all people and goods in the region. This consistency finding is utterly unsupported by the Project's traffic

impacts locally and regionally. Likewise the finding that the Project is consistent with RTP/SCS G3, ensuring travel safety and reliability, is unsupported for the same reason.

The finding that the Project is consistent with RTP/SCS G6, protecting, "the environment and health for our residents by improving air quality and encouraging active transportation…" is utterly unsupported where the Project will have significant operational air quality impacts and will, as a mitigation measure, make alternatives such as walking more difficult through the removal of a crosswalk.

Response:

As noted at Draft EIR Table 4.3-3:

> The Project site is located proximate to existing and proposed major roadways, acting to generally reduce vehicle trip lengths, thereby reducing mobile source emissions. The Project will further reduce mobile source emissions by creating local employment opportunities, reducing commuter vehicle miles traveled (VMT) within the region. Additionally, the Project will implement energy efficient designs and operational programs meeting or surpassing California Code of Regulations (CCR) Title 24 Building Standards, including but not limited to compliance with or betterment of, energy conservation requirements identified at CCR Title 24, Part 6, Energy Code. Energy efficient designs and programs implemented by the Project reduce resources consumption with correlating reductions in stationary-source emissions.

Based on the commentor's interpretation of SCAG Policy documents, it would appear that any project that generates any vehicle trips or emissions of any type would be considered to be inconsistent with the SCAG strategies to reduce mobile and stationary source air pollutant emissions. It is important to note that the Project's operational-source emissions are predominantly from mobile-source emissions that are beyond the control of the Project Applicant, future Project tenants, and the City of Moreno Valley. In this latter regard, all Project-related operational-source air quality impacts derive predominantly from mobile

sources. Approximately 96.6 percent (by weight) of all Project operational-source emissions are generated by mobile sources (vehicles). Only the mobile-source emissions component, which is outside the control of the Applicant, tenants, and the City, exceeds the thresholds. Neither the Project Applicant nor the City of Moreno Valley has regulatory control over tailpipe emissions from vehicle exhaust. Rather, these source emissions are regulated by the California Air Resources Board and the United States Environmental Protection Agency. The on-site, area sources of air pollution that are within the direct control of the Applicant and future users of the Project are well below the significance thresholds.

The crosswalk removal referenced by the commentor appears to misinterpret the intent of Mitigation Measure 4.2.6. By removing one crosswalk at the intersection of Graham and Cactus Avenue, this measure would improve vehicular circulation, and thus result in a reduction in the air pollutant emissions that would otherwise result from idling traffic at this intersection. It may be noted that the Project will implement new pedestrian walkways within the Project site pursuant to the approved final site plan, and along roadway frontages consistent with City street cross-section design and engineering standards, thereby improving pedestrian access in the Project vicinity.

The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-55

Comment:

Overall, the EIR fails to disclose these potential land use impacts and the finding that such effects will be less than significant is unsupported by evidence in the EIR.

Response:

As discussed in the preceding responses JS-49 through JS-54, despite the commentor's assertions to the contrary, the Draft EIR thoroughly addresses the Project's potential impacts relative to land use and finds that the potential land use and planning impacts of the Project are less-than-significant. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-56

Comment:

Noise

The noise study failed to evaluate impacts from traffic noise on sensitive receptors en route to SR-60 or the Ramona Expressway. In fact, the EIR cites only 4 locations where noise analysis occurred, thereby failing to adequately analyze or detail Project contribution to traffic noise. The existing noise levels at those locations fails to disclose CNEL for daytime versus nighttime levels. Nevertheless, existing noise levels exceed the noise threshold for at least three out of the four locations considered. The Project will thus contribute to an existing exceedance of noise standards.

Response:

Despite the commentor's assertions to the contrary, the Project Noise Impact Analysis (Draft EIR Appendix D) and the Draft EIR fully evaluate the impacts from traffic noise on off-site sensitive receptors. The noise level measurements referenced by the commentor as being collected at four locations describe the existing ambient noise environment within the Project vicinity. However, the noise analysis was not limited to only these four locations. Rather, traffic noise impacts associated with the development of the proposed project were described for each of the 37 study area roadway segments identified in the *Harbor Freight Expansion Project Traffic Impact Analysis*, including roadways that are en route to SR-60 and the Ramona Expressway. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-57

Comment:

The EIR arbitrarily creates a threshold for significance for noise of a 3dbA increase, stating that only this level of increase is considered potentially significant and that a 3 dbA change is used as a threshold of significance. This 3dbA change is ***not*** a threshold of significance adopted by the City of Moreno Valley. (Guidelines § 15064.7) Furthermore, the statement that only audible changes in existing ambient or background noise levels are considered potentially significant is unsupported except by further conclusory statements.

Response:

Through the adoption of previous EIRs, the City of Moreno Valley has recognized 3.0 dBA CNEL as a reasonable threshold of significance to describe potentially significant noise impacts. This significance criterion is based on guidance provided by Appendix G of the *CEQA Guidelines*. Under CEQA, consideration must be given to the magnitude of increase, the existing ambient noise levels and the location of noise-sensitive receptors in order to determine if a noise increase represents a significant adverse environmental effect. The Federal Highway Administration and Caltrans both identify changes in noise levels of greater than 3.0 dBA as "barely perceptible," while changes of 5 dBA are considered "readily perceptible." The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-58

Comment:

The EIR finds that Project construction noise is a temporary and intermittent significant impact. Given that construction is stated to take 3 years, this impact is neither temporary nor intermittent. If construction will take a lesser amount of time, the finding of a significant temporary noise impact is supported but noise levels will be elevated above the levels disclosed in the EIR. If construction is conditioned to take 3 or more years, this impact should be considered significant with respect to the thresholds of significance applicable to non-temporary or permanent noise.

Response:

The basis for this comment is unclear. The Draft EIR acknowledges that the construction-related activities will result in temporary high-level noise impacts at receptors surrounding the Project site when certain equipment or activities occur near the Project property line, and appropriately identifies this as a significant impact of the Project. However, construction equipment would not operate at full power throughout the duration of construction, nor would noise-producing activities be ongoing throughout this time. As noted in the Draft EIR (page 4.5-16) and reiterated in Project Noise Impact Analysis, construction activities are limited to weekdays, between the hours of 7:00 a.m. and 8:00 p.m. Further, the Project's construction duration is estimated to total approximately two years, as

detailed within the Project Air Quality Impact Analysis, EIR Appendix C, and summarized on Draft EIR page 4.3-53. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-59

Comment:

The EIR also minimized construction noise impacts by evaluating construction as occurring over "six stages," despite the statement at the outset of the EIR that construction is evaluated to occur in a single phase. (*compare* EIR p. 3-9, EIR p. 4.4-18) The EIR wrongly does not consider potential noise effects should this "staging" of construction not occur or should two phases overlap. The maximum construction noise levels are therefore likely to be higher than disclosed in the EIR.

Response:

Although the Draft EIR anticipates Project construction to occur in a single phase in order to establish a conservative, likely maximum impact scenario, construction will naturally occur in stages that require the use of different trades and equipment. These six stages of construction reflect typical construction activities and present a worst case condition with all equipment operating simultaneously at a distance of 200 feet from the property line. In practice, the construction activities occur at different location throughout the project site and varying levels of intensity. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-60

Comment:

The EIR finds based on no record evidence that the Project's operational/ traffic noise contribution to noise already in excess of applicable standards is less than significant both individually and cumulatively. The EIR concludes that noise increases on roadways from mobile sources will occur up to 3.9 dBA CNEL, yet concludes that this impact will be less than significant. (EIR p. 4.4-21) This conclusion is unsupported, ignores the threshold questions, and ignores even the arbitrary 3 CNEL "perceptible increase" level claimed in the EIR. First, the Project may result in operational noise impacts if either (1) the Project exposes

persons to generation of noise or levels in excess of standards or (2) results in a permanent increase in ambient noise levels in the Project vicinity over levels existing without the Project. (EIR p. 4.4-15) While a 3.9 dBA CNEL increase may not cause noise in excess of standards, it nevertheless will result in a significant permanent increase in ambient noise above existing levels even applying the arbitrary and improper 3 dBA CNEL "threshold" wrongly claimed in the EIR. Operational noise impacts will be significant under, at least, existing conditions and Opening year (2017) conditions.

Response:

The commentor is referred to Draft EIR page 4.4-20, where the source of the EIR's findings is identified as Table 6-5 in the Project Noise Impact Analysis. This study has been included in its entirety as part of Draft EIR Appendix D. For purposes of clarification, the thresholds referenced by the commentor for determining the significance of noise impacts, included in the Draft EIR on pages 4.4-15 to 16, are excerpted below for ease of reference:

> . . . [N]oise impacts would be considered significant if any of the following occur as a result of the proposed development:
> - Project-related noise levels exceed applicable City standards.
> - Ambient conditions are below applicable standards, and Project-generated noise at receptor land uses would result in:
>   - o An exceedance of the State land uses/noise compatibility guidelines for surface transportation sources (mobile sources); or
>   - o An exceedance of the exterior noise standards defined in the City of Moreno Valley Noise Ordinance (area/stationary sources).
> - *If ambient noise conditions exceed applicable Noise Standards (*emphasis added) and Project generated noise would create a 3 dBA or greater permanent increase in ambient exterior noise levels.
> - If Project-related construction activities occur on any weekday outside the hours of eight p.m. and seven a.m. the following day such that the sound there from creates a noise disturbance, except for emergency work by public service utilities or for other work approved by the City manager or designee; or if Project construction source noise exceeds 65

dBA Leq at a distance of 200 feet from the nearest Project boundary during the approved daytime hours.

As stated on Draft EIR page 4.4-21, the City's "normally acceptable" noise level threshold is 65 dBA CNEL. As seen in the Project Noise Impact Analysis Table 6-5, at no time does the Project generate noise that would create a 3.0 dBA or greater noise increase at locations where existing ambient noise levels exceed the City's 65 dBA CNEL threshold. In the instances where Project-related noise increases are 3.0 dBA CNEL or greater, the net CNEL level (existing plus Project) remains well below the City's "normally acceptable" noise threshold. On this basis, the Project will not generate noise in excess of standards, or increase ambient noise levels within the Project vicinity to levels that exceed City standards, and Project-related operational noise for both Opening Year and 2017 would remain less-than-significant, as stated in the Draft EIR. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-61

Comment:

The Project would also apparently add to exceedences of the 65 CNEL threshold, despite claims in the EIR that it would not. (EIR 5-16, FN 2.) Whether the noise contributed would be perceptible is not the threshold for this impact.

Response:

The basis for this comment is unclear. The page referenced by the commentor includes a discussion of cumulative noise impacts, and finds that while the Project's temporary construction-related noise impacts would be cumulatively considerable for the duration of construction activities, the Project's operational noise impacts are not cumulatively considerable. It may be noted that Draft EIR Table 5.1-3, on page 5-17, clearly demonstrates that the Project would not "add to exceedances of the 65 CNEL threshold," despite the commentor's claims to the contrary. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-62

Comment:

Additionally, as discussed above, the EIR fails to evaluate impacts along other traffic routes including from the Project site to SR-60. Instead, the Project considers only a few discrete sensitive receptors. Impacts to far more numerous sensitive receptors must be evaluated. Also, the cumulative impact analysis must be updated to account for all cumulative projects.

Response:

As previously discussed in Response JS-56, the noise analysis was not limited to only four locations. Rather, traffic noise impacts associated with the development of the proposed project were described for each of the 37 study area roadway segments identified in the *Harbor Freight Expansion Project Traffic Impact Analysis*, including roadways that are en route to SR-60 and the Ramona Expressway. The noise study fully accounts for all cumulative projects that were also identified in the *Harbor Freight Expansion Project Traffic Impact Analysis*. The cumulative projects were included as part of the Year 2017 without and with project conditions noise contour analysis. To quantify the Project's traffic noise impacts on the surrounding off-site areas, the changes in traffic noise levels on 37 roadway segments surrounding the Project were calculated based on the changes in the average daily traffic volumes. The off-site noise contours were used to assess the Project's incremental off-site traffic-related noise impacts at land uses adjacent to roadways conveying project traffic. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-63

Comment:

The EIR wrongly considers total Project noise levels at 200 feet from the property line, rather than at the property line itself; and improperly fails to consider whether operational noise impacts will significantly increasing ambient noise levels in the Project vicinity over existing levels. As noted above, several distinct threshold questions exist for noise impacts including whether the Project may result in a permanent increase in ambient noise levels in the Project vicinity over levels existing without the Project. Here, the EIR looks only to

whether the project will *exceed noise standards* at 200 feet from the properly line, not whether the Project will increase ambient noise at the property line. The EIR must evaluate this potential effect, which is likely to be significant and unmitigated.

The EIR also fails to look at operational noise overall at the property line, and thereby fails as an informational document. Total Project noise at the property line must be disclosed.

Response:

The Project Noise Impact Analysis has been prepared in accordance with the City's Municipal Code Section 11.80.030 (C.), "Nonimpulsive Sound Decibel Limits," which states:

No person shall maintain, create, operate or cause to be operated on private property any source of sound in such a manner as to create any nonimpulsive sound which exceeds the limits set forth for the source land use category in Table 11.80.030-2 *when measured at a distance of two hundred (200) feet or more from the real property line of the source of the sound* (emphasis added), if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property. Any source of sound in violation of this subsection shall be deemed prima facie to be a noise disturbance.

In addition, the Project-only stationary source noise level projections indicate that the project will generate an unmitigated exterior noise level of 54.2 dBA Leq. When compared the existing noise environment near the Project site, these Project impacts will not create a significant impact or exceed any established exterior noise level standards.

The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-64

Comment:

With regards to whether the Project exposes persons to generation of noise or levels in excess of standards, the operational noise assessment does not account for existing noise levels but only Project caused noise. Actual experienced noise which accounts for existing

noise and the Project may be far in excess of the levels disclosed in the EIR, and likely will exceed the noise standards of the City.

Response:

The basis for this comment is unclear. As stated on page 4.4-6 of the Draft EIR, and reiterated in Sections 4 and 5 of the Project Noise Impact Analysis, the existing noise environment in the vicinity of the Project site was determined through the collection of noise level measurements, which were taken at four locations within the Project Noise Study Area. These locations are illustrated at Draft EIR Figure 4.4-1, "Noise Monitoring Locations." Noise monitoring results are provided at Draft EIR Table 4.4-1. The background ambient noise levels in the Project Study Area were found to be dominated by transportation-related noise associated with the arterial roadway network. Additionally, existing transportation-related noise levels for all 37 roadway roadways within the Project Study Area were also measured. In summary, noise levels along area roadways currently range from 48.5 dBA CNEL at 100 feet to 69.3 dBA CNEL at 100 feet, as seen in Table 6-1 of the Noise Analysis. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-65

Comment:

Overall, the EIR fails to disclose Project noise effects. Again, these studies must be re-prepared in a manner that discloses and evaluates Project effects and the EIR must be recirculated.

Response:

The City disagrees with the commentor's statement that the EIR must be amended and re-circulated with regard to its discussion of potential noise impacts. As detailed within the preceding responses JS-56 through JS-64, the Project's potential to exceed City noise standards or otherwise result in adverse noise impacts has been adequately addressed within the Project Noise Impact Analysis and the Draft EIR's Noise Section. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-66

Comment:

The cumulative noise analysis finds that construction noise will have a cumulatively significant impact. As with comments above re: individual impacts, this cumulative effect is proposed to occur over 3 years, so is arguably not temporary/intermittent as stated in the EIR.

Response:

The basis for this comment is unclear. As stated on page 4.3-53 of the Draft EIR, Project demolition, grading, and site preparation, which are anticipated to result in the highest levels of noise production, is expected to occur over a 3-month period. Project construction (actual building activities) would continue over approximately one year. Detailed assumptions regarding project construction activities are presented within the Project Air Quality Impact Analysis, EIR Appendix C. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-67

Comment:

With regards to operational cumulative noise, the EIR finds that such impacts will be less than significant on the basis that, "there are no known potentially significant off-site noise sources that would interact with, or compound noise generated by Project operations…" (EIR p.5-16.) This conclusion is, again, unsupported by the EIR, especially where the evaluation of Project operational effects failed to account for existing ambient noise levels.

Cumulative operational mobile noise would also be significant, and is wrongly determined to be insignificant, for the reasons detailed above that noise would increase up to 3.9dB, a significant increase over existing levels at 100 feet. The EIR shows that, cumulatively, these increases over ambient levels would be up to 4.1 dBA in 2017 with the Project and other noise emitters at 100 feet. (EIR p. 5-17) This increase is likely understated given the failure to include essential projects in the cumulative impact analysis and all impacted roadways and sensitive receptors. Nevertheless, the conclusion that this cumulative increase would not be considerable or would be less than significant is unsupported for the same reasons as

above. The EIR also wrongly fails to disclose the noise increase to existing with cumulative projects, and to Opening year with cumulative projects. The EIR also wrongly evaluates these increases at 100 feet and not at the property line.

Response:

Despite the commentor's assertions to the contrary, the Project Noise Impact Analysis does include measured existing, ambient noise levels in its analysis. As discussed in the preceding Response JS-67, the commentor is referred to Draft EIR page 5-17, which clearly demonstrates that the Project's cumulative impacts in regard to operational noise will be less-than-significant. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-68

Comment:

Mitigation Measure 4.4.3 is vague, uncertain, unenforceable, and does not demonstrate that needed mitigation will occur. This measure states that, "The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. Haul routes shall not pass sensitive land uses or residential dwellings." The measure is vague in that it fails to set for the actual hours to which haul truck deliveries will be limited, and fails to designate a haul route or demonstrate that such a haul route exists.

Response:

Mitigation Measure 4.4.3 has been revised as follows to ensure clarity and enforceability:

> *Mitigation Measure 4.4.3*
>
> *The construction contractor shall limit haul truck deliveries to weekdays between the hours of 7:00 a.m. and 8:00 p.m., or the same hours specified for construction equipment. Haul routes that utilize only City-designated truck routes shall ~~not pass sensitive land uses or residential dwellings~~ be identified on construction plans. The Project construction manager shall be responsible for ensuring that all contractors operate in compliance with construction plan specifications,*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and is also incorporated into the Project Mitigation Monitoring Plan (Final EIR Section 4.0).

JS-69

Comment:

Mitigation Measure 4.4.6 is uncertain to provide needed mitigation as it merely requires the posting of signs but does not require that the signs be complied with. The wording of MM 4.4.6 must be changes to state that the following measures must be implemented at the project site and the site shall be posted with signs to that effect.

Response:

As discussed in preceding responses JS-60 through JS-67, Project-related operational noise will not exceed the City's standards for stationary noise impacts even without mitigation. Mitigation Measures 4.4-4 through 4.4-6 serve to further reduce already less-than-significant operational noise impacts. Specific to Mitigation Measure 4.4-6, the language that is required to be posted summarizes the requirements of the California Air Resources Board (CARB) Air Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling, as discussed in the Draft EIR on pages 4.2-74 to 4.2-75. The Project, along with all industrial development within the State, is mandated to comply with applicable CARB and SCAQMD regulations. As noted on Draft EIR page 4.4-25, these measures are consistent with design and operating attributes of contemporary distribution warehouses, and are recommended as means to generally reduce local and regional diesel particulate matter, as well as operational noise. On this basis, no revision to this measure is required or provided. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-70

Comment:

Traffic/ Transportation

The EIR gives no number figure for the actual amount of parking spaces for trucks and cars that will be developed with the Project. The EIR also gives no figure as to how many truck-loading dock doors will be constructed with the Project, so that no person may even

calculate the parking figures. Again, the EIR utterly fails to provide the information needed to satisfy CEQA and inform the public and decision makers about the Project and its potential environmental effects.

Response:

The commentor is referred to Draft EIR page 3-14, which includes the following information in regard to the Project's parking requirements.

> The City of Moreno Valley Municipal Code specifies a parking ratio of one parking space for each 1,000 square feet of gross floor area in a warehouse/distribution building for the first 20,000 square feet, one additional space for each 2,000 square feet of floor area within the second 20,000 square feet, and one additional space for each 4,000 square feet of floor area for areas in excess of the initial 40,000 square feet. Additionally, one parking space per truck-loading dock door is also required. For the office uses, one parking space is required for every 250 square feet. The Project will provide onsite parking consistent with the Moreno Valley Municipal Code to accommodate all proposed uses. No off-site parking is proposed.

Final design and construction of all site access and circulation improvements, including the quantity and location of on-site parking spaces, are subject to review and approval by the Lead Agency. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-71

Comment:

Traffic counts from the Project are unreasonably low. The EIR concludes that the Project will not result in significant individual traffic impacts. This conclusion is unsupported.

Response:

The City disagrees with the commentor's assertion that the Project Traffic Impact Analysis (TIA) has used "unreasonably low" estimates of Project traffic. As noted in Draft EIR

Section 4.3, "Traffic and Circulation" (page 4.2-4), the scope of work and methodology for the Project TIA was prepared in accordance with the *City of Moreno Valley Transportation Engineering Division Traffic Impact Analysis Preparation Guide* (August 2007). The findings of the Draft EIR are based upon and supported by the analysis included in the Project TIA (Draft EIR Appendix B). The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-72

Comment:

The Traffic analysis fails to take into account "interim uses" of Building 2 for parking. It is unclear whether Opening Year 2017 will actually be the Opening Year or whether this will be when Building 2 is no longer used for parking. The High-Cube warehouse ITE code does not account for this use in the trip generation summary.

Response:

Information and analysis related to potential interim use of the "Building 2" site for vehicle/trailer storage is presented in the Draft EIR as part of the Project Summary (Draft EIR page 1-2). Relevant text is provided below for ease of reference:

> . . . [A] future warehouse/distribution facility of 165,000 square feet (Building 2) is proposed northeasterly of the intersection of Cactus Avenue and Frederick Street. On an interim basis, the site of this future warehouse/distribution facility may be developed as a fully-screened vehicle/trailer storage area. *Notwithstanding, for the purposes of this environmental review, the ultimate development scenario has been assessed, in which the site is presumed to be developed with a fully-operational warehouse/distribution center* (emphasis added).

To clarify, the EIR analysis assumes and reflects the Building 2 site as a fully developed warehouse, generating traffic, air emissions and noise. In regard to the Draft EIR's use of 2017 as the Project Opening Year, page 4.2-32 of the Draft EIR explains that the determination of the Project's Opening Year is unrelated to the proposed interim use of the

site. Rather, the City requires development TIAs to analyze a horizon year that is a minimum of five years from baseline existing (2012) conditions. Accordingly, the TIA and Draft EIR utilize a Project Opening Year of 2017. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-73

Comment:

Table 4.2-15 re: General Plan Consistency omits Policies 5.1.1-5.1.6. These policies should be evaluated in the EIR.

Response:

The following discussions have been created to supplement Draft EIR Table 4.2-15, in order to address Moreno Valley General Plan Circulation Element Policies 5.1.1 through 5.1.6. These revisions are also reflected in Final EIR Section 2.0, "Revisions and Errata."

Objective/Policy	Applicability/Consistency
Policy 5.1.1 Plan access and circulation of each development project to accommodate vehicles (including emergency vehicles and trash trucks), pedestrians, and bicycles.	***Consistent.*** As discussed subsequently within this Section, and within the Project Description (Draft EIR Section 3.0), the Project TIA includes access improvements designed to ensure that the Project can safely accommodate emergency and municipal traffic. Project design will also comply with all applicable City requirements in regard to the provision of sidewalks and dedicated bicycle lanes. Final design and construction of all site access and circulation improvements are subject to review and approval by the Lead Agency as part of the Project's standard development review process.
Policy 5.1.2 Plan the circulation system to reduce conflicts between vehicular, pedestrian and bicycle traffic.	***Consistent.*** As noted in the preceding response to Policy 5.1.1, the Project will comply with all applicable City requirements in regard to the provision of sidewalks and dedicated bicycle lanes, thus ensuring that potential conflicts between vehicular and non-vehicular traffic are minimized.
Policy 5.1.3 Require adequate off-street parking for all developments.	***Consistent.*** The Project will provide onsite parking consistent with the Moreno Valley Municipal Code to accommodate all proposed uses. No off-site or on-street parking is proposed.

Policy 5.1.4 Driveway placement shall be designed for safety and to enhance circulation wherever possible.	***Consistent.*** As noted in response to Policy 5.1.1, access improvements (including driveway placement recommendations) have been included in the Project TIA to ensure that the Project accommodates. Final design and construction of all site access and circulation improvements are subject to review and approval by the Lead Agency as part of the Project's standard development review process.
Policy 5.1.5 Incorporate American Disability Act (ADA) and Title 24 requirements in roadway improvements as appropriate.	***Consistent.*** The Project will comply with all applicable City requirements in regard to the provision of sidewalks and crosswalks, including ADA-related requirements where applicable.
Policy 5.1.6 Design new developments to provide opportunity for access and circulation to future adjacent developments.	***Consistent.*** Because the Project involves the expansion of an existing development, access and circulation coordination with existing, adjacent development will be assured. Final design and construction of all site access and circulation improvements are subject to review and approval by the Lead Agency as part of the Project's standard development review process.

As demonstrated in the preceding discussions, the Project is considered consistent with the referenced policies of the Moreno Valley General Plan. Results and conclusions of the Draft EIR are not affected.

JS-74

Comment:

Caltrans submitted a letter re: the Project in response to the NOP stating that the data used in the TIS should not be more than 2 years old, state highway facilities that are experiencing noticeable delays should be analyzed in the traffic study if they add 50-100 peak hour trips, and LOS should be D.

Response:

As stated in the Project TIA (page 19), traffic count data for the study was collected in March 2011, November 2011, and June 2012. Additionally, the receipt of the referenced letter from Caltrans is acknowledged in Draft EIR Table 1.6-1 (please refer to Draft EIR page 1-14), and included in Draft EIR Appendix A, "Initial Study, Notice of Preparation (NOP), and NOP Responses." The Project TIA notes that the analyses of Caltrans facilities have been performed in accordance with the Caltrans Guide for the Preparation of Traffic

Impact Studies (December 2002). Each of the specific topics referenced by Caltrans in their NOP response is also addressed in Section 4.2 of the Draft EIR, "Traffic and Circulation." The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-75

Comment:

The EIR omits a good deal of information concerning roadway segments determined not to be deficient. The EIR does not disclose how near to being deficient all roadway segments are or the additional volume, changed LOS, or other changes that will occur at the intersections. With regards to "Intersection Deficiencies," where the delay exceeds 80 seconds, the EIR merely states >80 secs. delay. The EIR fails to provide information as to the severity of Project impacts by not quantifying the delay which could be anywhere from 80 seconds to 800 seconds or more.

Response:

Despite the commentor's assertions to the contrary, the Draft EIR provides traffic volumes, volume-to-capacity (V/C) ratios for roadway segments and delays for intersections for Existing, Existing with Project, 2017 No Project, 2017 with Project, 2017 Cumulative, and 2017 Cumulative with Project conditions so that a direct comparison can be made between No-Project and With-Project conditions, as well as with the applicable standards of the City of Moreno Valley.

Daily roadway segment capacities are estimates for long range planning purposes, such as General Plan roadway sizing, and are not adequate for evaluation of a facilities' operational effectiveness. As noted in Draft EIR Section 4.2.3.2, "Roadway Segment LOS Criteria," (please refer to Draft EIR pages 4.2-11 to 4.2-12), daily roadway capacities are "rule of thumb" estimates for planning purposes and are affected by such factors as intersections (spacing, configuration and control features), degree of access control, roadway grades, design geometrics (horizontal and vertical alignment standards), sight distance, vehicle mix (truck and bus traffic) and pedestrian bicycle traffic. Where the average daily traffic-based roadway segment analysis indicates a potential deficiency (forecast volume approaches

planning level capacity), a review of the more detailed peak hour intersection analysis have been undertaken. The more detailed peak hour intersection analysis explicitly accounts for factors that affect roadway capacity. Therefore, roadway segment widening is typically only recommended if the peak hour intersection analysis indicates that additional through lanes are necessary to accommodate peak hour traffic flows. However, if the intersection performance during the peak hour is found to meet LOS thresholds, then the adjacent segment is considered to have sufficient capacity to address peak traffic demands.

The commentor requests that the Project TIA include specific seconds of delay (rather than indicating ">80 seconds") for intersections experiencing LOS "F". In accordance with the Highway Capacity Manual, once the intersection delay reaches 80 seconds and the V/C is over 1.0, the intersection operations become unstable and delay may increase rapidly with even small increases in demand. Reporting of delays over 80 seconds becomes meaningless because regardless of whether a delay of 80 seconds or a delay of 800 seconds is reported, the intersection is identified as deficient, and operating at LOS F. In every case where intersection delay is over 80 seconds, mitigation measures have been identified to achieve acceptable levels of service (LOS D or better). The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-76

Comment:

Similarly, where the 95th Percentile Stacking volume exceeds capacity, the queue is shown as "maximum" after two cycles, but may, in fact, be longer. (See, Table 4.2-27 Note 3)

Response:

As indicated on Table 4.2-12, traffic is simulated for two complete cycles of the 95th percentile traffic. This accounts for the effects of spillover between cycles. In Section 2.4 Page 22 of Appendix B (*Harbor Freight Expansion Project Plot Plan and Zone Change PA 12-0019-0022 Traffic Impact Analysis* (Revised), Urban Crossroads, Inc., August 6, 2012), further documents that 95th percentile queue shown will rarely be exceeded and the queues shown with the footnote are acceptable for the design of storage bays. In many cases, the 95th percentile queue will not be experienced and may potentially be less than the 50th

percentile queue due to upstream metering. If the upstream intersection is at or near capacity, the 50th percentile queue represents the maximum queue experienced.

A vehicle is considered queued whenever it is traveling at less than 10 feet/second. A vehicle will only become queued when it is either at the stop bar or behind another queued vehicle. Although only the 95th percentile queue has been reported in the tables, the 50th percentile queue can be found in the appendix alongside the 95th percentile queue for each ramp location. The 50th percentile maximum queue is the maximum back of queue on a typical cycle during the peak hour, while the 95th percentile queue is the maximum back of queue with 95th percentile traffic volumes during the peak hour. In other words, if traffic were observed for 100 cycles, the 95th percentile queue would be the queue experienced with the 95th busiest cycle (or five percent of the time). The 50th percentile or average queue represents the typical queue length for peak hour traffic conditions, while the 95th percentile queue is derived from the average queue plus 1.65 standard deviations. The 95th percentile queue is not necessarily ever observed, it is simply based on statistical calculations.

Nevertheless, the City of Moreno Valley considers the 95th percentile queue in consideration of stacking distance, and recommendations to accommodate the 95th stacking distance have been identified in the DEIR TIA to mitigate potential impacts due to queuing (please refer to Draft EIR Tables 4.2-24, 4.2-27, and 4.2-32.) The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-77

Comment:

While impacts to freeway ramps are deemed cumulatively significant, there is not evaluation of Opening Year contributions on freeway segments. No evaluation of impacts to SR-60 or the Ramona Expressway was conducted. The EIR fails as an informational document by failing to study impacts to roadways.

Response:

Despite the commentor's assertions to the contrary, the Draft EIR provides traffic volumes, volume-to-capacity (V/C) ratios for roadway segments and delays for intersections for Existing, Existing with Project, 2017 No Project, 2017 with Project, 2017 Cumulative, and 2017 Cumulative with Project conditions so that a direct comparison can be made between No-Project and With-Project conditions, as well as with the applicable standards of the City of Moreno Valley.

Opening Year Cumulative (2017) freeway segment analysis was performed for the I-215 Freeway north of Cactus Avenue and south of Cactus Avenue. Opening Year Cumulative (2017) freeway segment and ramp junction merge/diverge analysis are contained in Appendix B of the EIR (Tables 7-4, 7-5, 7-9 and 7-10 of the TIA). The study area mainline segments are anticipated to operate at acceptable services levels for Opening Year Cumulative (2017) without and with Project conditions. No traffic impacts were found in the Opening Year Cumulative (2017) freeway segment analysis.

Furthermore, the maximum potential impact of the Project on the freeway facilities is on I-215 north of the Cactus interchange. The Project contributes to an increase of less than one percent of capacity on I-215 north of Cactus. The Project was found to have no significant impacts on I-215 north of Cactus. Since freeway segments further away will receive even less Project traffic, the Project increases on SR-60 and Ramona Expressway will likewise be less than one percent of capacity, and will therefore have no significant impact on freeway operations. Project traffic coming from SR-60 along Frederick or Graham was considered; however, Project traffic would add less the 50 peak-hour trips to intersections on either of these two streets, including ramp intersections with SR-60. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-78

Comment:

The EIR fails to study many local intersections and roadway segments that will be impacted by the Project. For instance, if a vehicle were to access the site from SR-60 to Frederick or Graham, additional intersections along those routes would experience impacts from Project

related traffic which were not considered in the EIR. Likewise, impacts to ramps at SR-60 were not considered.

Response:

Project trip distribution has been thoroughly addressed within the Project TIA, consistent with the *City of Moreno Valley Transportation Engineering Division Traffic Impact Analysis Preparation Guide* (August 2007). Project-related trips must be estimated to reach or exceed a pre-determined peak hour trip threshold before impacts are considered potentially significant. Intersections and roadway segments not included for evaluation within the Project TIA did not meet the City's minimum criteria for assessment.

JS-79

Comment:

The EIR also fails to evaluate regional traffic impacts and associated air quality impacts. "[A]n EIR may not ignore the regional impacts of a project approval, including those impacts that occur outside of its borders; on the contrary, a regional perspective is required." (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 575.) Here, the EIR fails to evaluate impacts from Project and cumulative traffic to the few routes from Moreno Valley to shipping destinations including the ports of Los Angeles and Long Beach. The EIR also fails to evaluate regional impacts to local roadways when these few routes along SR-60 and I-215 become congested or experience a traffic incident. By failing to evaluate regional traffic impacts, the EIR fails as an informational document.

Response:

Despite the commentor's assertions to the contrary, the Project's potential traffic impacts have been thoroughly addressed within the Project TIA, consistent with the *City of Moreno Valley Transportation Engineering Division Traffic Impact Analysis Preparation Guide* (August 2007). The Project's "regional" impacts are consistent with the cumulative impacts discussed at Draft EIR Section 5.1, pages 5-6 through 5-22. Please refer also to responses to the Sierra Club presented within this Final EIR. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-80

Comment:

Moreover, despite the Project's contribution to local traffic and significant effects to traffic/circulation, the Project does not require any additional mitigation to most intersections or roadways beyond contribution to the DIF and TUMF. The only traffic mitigation measure which will be wholly implemented by the applicant is removal of the existing southbound crosswalk at Elsworth St. and Cactus Ave.

Response:

As discussed in the Draft EIR (please refer to Draft EIR page 4.2-56), because the improvements identified in the Project's traffic-related mitigation measures involve the construction of improvements that are either outside the jurisdiction of the City of Moreno Valley (e.g., widening of I-215 ramps) or beyond the control of the Project Applicant (e.g., widening of Cactus Avenue beyond the Project frontage), the successful completion of the required improvements cannot be ensured prior to the opening of the Project. As such, the Draft EIR has appropriately determined the Project's contributions to traffic impacts at Study Area intersections to be cumulatively considerable, significant and unavoidable. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-81

Comment:

The EIR finds that impacts to intersections and roadway segments within the DIF and TUMF programs will be reduced below a level of significance. However, the EIR fails to explain if the improvements are planned, scheduled, or funded under these programs. Mitigation is thus uncertain and unenforceable in contravention of CEQA's mandates.

In fact, the roadways reliant on TUMF funds are not presently scheduled for improvement nor are the improvements funded. *(See, e.g., 2011 Annual Report, Transportation Uniform* Mitigation Fee Program, Western Riverside Council of Governments, "Five Year Transportation Improvement Program," <http://www.wrcog.cog.ca.us/downloads/AnnualReport_for_web.pdf>, p.39, See, also,

http://www.wrcog.cog.ca.us/downloads/2012CentralZoneTIP020612.pdf [detailing funded expenditures in the Central Zone]) Furthermore, TUMF improvements can take up to 9 years to become a reality from a local jurisdiction developing a project to completion of construction. (2011 Annual Report, Transportation Uniform Mitigation Fee Program, supra, p.7) Project prioritization, programming, and allocation of funds may also be a barrier to improvements on the roadways impacted by this project. (2011 Annual Report, Transportation Uniform Mitigation Fee Program, supra, p.10) The EIR's conclusion that project transportation impacts on local roadways and intersections are less than significant after mitigation is simply not supported by evidence and the realities of these fair share programs.

Response:

The commentor misinterprets the findings of the Draft EIR. As noted in the preceding Response JS-80, the Draft EIR states clearly that where the successful completion of the required improvements cannot be ensured prior to the opening of the Project, the Project's contributions to traffic impacts at Study Area locations are considered significant and unavoidable. The status of TUMF funding is irrelevant to this finding. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-82

Comment:

Moreover, the EIR states that the fair share fees would be $3,656,514 for the Project. The Project should require, as a mitigation measure, that these fair share fees be paid in full and not reduced/ discounted. (Ex. The current DIF fees were discounted by 50% for political reasons.)

Response:

The Draft EIR provides an estimate of the Project's fair-share fee responsibility as a point of information. The actual collection of development impact fees is a function of the City of Moreno Valley, and the amounts to be collected are determined by the City. Whether the City determines that increased (or decreased) fee payments are required, the Project

applicant will be responsible for payment of fees prior to the issuance of development permits. The imposition of mitigation in regard to fee collection is neither required nor appropriate. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-83

Comment:

The finding of less than significant impact after mitigation at these impacted intersections and roadway segments is therefore unsupported as such reduction to a level below significance may not occur in the short-term, long-term, or ever if these roadways are not given priority.

Mitigation requiring direct funding and completion of improvements at impacted roadways and intersections must be required of the project unless demonstrated to be infeasible. As the project currently stands, not all feasible mitigation has been required of this project to reduce traffic related impacts below a level of significance, and mitigation is uncertain and deferred.

Response:

The commentor is referred to the preceding responses JS-81 and JS-82. As stated therein, where the successful completion of required traffic improvements cannot be ensured prior to the opening of the Project, the Project's contributions to traffic impacts at Study Area locations are considered significant and unavoidable. Development impact fees will be collected from the Project applicant prior to the issuance of development permits, at the discretion of the City of Moreno Valley. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-84

Comment:

Also, no mitigation is proposed for impacts to interstate and interstate segments.

Response:

Project-related impacts in regard to mainline freeway segment capacity and freeway merge/diverge junctions for Interstate 215 were found to be less-than-significant, and thus no mitigation would be required in these areas. Potentially significant impacts were identified in regard to freeway ramp progression (queues) under Opening Year (2017) Cumulative conditions. As discussed in the Draft EIR (please refer to page 4.2-61), the implementation of planned improvements to I-215 will reduce queues at Study Area locations to acceptable levels. However, the planned I-215 improvements are both outside the jurisdiction of the City of Moreno Valley and beyond the control of the Project Applicant. For this reason, the successful completion of the required improvements for the Opening Year Cumulative condition cannot be ensured prior to the opening of the Project, and this potential impact has appropriately been determined significant and unavoidable in the Draft EIR. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-85

Comment:

The cumulative list of Projects considered to determine traffic impacts omits large warehouse Projects such as Prologis Eucalyptus and World Logistics. Projects appear to cease at those submitted to Planning in 2009, despite the fact that the Table was completed August 6, 2012. (EIR p. 4.2-33-35)

Response:

Despite the commentor's assertions to the contrary, the cumulative projects list that was utilized in the TIA and Draft EIR was compiled in accordance with the *City of Moreno Valley Transportation Engineering Division Traffic Impact Analysis Preparation Guide* (August 2007). As noted in the Project TIA (please refer to Page 4), "[t]o account for background traffic, fifty-two (52) other known cumulative development projects in the study area were included in addition to 10.4% of ambient growth. This comprehensive list was compiled from information provided by the City of Moreno Valley Planning Department, City of Perris, City of Riverside, unincorporated Riverside County and the March Air Reserve

Base." The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-86

Comment:

Nevertheless, the EIR finds that the Project will result in significant and unavoidable cumulative traffic effect. However, the EIR omits freeway segments other than ramps from this cumulative significance finding. (EIR p. 5-9 through -11) Impacts to freeways should likewise be deemed significant.

Response:

The commentor is referred to Draft EIR pages 4.2-52 through 4.2-63, which address the Project's potential impacts on mainline freeway segment capacity and freeway merge/diverge junctions are addressed. With the exception of freeway ramp queue impacts discussed in the preceding Response JS-84, the analysis of the Project TIA identified no significant Project-related impacts on freeways. The commentor's remarks will be forwarded to decision makers. Results and conclusions of the Draft EIR are not affected.

JS-87

Comment:

Alternatives

Where there is an environmentally superior alternative that significantly decreases the significant impacts of the Project then that alternative must be approved rather than the Project if that alternative is feasible, even if the alternative would impede to some degree the attainment of the project objectives, or would be more costly. [(PRC§ 21002; *Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 597, State CEQA Guidelines § 15126.6(b)]

In this case, the reduced intensity alternative would greatly reduce impacts when compared with the Project. The Reduced intensity alternative assumes a 47% reduction in trip generation (1,620 daily vehicles), having corresponding reductions in traffic, traffic noise, air quality, GHGs, etc. The reduced intensity alternative would thus reduce most

environmental impacts when compared to the proposed Project including air quality, GHGs, traffic, and noise. The reduced intensity alternative would also satisfy *all Project objectives*.

Project objectives are identified as follows:

1. Expand on the existing productive uses within the Project vicinity;
2. Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
3. Capitalize on the site's proximate regional freeway access;
4. Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation; and
5. Develop a project that is compatible with surrounding land uses.

The Reduced Intensity Alternative would meet all of these Project Objectives. Accordingly the Reduced Intensity Alternative must be approved over the Project.

Response:

The EIR discussion of the Environmentally Superior Alternative is excerpted below.

> **5.2.4 Comparison of Alternatives**
>
> The *CEQA Guidelines* require that the environmentally superior alternative (other than the No Project Alternatives) be identified among the Project and other Alternatives considered in an EIR. Based on comparative reductions in traffic generation, and associated reductions in noise and air emissions, and generally reduced scale, among the Alternatives considered, the Reduced Intensity Alternative would result in the greatest reduction in environmental effects, and is thus considered the environmentally superior alternative.
>
> Notwithstanding, the scope and total overall development would be substantively reduced under the Reduced Intensity Alternative. The resulting diminishment of the Project Objectives, to include substantive reduction in economic benefits to the City and region, and limited jobs creation would act

to substantially reduce the feasibility of this Alternative (Draft EIR, page 5-53).

The ultimate decision to approve the Project, an Alternative to the Project, or to deny the Project resides with the Lead Agency. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-88

Comment:

Satisfaction of Project Objectives

The Project's ability to meet the objective of increasing jobs is speculative. As discussed above, the Prologis Eucalyptus Industrial Park Draft EIR recently concluded that **there may be an over-supply of warehousing in the City**. (*See,* Prologis Eucalyptus Industrial Park Draft EIR, SCH No. 2008021002, p. 4.8-18). The EIR fails to disclose that, as a result of this oversupply of warehousing, the Project may not satisfy its own Project objectives, particularly: (1) provide jobs-producing, light industrial uses to the City of Moreno Valley and local community; and (2) increase economic benefits to the City of Moreno Valley through increased tax generation and job creation. If the market for industrial warehousing in Moreno Valley is indeed oversaturated, this undercuts alleged benefits of the Project.

Indeed, the Project seems to acknowledge this potential oversupply in considering the "interim" use of Building 2 for truck/trailer parking. If Building 2 is used for truck/trailer parking, presumably few, if any, jobs will be created for that building.

The alternatives analysis misrepresents the relative ability to satisfy Project objectives where it is not disclosed that the Project may not satisfy objectives as well as alleged in the EIR. The relative merits of the alternatives cannot be analyzed without this disclosure and consideration.

Response:

The commentor speculates on demand for warehousing land uses in the region. No evidence or supporting expert opinion is provided. The Lead Agency disagrees with the commentor's speculative comments. Further, contrary to the commentor's assertions, the

Applicant considers the City a viable location for distribution warehouse(s). The fact that numerous other developments propose similar uses is supporting evidence for existing and anticipated demands.

The commentor's opinions in regard to the Project's likely jobs production are noted, and will be forwarded to decision makers. It is noted that pursuant to *CEQA Guidelines,* Section 15064 subd. (e), "economic and social changes resulting from a project shall not be treated as significant effects on the environment."

Interim use of the Building 2 site for vehicle parking is anticipated under the Project Description (Draft EIR page 3-1, *et al.*). There is no requirement for immediate construction of all elements of the Project as ultimately envisioned. Attainment of the Project Objectives reflects completion of the Project. Employing the commentor's logic, neither would full attainment of the Project Objectives would be attained at any other interim condition (grading, building construction, paving, etc.), and the EIR would somehow be remiss in not addressing these other interim conditions.

Commentor remarks regarding alternatives are previously addressed. Please refer to the preceding Response JS-4 and JS-87. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-89

Comment:

Failure to Consider a Reasonable Range of Alternatives

The EIR fails to consider a reasonable range of Project alternatives by discussing only one Project alternative in addition to the mandatory No Project alternative(s). The EIR should consider an alternative that builds smaller warehouses across the project site to reduce VMT for truck trips (thereby reducing air quality impacts) and increase employment opportunities. Reducing the size of the buildings at the Project site would correspondingly reduce the size of the trucks and distance of truck travel. This would substantially reduce the impact from the Project's mobile emissions of TACs while maintaining distribution warehouse uses.

Response:

The commentor is referred to *CEQA Guidelines* § 15126.6 (a) "Consideration and Discussion of Alternatives to the Proposed Project," wherein it is stated:

> An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.

The "smaller warehouses" alternative suggested by the commentor would not provide any demonstrable environmental benefit; and would likely increase rather than diminish environmental impacts while detracting from attainment of the Project Objectives. Further, as discussed in these Responses, the Draft EIR and Project HRA, the Project would not result in significant health risk impacts. An evaluation of alternatives that reduce Project health risks is not required.

Contrary to direction provided at *CEQA Guidelines* § 15126.6 (a), the commentor's suggested "smaller warehouses alternative" fails to foster informed decision making. Please refer also to Response JS-12. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-90

Comment:

Other alternatives which would substantially reduce air quality impacts from TACs would involve putting this development to alternative uses not reliant on heavy trucks. The land use designations for the Project sites permit land uses which will have considerably reduced TAC emissions. For example, the LI and/or BPX designations permit agricultural uses and animal raising, laboratories, research and development, public administration, manufacturing and assembly, nurseries, cabinet and business schools, athletic clubs, banks, offices, public administration, etc. which would reduce the Project's operational emissions and contribution to TACs. Development of the Project site with one of the permitted uses such as with laboratories, research and development, public administration, or manufacturing and assembly would better achieve Project objectives of creating jobs and

increasing economic benefits. Such a use would also be more compatible with the surrounding health care and residential uses while reducing the number of heavy trucks accessing the site and associated air quality, health, traffic, and noise impacts.

The EIR should also consider an alternative use as medical R&D, laboratory, or medical manufacturing or assembly, in order to take advantage of the proximity to the March Life Campus.

Response:

The commentor's suggested "research and development alternative" is any one of a myriad of potential development scenarios that lies within the realm of "every conceivable alternative to a project" noted at *CEQA Guidelines* § 15126.6 (a). Moreover, under a "research and development alternative," significant environmental impacts would not be avoided or substantially reduced, and would likely be increased. Even upon cursory evaluation, a research and development alternative would generate substantially more traffic that the Project. That is, assuming a scale of development comparable to the 1.29 million square foot Project, a research and development center would generate approximately 10,462 daily trips, of which 1,600 would occur during the morning peak hour and 1,393 would occur during the evening peak hour.6 In contrast, the Project generates a net total of approximately 3,409 passenger car equivalent (PCE) trip-ends per day with 213 trips (PCE) in the morning peak hour period, and 237 trips (PCE) during the evening peak hour period (Draft EIR page 4.2-37, *et al.*). The suggested research and development alternative would substantively increase traffic impacts, vehicular-source air quality impacts, and vehicular source noise impacts relative to the Project.

6 Based on Institute of Traffic Engineers (ITE) Land Use Code 760. Average daily trips rate = 8.11 trips per day/thousand square feet (TSF); A.M. peak hour average trips rate = 1.24 trips/TSF); and P.M peak hour average trips rate = 1.08 trips/TSF).

The commentor's suggested research and development alternative would therefore provide no substantive benefit to informed discussions or decision-making, one of the noted purposes of the EIR alternatives analysis identified at *CEQA Guidelines* § 15126.6 (a). The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-91

Comment:

Perhaps another alternative could include the 507,720 sq. ft. expansion of the Harbor Freight facility while reserving the remainder of the site for other industrial of BPX uses less reliant on large trucks.

Response:

The commentor's suggested Harbor Freight expansion plus "other light industrial uses" similarly provides no substantive environmental benefit. Not including the 507,720 square foot Harbor Freight Expansion yields a complementary "light industrial" residual of approximately 782,280 square feet. Daily trip generation of this light industrial component alone (5,451 daily trips; 719 A.M. peak hour trips; 766 P.M. peak hour trips7) would exceed trip generation under the Project. The suggested Harbor Freight expansion plus "other light industrial uses" alternative would substantively increase traffic impacts, vehicular-source air quality impacts, and vehicular source noise impacts relative to the Project.

The commentor's suggested Harbor Freight expansion plus "other light industrial uses" would therefore provide no substantive benefit to informed discussions or decision-making, one of the noted purposes of the EIR alternatives analysis identified at *CEQA Guidelines* §15126.6 (a). The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

7 Based on Institute of Traffic Engineers (ITE) Land Use Code 110. Average daily trips rate = 6.97 trips per day/thousand square feet (TSF); A.M. peak hour average trips rate = 0.92/TSF; and P.M. peak hour average trips rate = 0.98 trips/TSF.

JS-92

Comment:

Putting the proposed development toward these uses instead of its present proposed use will substantially reduce the impacts and health risks from VOC and NOx, diesel PM, traffic, and noise. What is more, development could potentially would meet or exceed the employment creation and economic objectives of the Project and occur in a manner that better diversifies industrial uses and jobs within the City and region.

Response:

The commentor's remarks are previously addressed. Please refer to Responses JS-89 through JS-91.

JS-93

Comment:

As a final note: Table 5.2-4 has a typo comparing "Project" to "Project" rather than to the reduced intensity alternative.

Response:

Table 5.2-4 is corrected as noted. Please refer to Final EIR Section 2.0, Revisions and Errata Corrections.

JS-94

Comment:

Other Comments

SCAG evaluated the Project to be regionally significant, yet the EIR fails in many places to evaluate the regional effects of the Project. Regional impact analysis must occur in the EIR. Sierra Club also submitted comments to this effect on the Notice of Preparation (NOP), citing the recent Riverside Superior Court decision in the Villages of Lakeview (RIC 10007574, 10007586)

Response:

SCAG determinations regarding the Project as regionally significant are discussed in the Draft EIR (Draft EIR page 1-14, *et al.*) The Project's "regional" impacts are consistent with the cumulative impacts discussed at Draft EIR Section 5.1, pages 5-6 through 5-22. Please refer also to responses to the Sierra Club presented within this Final EIR. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-95

Comment:

The City of Riverside commented regarding the Project's potential regional traffic impacts, yet the EIR failed to evaluate these impacts. The City of Riverside's comments on the NOP must be taken to heart and the EIR updated accordingly.

Response:

Please refer to City of Riverside responses presented within this Final EIR. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-96

Comment:

The Project description is inadequate for failing to state all surrounding and nearby land uses, among other things.

Response:

Responses to commentor remarks regarding the EIR Project Description are addressed previously. Please refer to Response JS-2**.**

JS-97

Comment:

Conclusion

Overall, the EIR is severely defective in terms of provided needed information and analysis to the public and decision makers. It is our position that the EIR must be significantly added to, amended, and recirculated for additional review.

Response:

The Lead Agency disagrees with the commentor's opinions and considers the EIR to adequately and appropriately evaluate and disclose the Project's potential environmental impacts. Necessary revisions to the Draft EIR are presented at Final EIR Section 2.0. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

JS-98

Comment:

Thank you for your consideration of these comments and the attached and/or referenced material.

Response:

Comments provided are responded to herein. Attachments provided by the commentor are noted and are included at Final EIR Appendix A. No further response is required. Results and conclusions of the EIR are not affected.

JS-99

Attachments and Electronic Citations

(1) Western Riverside Council of Governments, *2011 Annual Report, Transportation Uniform Mitigation Fee Program,* http://www.wrcog.cog.ca.us/downloads/AnnualReport_for_web.pdf

(2) Western Riverside Council of Governments, *Funded Expenditures in the Central Zone,* http://www.wrcog.cog.ca.us/downloads/2012CentralZoneTIP020612.pdf.

(3) The Press Enterprise, Jack Katzanek (February 1, 2012)*"Moreno Valley: Sketchers'*

warehouse has caused net job loss,"
http://www.pe.com/business/business-headlines/20120201-moreno-valley-skecherswarehouse-has-caused-net-job-loss.ece

(4) *The Health Effects of Air Pollution on Children*, Michael T. Kleinman, Ph.D, Fall 2000, http://aqmd.gov/forstudents/health_effects_on_children.html#WhyChildren

(5) *Diesel and Health in America: the Lingering Threat*, Clean Air Task Force, February 2005,
http://www.catf.us/resources/publications/files/Diesel_Health_in_America.pdf

(6) Annual Meeting of the Brain & Lung Tumor and Air Pollution Foundation, April 2, 2010, http://www.aqmd.gov/hb/2010/April/100425a.htm

(7) *Technical Support Document for Cancer Potency Factors: Methodologies for derivation, listing of available values, and adjustments to allow for early life stage exposures*, California EPA OEHHA Air Toxicology and Epidemiology Branch, April 2009, p. 3.
http://www.oehha.ca.gov/air/hot_spots/pdf/TSDCPFApril_09.pdf.

(8) California Air Pollution Control Officers Association. (January 2008) *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act*.

(9) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapters 3, 4, and 9*
http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/index.cfm

(10) Electronic Library of Construction Occupational Safety and Health (November/December 2002) *Construction Noise: Exposure, Effects, and the Potential for Remediation; A Review and Analysis.*

(11) U.S. Department of Housing and Urban Development. (March 1985) *The Noise Guidebook.*

(12) Suter, Dr. Alice H., Administrative Conference of the United States. (November 1991) *Noise and Its Effects*.

Response:

References provided by the commentor are noted and are included at Final EIR Appendix A. No further response is required. Results and conclusions of the EIR are not affected.

JS-100

Comment:

RAYMOND W. JOHNSON, Esq., AICP LEED GA
26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- ☐ Two years principal planner, Lenexa, Kansas (consulting)
- ☐ Two and one half years principal planner, Lee's Summit, Missouri
- ☐ One year North Desert Regional Team, San Bernardino County
- ☐ Thirty years subdivision design: residential, commercial and industrial
- ☐ Thirty years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- ☐ Twelve years as applicants representative in the telecommunications field

General Plan

- ☐ Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- ☐ Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- ☐ Created innovative zoning ordinance for Lenexa, Kansas.
- ☐ Developed Draft Hillside Development Standards, San Bernardino County, CA.
- ☐ Developed Draft Grading Standards, San Bernardino County.
- ☐ Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- ☐ Two years, Environmental Team, San Bernardino County
  - o Review and supervision of preparation of EIR's and joint EIR/EIS's
  - o Preparation of Negative Declarations
  - o Environmental review of proposed projects
- ☐ Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

Representation:

- ☐ Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
  - o Sierra Club
  - o San Bernardino Valley Audubon Society
  - o Sea & Sage Audubon Society
  - o San Bernardino County Audubon Society
  - o Center for Community Action and Environmental Justice
  - o Endangered Habitats League
  - o Rural Canyons Conservation Fund
  - o California Native Plant Society
  - o California Oak Foundation
  - o Citizens for Responsible Growth in San Marcos
  - o Union for a River Greenbelt Environment
  - o Citizens to Enforce CEQA
  - o Friends of Riverside's Hills
  - o De Luz 2000
  - o Save Walker Basin
  - o Elsinore Murrieta Anza Resource Conservation District

Education:

- ☐ B. A. Economics and Political Science, Kansas State University 1970
- ☐ Masters of Community and Regional Planning, Kansas State University, 1974
- ☐ Additional graduate studies in Economics at the University of Missouri at Kansas City
- ☐ J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

Professional Associations:

- o Member, American Planning Association
- o Member, American Institute of Certified Planners
- o Member, Association of Environmental Professionals
- o Member, U.S. Green Building Council, LEED GA

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
Temecula, CA 92590
(951) 506-9925

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community.

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.
Lee's Summit, MO 6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO 9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.
Project Coordinator 6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS. Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS.

Response:
Qualifications provided by the commentor are acknowledged. No further response is required. Results and conclusions of the EIR are not affected.

SAN GORGONIO CHAPTER

(951) 684-6203 Fax (951) 684-6172
Membership/Outings (951) 686-6112

Regional Groups Serving Riverside and San Bernardino Counties:
Big Bear, Los Serranos, Mojave, Moreno Valley, Mountains, Tahquitz.

Jeff Bradshaw
Associate Planner
P.O. Box 88005
Moreno Valley, CA 92552

November 4, 2012

RE: RPT Centerpointe West Warehouse Project Draft Environmental Impact Report (DEIR).

The Sierra Club appreciates this opportunity to comment on this DEIR. We hope that your responses in the FEIR will fully answer our comments, concerns, suggestions and questions. Most of our concerns are about Global Warming, Climate Change, Greenhouse Gas Pollution and Air Pollutant emissions. These concerns can be read below, and we expect this project to do everything possible to mitigate these problems in our non-attainment area. The fact you are given a cafeteria list of mitigations to choose from shows that there is more that could and should be done to protect the health of area residents. These mitigations need to be required of the project and not just implemented "where feasible" or some other weasel words. Agreeing to require that all of your off-road construction equipment meets or exceeds Tier III standards would also significantly help our non-attainment city and county. The DEIR states temporary construction noise impacts are "Significant and Unavoidable". (p 1-31 or p 41) The Sierra Club believes much more can be done, such as the use of temporary sound walls to mitigate this problem, and we expect to see this as well as other mitigations required of the project to lessen this impact. SC-1

Why isn't there a requirement to exceed the current Title 24 at the time of construction by at least 25% instead of just "meet or exceed" Title 24? The Sierra Club appreciates that "the project will be designed to accommodate installation of photovoltaic solar panels (or similar technologies)". (p 110/ p 4.1 - 25) Later on you qualify this by adding "as is economically and physically feasible" which is another example of those weasel words which mean nothing will probably happen in terms of solar. (p 279/p 4.3-93) It would be better to state that you will construct all roofs associated with the project to accommodate the maximum number of solar panels. It would also go a long way if the developer used the existing warehouse for solar panels. Please make sure the FEIR explains what "similar technologies" means and justifies their use instead of solar panels. SC-2

Your response to our NOP/Scoping comments in regards to LEED certified buildings shows a total lack of the importance as well as understanding of such construction and operation of these buildings. If you build your project to Gold LEED standards, you would not SC-3

have such poor answers on your Climate Action Team (CAT) report on Greenhouse Gas Emissions Reduction Strategies (Table 4.3-22) If you built this project on County land, you would need to construct warehouses that are at least Silver LEED certified. The City of Riverside last year accepted a warehouse almost on our city's border that will be built to Gold LEED certification. Most of the last few major warehouses in Moreno Valley have agreed to Silver LEED certification. Explain why your project chooses to take this backwards step from protecting the health and environment of Moreno Valley residents during the life of your project. SC-3 cont'd.

Continuing to pave over Agricultural lands of Local Importance must be mitigated. Having locally grown products also cuts down on the Climate Change problems mentioned in this letter. Recently a local developer donated $100,000 to the Riverside Land Conservancy to help mitigate for the loss of Ag Lands. The San Jacinto Basin Resource Conservation District is another entity that would use your monetary donation to mitigate the loss of important Ag lands as well as the loss of lands for raptor foraging. Your statement that "the Project will not affect riparian habitat" is not valid because these presently open acres can be used for raptor foraging. (p 19) The Conservation district also received developer money to mitigate for the loss of Ag lands in our area. You must make sure your parking/landscape area provides significant drought tolerant plants/shade trees - not palm trees - and ample reserved spaces for several forms of cars using alternative fuels. The parking lot for employees' cars also needs to be made of porous material to help with ground water recharge and to lessen run off. SC-4

The Sierra Club did not see the World Logistic Center, West Ridge Commerce Center, Prologis Eucalyptus Park or the VIP warehouse projects on your Cumulative Project List. We do not believe all of your analyses have included these massive projects as well as others. The FEIR will be inadequate unless these and all other projects that are being considered are part of the analysis in each area of the FEIR. SC-5

The project's distance from homes needs to be easily understood as well as all the paths trucks could take to and from the warehouse which might pass housing units. Most literature on toxic diesel emissions relate how sensitive receptors need to be at least 1,500 feet from warehouses, roads that diesel trucks use, and diesel truck parking areas. How will you accomplish this with the existing residents who live along existing city truck routes? The DEIR mentions Cactus/Heacock as "local major roadways" to "facilitate movement of goods throughout the region". (p 108/p 4.1-23) How will the project protect the children in the several schools that are within 1,500 feet of Heacock and as the childrenwalk to/from school along the street from the toxic diesel truck emissions? The same is true for people in homes and schools along both Heacock St and Alessandro Blvd. The FEIR needs to show all adjacent zoning within 2,000 feet of the project and Moreno Valley truck routes. The adjacent land zoned business to the west and commercial to the south will, upon being built out, expose their employees and customers to the toxic diesel pollution of this project. The FEIR needs to explain how you will protect these people from this project's unhealthy diesel pollution. The Sierra Club totally disputes RPT/SCS G6, which states the project will "protect the environment and health for our residents by improving air quality" and believes the FEIR needs to give substantial proof for this statement.(p 110/p 4.1-25) How will you protect the warehouse workers from the long- SC-6

term health effects of breathing toxic diesel emissions throughout their workday and employment --- as mentioned in my scoping letter on this project? What equipment will you make sure is electric instead of diesel or gasoline in order to lessen pollution and better protect the workers-- this includes gardening equipment? The project needs to explain why electrical recharging plug-ins for future electric semi-trucks are not being considered for this project.

SC-6 cont'd.

Impacts to our local streets as well as our very crowded freeways need to be explained so the average citizen will understand. The FEIR -- not just appendices – needs to show the length of trips the diesel trucks will be taking when driving to and from the warehouse as well as their routes. We need to know the maximum number of trucks that will use these warehouses each workday and not just after the first year, but when the warehouses are being used to their maximum capacity during peak times of the year. Your traffic analysis is inadequate unless it includes all sections of SR 60 that border any part of Moreno Valley. It will also be inadequate unless it addresses the July 2012 judgment of the Friends of the Northern San Jacinto Valley and Sierra Club vs County of Riverside concerning the Villages of Lakeview project, which is incorporated by reference and sent to you in our scoping comments. Judge Waters mentions that the same five-mile radius used in this project was not adequate for traffic and related impact like air quality under CEQA. (p 7 Statement of Decision) As mentioned in the Press-Enterprise, the developers of the World Logistic Center, upon learning of the Villages of Lakeview July court decision, doubled down on doing a significantly better traffic and air-quality analysis for their project. This has delayed the planned release of their DEIR by at least five months. The RPT Centerpoint Warehouse Project has done the opposite. In September I sent you my NOP/Scoping comments for this project which included the Villages of Lakeview (VOL) court decision about traffic/air quality and, about one month later, the DEIR was printed/released for public comment. Until your Final EIR has addressed both traffic and air-quality impacts to meet the standard set by Judge Waters in the Villages of Lakeview decision, it will remain inadequate. The decision-makers have a right to know the cumulative impacts before they vote: that the section of SR 60 passing through Moreno Valley and regionally will become a parking lot with significant pollution. Simply paying into a pot of money that may not be used in the impacted part of Moreno Valley does not mitigate your traffic locally, and TUMF doesn't address your specific regional impacts. Your response to my NOP/Scoping comments on regional traffic issues cannot simply be dismissed by writing that this is a smaller project than the VOL. This project's traffic will have significant impacts well beyond the area within the five miles you studied. The City of Riverside should be concerned as well as others along SR 60 and other roadways.

SC-7

The land should not be disked/graded or disturbed for at least six months prior to doing the Burrowing Owl survey; otherwise many will believe you are just making it difficult on this special animal as well as making it more likely it will be listed as endangered. The Sierra Club believes the FEIR will be inadequate unless our concerns and issues found throughout this letter and our scoping letter are thoroughly addressed within the document. This includes, as mentioned in my scoping comments, the need to have this document and the Final EIR published in Spanish.

SC-8

Table 5.4-1 shows that the project has decided not to do any more on several impacts they cause. This includes Operational Pollutant Emission Cumulatively Significant Impacts, Regional Non-Attainment Impacts as Exceedances, well as Project Specific and Cumulatively Significant Noise Impacts. Each of these areas can have its impacts reduced, and the FEIR needs to show what the project will incorporate into the project to further protect the health of the residents of Moreno Valley as well as those in the region. There are three Moreno Valley intersections and four Moreno Valley roadway segments mentioned in this same table which the project will cause impacts that are considerable and significant. When will the City of Moreno Valley solve these problems, which would not be caused were it not for the building of this project? With the City spending current and future road improvement monies in eastern Moreno Valley, how long will the residents have to live with the impacts caused by this project? Paying your TUMF and DIF responsibilities does not resolve this problem. SC-9

I. THE DEIR MUST ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

As a potential significant impact, the Final EIR (FEIR) must more thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code §§ 21000 et seq., 14 Cal. Code Regs. § 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed.

A. THE DEIR MUST ADEQUATELY SET FORTH THE THREAT OF GREENHOUSE GAS POLLUTION AND GLOBAL WARMING

The FEIR must discuss the grave threats posed by global warming to California and the world. Current scientific consensus on climate change has now determined that the link between greenhouse gas emissions and global warming is highly certain. In California, elected leaders, through Executive Order S-03-05 and the California Global Warming Solutions Act of 2006 (AB 32), have also squarely linked greenhouse gases with global warming. SC-10

In order to conform to CEQA's informational mandates and properly inform the public and decision makers of the significance of the Project's contribution to greenhouse gases, the DEIR must first adequately discuss the threat posed by greenhouse gas emissions and avoid minimizing or discounting the severity of global warming's impacts. *See* Guidelines § 15151. *See, e.g., Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* ("Laurel Heights I"), 47 Cal.3d 376, 392 (1988) (EIR is intended "to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action.");

Guidelines § 15151 (requiring an FEIR be detailed, complete, and reflect a good faith effort at full disclosure). A discussion of global warming impacts need not be lengthy, but should, at a minimum, convey the magnitude of the threat posed by global warming to humans and the environment. For the City's convenience, a scientific background on global warming and the specific threats posed to California is provided below.

SC-10 cont'd.

i. Scientific Background on Climate Change

There is no longer credible scientific dispute that the climate is warming. In its most recent assessment, the Intergovernmental Panel on Climate Change ("IPCC") concluded that "[w]arming of the climate is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting snow and ice, and rising mean sea level." (IPCC 2007a). Expressed as a global average, surface temperatures have increased by about 0.74°C over the last hundred years, with 11 of the 12 warmest years on record having occurred in the past 12 years (IPCC 2007a). In September 2007, Arctic sea ice plummeted to a record-low level not anticipated by most climate models until 2050, leading scientists to predict that the Arctic could be ice-free in summer by 2030 (National Snow & Ice Data Center 2007).[1] Other observed consequences of the warming climate include sea level rise, increased frequency of droughts, floods, and heat waves and substantial increases in the duration and intensity of hurricanes (IPCC 2007a).

The IPCC now states with "very high confidence" that most of the warming observed over the past 50 years is the result of human generation of greenhouse gases, including carbon dioxide, methane, and nitrous oxide[2] (IPCC 2007a). The rapid warming observed since the 1970s has occurred in a period when the increase in greenhouse gases has dominated over all other factors (IPCC 2007a). The largest known contribution to global warming is from carbon dioxide (IPCC 2007a). Fossil fuel combustion is responsible for more than 75% of human caused carbon dioxide emissions with the remainder due to land-use change (primarily deforestation) (IPCC 2007a). The global atmospheric concentration of carbon dioxide has increased from a pre-industrial value of about 280 parts per million (ppm) to 379 ppm in 2005, a level that has not been exceeded during the past 650,000 years (during which carbon dioxide concentrations remained between 180 and 300 ppm). (IPCC 2007a; Canadell et al. 2007). In 2006, carbon dioxide concentrations reached a new high of 381.2 ppm (World Metrological Organization 2007). As greenhouse gas concentrations increase, more heat reflected from the earth's surface is absorbed by these greenhouse gases and radiated back into the atmosphere and

SC-11

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[1] Based on the startling loss of sea ice in 2007, some scientists have predicted that "the Artic Ocean could be nearly ice-free at the end of the summer by 2012." Seth Borenstein, *Ominous Arctic Melt Worries Experts*, Associated Press, Dec. 11, 2007.

[2] *IPCC, 2007: Summary for Policymakers, in* CLIMATE CHANGE 2007: THE PHYSICAL SCIENCE BASIS, CONTRIBUTION OF WORKING GROUP I TO THE FOURTH ASSESSMENT REPORT OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE at 4 (Susan Solomon et al. eds., Cambridge Univ. Press 2007) at 2-3. "Very high confidence" is defined at "at least a 9 out of 10 chance of being correct." *Id.* at 3 n.7.

to the earth's surface.[3] Consequently, the higher the level of greenhouse gas concentrations, the larger the degree of warming experienced.

At current growth rates and continued reliance on fossil fuels, atmospheric concentrations of carbon dioxide would likely exceed 1,000 ppm by the end of the century, resulting in an average global temperature increase of more than 5°C (United Nations Foundation & Sigma XI 2007). This is equivalent to the change in temperature since the last ice age – an era in which Europe and North America was under more than one kilometer of ice (United Nations Foundation & Sigma XI 2007). The growing consensus among climate scientists is that the threshold for dangerous climate change, whereupon a potential "tipping point" is reached and ecological changes become dramatically more rapid and out of control, is estimated at a temperature increase of around 2°C from pre-industrial levels, or an atmospheric concentration of carbon dioxide of approximately 450 ppm (United Nations Foundation & Sigma XI 2007; IPCC 2007c). In 2006, Dr. James E. Hansen, Director of the NASA Goddard Institute for Space Studies, and NASA's top climate scientist, stated: "In my opinion there is no significant doubt (probability > 99%) that . . . additional global warming of 2° C would push the earth beyond the tipping point and cause dramatic climate impacts including eventual sea level rise of at least several meters, extermination of a substantial fraction of the animal and plant species on the planet, and major regional climate disruptions" (Hansen et al. 2006). More recently however, given the recent unpredicted and extreme rate of loss of arctic ice observed in 2007, Dr. Hansen concluded that "the safe upper limit for atmospheric CO_2 is no more than 350 ppm" (McKibben 2007). Moreover, according to Hansen, just 10 more years of "business-as-usual" global emissions will make it difficult, if not impossible, to keep atmospheric concentrations of greenhouse gases at levels necessary to avoid a temperature increase above 2°C (Hansen et al. 2007). SC-11 cont'd.

Keeping the climate within the 2°C threshold requires significant reductions in the world's greenhouse gas emissions. To reach this objective, it is estimated that developed countries would have to target an emissions peak between 2012 and 2015, with 30 percent cuts by 2020 and 80 percent cuts from 1990 levels by 2050 (United Nations Foundation & Sigma XI 2007). In recognition of need for immediate action, California has committed itself though Executive Order S-3-05 and the California Global to reduce the state's emissions to 1990 levels by 2020 and by 80% reductions from 1990 levels by 2050. Ca. Health & Safety Code § 38550; Cal. Executive Order S-3-05 (2005).

The costs of taking no action to reduce greenhouse gas emissions far outweigh the costs of stabilizing emissions. The Stern Review of the Economics of Climate Change, a comprehensive report commissioned by the British government, recently concluded that allowing current emissions trajectories to continue unabated would eventually cost the global economy between 5 to 20 percent of GDP each year within a decade, or up to $7 trillion, and warned that these figures should be considered conservative estimates (Stern 2006). By contrast, measures to mitigate global warming by reducing emissions were estimated to cost about one

[3] Greenhouse gases have a warming effect because, when solar radiation is reflected by the earth, greenhouse gases capture this thermal radiation and reradiate it back to earth, much like the effect of a common garden greenhouse resulting in the "greenhouse effect."

percent of global GDP each year, and could save the world up to $2.5 trillion per year (Stern 2006). The Stern Report determined that if no action is taken to control greenhouse gas emissions, each ton of CO_2 emitted causes damage worth at least $85 (Stern 2006).

ii. Impacts to California from Global Warming

Climate change poses enormous risks to California. Scientific literature on the impact of greenhouse gas emissions on California is well developed.[4] The California Climate Change Center ("CCCC") has evaluated the present and future impacts of climate change to California and the project area in research sponsored by the California Energy Commission and the California Environmental Protection Agency (Cayan et al. 2007). The severity of the impacts facing California is directly tied to atmospheric concentrations of greenhouse gases (Cayan et al. 2007; Hayhoe et al. 2004). According to the CCCC aggressive action to cut greenhouse gas emissions today can limit impacts, such as loss of the Sierra snow pack to 30%, while a businessas-usual approach could result in as much as a 90% loss of the snowpack by the end of the century. As aptly noted in a report commissioned by the California EPA:

Because most global warming emissions remain in the atmosphere for decades or centuries, the choices we make today will greatly influence the climate our children and grandchildren inherit. The quality of life they experience will depend on if and how rapidly California and the rest of the world reduce greenhouse gas emissions (Cayan et al. 2007).

Some of the types of impacts to California and estimated ranges of severity – in large part dependent on the extent to which emissions are reduced – are summarized as follows:

SC-11 cont'd.

- A 30 to 90 percent reduction of the Sierra snowpack during the next 100 years, including earlier melting and runoff.
- An increase in water temperatures at least commensurate with the increase in air temperatures.
- A 6 to 30 inch rise in sea level, before increased melt rates from the dynamical properties of ice-sheet melting are taken into account.
- An increase in the intensity of storms, the amount of precipitation and the proportion of precipitation as rain versus snow.
- Profound impacts to ecosystem and species, including changes in the timing of life events, shifts in range, and community abundance shifts. Depending on the timing and interaction of these impacts, they can be catastrophic.
- A 200 to 400 percent increase in the number of heat wave days in major urban centers.
- An increase in the number of days meteorologically conducive to ozone (O_3) formation.
- A 55 percent increase in the expected risk of wildfires (Cayan et al. 2007).

By providing details as to the ranges of proposed impacts, and indicating that the higher-range of impact estimates are projected if greenhouse gas emissions continue to increase under a "business as usual" scenario, decision-makers and the public will be better informed of the

[4] Additional reports issued by California agencies are available at http://www.climatechange.ca.gov, and IPCC

magnitude of the climate crisis and the urgency with which it must be addressed.
Finally, the DEIR should also include a brief discussion of other laws to address climate change, including California's mandate to reduce emissions to 1990 levels by 2020 and goal of further reducing emissions to 80% below 1990 levels by 2050. Achievement of state mandated emissions reductions will be severely impeded if agencies across the state continue to approve *new* projects without incorporating measures to reduce the added emissions created by these.

B. The EIR the Project Must Include an Inventory and Analysis of the Project's Projected Greenhouse Gas Emissions

The first step in determining a project's greenhouse gas pollution impact is to complete a full inventory of all emissions sources. In conducting such an inventory, all phases of the proposed project must be considered. *See* 14 Cal. Code Regs. § 15126. A basic requirement of CEQA is that "[a]n EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences." 14 Cal. Code Regs. § 15151. The greenhouse gas inventory for a project must include a complete analysis of all of a project's substantial sources of greenhouse gas emissions, from building materials and construction emissions to operational energy use, vehicle trips, water supply and waste disposal.
A greenhouse gas inventory for the project must include the project's direct and indirect greenhouse gas emissions. *See* 14 Cal. Code Regs § 15358(a)(1) (Indirect or secondary effects may include effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems, including ecosystems.). Consequently, a complete inventory of a project's emissions should include, at minimum, an estimate of emissions from the following:

SC-11 cont'd.

- Fugitive emissions of greenhouses gases, such as methane, from the proposed project;
- Emissions during construction from vehicles and machinery;
- Manufacturing and transport of building materials;
- Electricity generation and transmission for the heating, cooling, lighting, and other energy demands of the project;
- Water supply and transportation to the project;
- Vehicle trips and transportation emissions generated by the project;
- Wastewater and solid waste storage or disposal, including transport where applicable; and
- Outsourced activities and contracting.

Methodologies are readily available to inventory the emissions from the proposed project.
In its recent white paper, CEQA & Climate Change, Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act (Jan. 2008), the California Air Pollution Control Officers Association (CAPCOA) set forth methodologies for analyzing greenhouse gas pollution (CAPCOA 2008) The California Office of Planning and Research ("OPR") has also released technical guidance on the preferred approach for analyzing greenhouse gas emissions and climate change entitled "Technical Advisory, CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review"

(California OPR 2008). OPR also provides references to methodologies to quantify greenhouse gas emissions. In addition to the methodologies set forth by CAPCOA and OPR, ICLEI's Clean Air/Climate Protection (CACP) software allows cities to calculate emissions reductions, track and quantify emission outputs, and develop emissions scenarios to inform the planning process.[5] As noted in the ICLEI Climate Action Handbook, "Expertise in climate science is not necessary" to conduct an emissions inventory and compare this inventory against a forecast year (ICLEI). "A wide range of government staff members, from public works to environment and facilities departments, can conduct an inventory" (ICLEI). ICLEI also provides technical assistance and training to local government using the CACP software. It is incumbent on the City to "disclose all it can" about project impacts and educate itself on methodologies that are available to measure project emissions. *Berkeley Keep Jets Over the Bay Comm. v. Board of Port Comm'rs ("Berkeley Jets")*, 91 Cal. App. 4th 1344, 1370 (2001).

As with any other project under CEQA, the baseline used for analyzing the impacts of a project is the existing on the ground environmental conditions at the time of the NOP. *See Environmental Planning & Information Council v. County of El Dorado (EPIC)*, 131 Cal.App.3d 350, 355 (1982) (effect of general plan amendment must be compared against actual environment, not assumptions in existing general plan). Accordingly, the DEIR should compare emissions from existing conditions with those that would result from the development of the project, as well as those that would occur under any proposed alternative scenarios. Because the Project envisions development over a long period, the EIR should also provide data on the trajectory for emissions in the planned community and under each proposed alternative in five-year increments.

Without a complete inventory, the DEIR cannot adequately inform the public and decision-makers about the Project's impacts. Similarly, without a complete inventory and analysis of greenhouse gas emissions that will result from the project, there is simply no way that The EIR can then adequately discuss alternatives, avoidance, and mitigation measures to reduce those impacts.

SC-11 cont'd.

C. THE EIR MUST ADDRESS THE IMPACT GLOBAL WARMING WILL HAVE ON THE PROJECT

California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

SC-12

[5] ICELI's Clean Air/Climate Protection software is available at http://www.cacpsoftware.org/ ICLEI-Local Governments for Sustainability is an international association of more than 650 local governments. Cities, counties, towns and villages around the world are members of ICLEI. ICLEI's mission is to improve the global environment through local action. On the issue of global warming, for example, ICLEI provides resources, tools, peer networking, best practices, and technical assistance to help local governments measure and reduce greenhouse gas emissions in their communities.

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b). Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008). These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced.

(Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008).

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

SC-12 cont'd.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review.

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and quantity in many countries, where groundwater systems are overdrawn (Epstein 2005). Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997).

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project would significantly understate Project impacts.

SC-12 cont'd.

D. THE PROJECT'S GREENHOUSE GAS IMPACTS ARE CLEARLY SIGNIFICANT

The greenhouse gas emissions generated by a project of this size and scope will have a clearly significant cumulative impact. An impact is considered significant where its "effects are individually limited but cumulatively considerable." Guidelines § 15065(a)(3). Climate change is the classic example of a cumulative effects problem; emissions from numerous sources combine to create the most pressing environmental and societal problem of out time. *Ctr. for Biological Diversity*, 508 F.3d 508, 550 (9th Cir. 2007) ("the impact of greenhouse gas emissions on climate change is precisely the kind of cumulative impacts analysis that NEPA requires agencies to conduct."); *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3d 692, 720 (1990) ("Perhaps the best example [of a cumulative impact] is air pollution, where thousands of relatively small sources of pollution cause a serious environmental health problem."). While a particular project's greenhouse gas emissions represent a fraction of California's total emissions, courts have flatly rejected the notion that the incremental impact of a project is not cumulatively considerable because it is so small that it would make only a de minimis contribution to the problem as a whole. *Communities for a Better Environment v. California Resources Agency.* 103 Cal.App.4th 98, 117 (2002); see also *Kings County Farm Bureau,* 221 Cal. App. 3d at 720 ("[p]erhaps the best example of [a cumulative impact] is air pollution, where thousands of relatively small sources of pollution cause a serious environmental health problem.").

SC-13

In addition. there is nothing speculative about the fact that higher levels of greenhouse gas pollution will lead to greater impacts, which is why the State of California has prioritized greenhouse gas pollution reductions under AB 32. Moreover, in the analogous context of the National Environmental Policy Act (NEPA), the Ninth Circuit has already rejected the argument that "global warming is too speculative to warrant NEPA analysis." *Ctr. for Biological Diversity v. Nat'l Highway Traffic Safety Admin.*, 508 F.3d at 554.

In addition, lack of established significance thresholds does not excuse an agency from its obligation under CEQA to determine the significance of a Project's impacts. CEQA routinely calls for an agency to evaluate impacts in the absence of thresholds or to exercise its individual discretion in determining the significance of an impact. *See, e.g., Protect the Historic Amador Waterways*, 116 Cal. App. 4th at 1111 (agency required to assess potential impact not listed in CEQA checklist). The development of significance thresholds is "encouraged" and not a prerequisite for an impact analysis. Guidelines § 15064.7. Indeed, as noted in the CAPCOA white paper on CEQA and Climate Change, "[t]he absence of a threshold does not in any way relieve agencies of their obligations to address GHG emissions from projects under CEQA" (CAPCOA 2008). In fact, CEQA may require additional analysis even if a project meets an adopted standard, if other evidence indicates the project may nonetheless have a significant

impact. *See Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners*, 91 Cal.App.4th 1344, 1380-82 (2001).

As the lead agency, CEQA requires the City to determine the significance of the Project's emissions with or without established significance thresholds. Guidelines § 15064. CAPCOA provides various means by which a lead agency can determine the significance of project emissions (CAPCOA 2008). Importantly, a universally adopted methodology is *not* necessary to analyze project impacts. *Berkeley Keep Jets*, 91 Cal.App.4th at 1370 ("the fact that a single methodology does not exist…requires the [respondent] to do the necessary work to educate itself about the different methodologies that *are* available.").

"The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data." Guidelines § 15064(b). Any determination of whether there is a fair argument that the project may have a significant impact must include the consideration of the California Global Warming Solutions Act of 2006 (AB 32), wherein the State of California recognized that "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California" and required that existing levels of greenhouse gases be reduced to 1990 levels by 2020. Health & Safety Code §§ 38501(a), 38550. Because AB 32 establishes that existing greenhouse gas levels are unacceptable and must be substantially reduced within a fixed timeframe, any additional emissions that contribute to existing levels frustrate California's ability to meet its ambitious and critical emissions reduction mandate. Ignoring emissions from smaller sources would be neglecting a major portion of the greenhouse gas inventory.

SC-13 cont'd.

In accordance with the scientific and factual data, the City should adopt a zero significance threshold for the Project's greenhouse gas emissions. As noted by the Ninth Circuit in *Center for Biological Diversity v. Nat'l Highway Traffic Safety Admin.*:

[W]e cannot afford to ignore even modest contributions to global warming. If global warming is the result of the cumulative contributions of myriad sources, any one modest in itself, is there not a danger of losing the forest by closing our eyes to the felling of the individual trees?

508 F.3d 508, 550 (9th Cir. 2007). Accordingly, the City must unequivocally consider Project emissions to be a potentially significant impact.

E. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not

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approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code § 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).

To the extent that the project moves forward as planned, there are many mitigation measures the City can consider, as described below. This is not an exhaustive list and the EIR should explore these and all other feasible mitigation measures that will reduce the project's greenhouse gas emissions (CAPCOA 2008; California Office of the Attorney General 2008).

SC-14 cont'd.

i. Land Use Measures Reducing Traffic Flow

The development plan for the proposed project should incorporate public transit into the project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Additionally, the FEIR should analyze ways of including pedestrian and bicycle only streets and plazas within the development and create routes that will allow residents to reach the commercial center, schools and parks by public transportation, bicycling and walking.

SC-15

ii. Land Use and Energy

The FEIR should consider mitigation measures that will ensure the planned community will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008).

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008).

Using green building techniques, however, can substantially reduce buildings' influence

SC-16

in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals.
Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to:
• Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy efficient building during pre-design, design, construction, operations and management.
• Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;
• Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.
• Reducing the use of pavement and impermeable surfaces;
• Requiring water re-use systems;
• Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting
• Limiting the hours of operation of outdoor lighting
• Maximizing water conservation measures in buildings and landscaping, using droughttolerant plants in lieu of turf, planting shade trees;
• Ensure that the Project is fully served by full recycling and composting services;
• Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
• Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
• Installing solar water heating systems to generate all of the Project's hot water requirements;
• Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.

SC-16 cont'd.

iii. Mitigation Related to Project Construction

• Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as

salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
• Minimize, reuse, and recycle construction-related waste;
• Minimize grading, earth-moving, and other energy-intensive construction practices;
• Landscape to preserve natural vegetation and maintain watershed integrity;
• Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.

iv. Transportation Mitigation Measures

• Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
• Create a car sharing program within the planned community;
• Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;
• Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission
vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
Provide a shuttle service to public transit within and beyond the planned community;• Incorporate bicycle lanes and routes into the planned community's street systems.

SC-16 cont'd.

v. Carbon Offsets

After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Care should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets must be discussed in the FEIR. As demonstrated by the Office of the Attorney General offsets are a feasible CEQA mitigation measures[6] once all feasible mitigation measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources.

SC-17

II. THE EIR MUST CONSIDER A REASONABLE RANGE OF ALTERNATIVES

The EIR must consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be

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[6] The California Attorney General's Office has adopted CEQA settlements calling for the auditing, reduction, and offsetting of greenhouse gas emissions related with a Project demonstrating that offsets are a feasible way to reduce a Project's negative environmental effects on global warming. See http://ag.ca.gov/newsalerts/release.php?id=1466&category=global%20warming See generally http://ag.ca.gov/globalwarming/ceqa.php

excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo*, 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted). In analyzing the no-project alternative, the EIR must discuss the need for this project and whether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008).

SC-18 cont'd.

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources including water quality and water availability, and traffic resulting from each proposed alternative.

CONCLUSION

Thank you for your attention to these comments. We look forward to working with the City to assure that the FEIR conforms to the requirements of CEQA to assure that all significant impacts to the environment are fully analyzed, mitigated or avoided. I hope the FEIR will fully address the concerns found within this letter as I did not see that within the DEIR. Many times I will read responses in a FEIR where they only address one or two points found in a paragraph instead of all of the concerns. The Sierra Club looks forward to seeing all of our concerns and questions addressed in this project's FEIR. The Sierra Club wishes to be placed on the mailing list for all future notices, hearings and documents regarding this project. Please mail all notices to Sierra Club, San Gorgonio Chapter, Moreno Valley Group, 26711 Ironwood Ave, Moreno Valley, CA. 92555.

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Thank you,

George Hague
Conservation Chair
Moreno Valley Group
San Gorgonio Chapter
Sierra Club
951.924.0816

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SC-20

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SC-20 cont'd.

Sierra Club, San Gorgonio Chapter
26711 Ironwood Avenue
Moreno Valley, CA 92555

Letter Dated November 4, 2012

SC-1

Comment:

The Sierra Club appreciates this opportunity to comment on this DEIR. We hope that your responses in the FEIR will fully answer our comments, concerns, suggestions and questions. Most of our concerns are about Global Warming, Climate Change, Greenhouse Gas Pollution and Air Pollutant emissions. These concerns can be read below, and we expect this project to do everything possible to mitigate these problems in our non-attainment area. The fact you are given a cafeteria list of mitigations to choose from shows that there is more that could and should be done to protect the health of area residents. These mitigations need to be required of the project and not just implemented "where feasible" or some other weasel words. Agreeing to require that all of your off-road construction equipment meets or exceeds Tier III standards would also significantly help our non-attainment city and county. The DEIR states temporary construction noise impacts are "Significant and Unavoidable". (p 1-31 or p 41) The Sierra Club believes much more can be done, such as the use of temporary sound walls to mitigate this problem, and we expect to see this as well as other mitigations required of the project to lessen this impact.

Response:

The commentor presents a general introduction to the Sierra Club's concerns regarding "Global Warming, Climate Change, Greenhouse Gas Pollution and Air Pollutant emissions." The commentor also generally suggests additional mitigation should be required of the Project.

The commentor suggests that "all off-road" construction equipment meet or exceed Tier III standards. Project construction-source air quality impacts are evaluated within the Draft EIR (beginning on page 4.3-82) and are substantiated to be less-than-significant with the

application of mitigation suggested in the Draft EIR. For ease of reference, Draft EIR Table 4.3-12 showing the mitigated condition is presented below.

Table 4.3-12
Mitigated Construction Source Emissions (pounds per day)-
Regional Thresholds Compliance

Year	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
2015	9.23	57.44	69.22	0.16	12.97	6.11
2016	8.54	52.72	65.35	0.16	12.71	2.56
2017	57.903	2.66	7.71	0.02	1.89	0.25
Maximum Daily Emissions	**57.90**	**57.44**	**69.22**	**0.16**	**12.97**	**6.11**
SCAQMD Regional Threshold	75	100	550	150	150	55
Regional Threshold Exceeded	**No**	**No**	**No**	**No**	**No**	**No**

Source: *RPT Centerpointe West Project Air Quality Impact Analysis* (Urban Crossroads, Inc.), August 22, 2012.

As can be seen from Table 4.3.12 of the Draft EIR, with the application of mitigation, the construction related impacts have been determined to be less-than-significant. Additionally, consistent with the AQMD protocols, since Project-related impacts have been determined to be less-than significant, the cumulative impacts associated with construction of the Project have also been determined to be less-than-significant. For these reasons, there is no need to apply any additional mitigation for construction activities, such as a requirement that all off road construction vehicles meet or exceed Tier III standards**.** Mitigation measures are not required for effects which are not found to be significant (*CEQA Guidelines* § 15126.4, subd. [a] [3]).

The commentor also suggests that additional mitigation should be required to mitigate the Project's significant and unavoidable construction-source noise impacts. The noise study and EIR recognize that the noise impacts associated with the Project are expected to create temporary high-level noise impacts at receptors surrounding the Project site when certain activities occur near the Project property line. Construction noise is temporary, intermittent and of generally of short duration, and will not present any long-term impacts.

More specifically, temporary construction noise impacts are significant and unavoidable at a distance of 200 feet from the Project site. However, these short-term noise impacts will diminish at greater distances from the center of activity. Since there are no nearby noise sensitive residential receptors, additional noise mitigation, such as temporary sound walls, is not provided. The most effective way to control short-term construction noise is with the restriction of operating hours during to minimize the impact during noise sensitive night hours and with the use of property maintained equipment. Results and conclusions of the EIR are not affected.

SC-2

Comment:

Why isn't there a requirement to exceed the current Title 24 at the time of construction by at least 25% instead of just "meet or exceed" Title 24? The Sierra Club appreciates that "the project will be designed to accommodate installation of photovoltaic solar panels (or similar technologies)". (p 110/ p 4.1 - 25) Later on you qualify this by adding "as is economically and physically feasible" which is another example of those weasel words which mean nothing will probably happen in terms of solar. (p 279/p 4.3-93) It would be better to state that you will construct all roofs associated with the project to accommodate the maximum number of solar panels. It would also go a long way if the developer used the existing warehouse for solar panels. Please make sure the FEIR explains what "similar technologies" means and justifies their use instead of solar panels.

Response:

The commentor suggests the Project be required to exceed Title 24 Energy Efficiency standards. Based on further refinement of the Project, and in support of LEED-certification (discussed subsequently at Response SC-3), resources conservation, reduction in energy consumption, and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards.

- To achieve 20 percent efficiency beyond Title 24 energy efficiency standards, any combination of the following design features may be implemented by the Project:

  - Increase in insulation such that heat transfer and thermal bridging is minimized;
  - Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;
  - Incorporate dual-paned or other energy efficient windows;
  - Incorporate energy-efficient space heating and cooling equipment;
  - Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards will be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed will be implemented;
  - To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade-producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings will be planted at the Project site;
  - Paint and surface color palette for the Project will emphasize light and off-white colors which will reflect heat away from the buildings;
  - All buildings will be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.

- To reduce energy demand associated with potable water conveyance, the Project will implement the following:

  - Landscaping palette emphasizing drought tolerant plants;
  - Use of water-efficient irrigation techniques;

- U.S. EPA Certified WaterSense labeled or equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.

- During Project construction, on-site off-road construction equipment will utilize biodiesel fuel (a minimum of B20), except for equipment where use of biodiesel fuel would void the equipment warranty. The Applicant will provide documentation to the City that verifies that certain pieces of equipment are exempt, a supply of biodiesel has been secured, and that the construction contractor is aware that the use of biodiesel is required.

- Prior to issuance of a grading permit, the Project will have in place a City-approved Solid Waste Diversion and Recycling Plan that demonstrates the diversion and recycling of all salvageable and re-useable wood, metal, plastic and paper products used during Project construction. A similar plan will be in place prior to occupancy that demonstrates the diversion and recycling of all wood, metal, plastic and paper products during on-going operation of the warehouse and office portions of the Project. The plans will include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.

- The Project will be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that serve each building and are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals.

- GHG emissions reductions measures will also include the following:

  - The Project will provide on-site bicycle storage/parking consistent with City of Moreno Valley requirements;
  - Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);

- The Project will provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan;
- The Project will establish a Transportation Management Association (TMA);
- The Project will provide preferential parking for carpools and vanpools;
- The Project will provide at least two electric vehicle charging stations.

The Project design features and operational programs listed above are incorporated into the Project description, as amended within Section 2.0, "Revisions and Errata Corrections" of this Final EIR.

In response to the comments regarding the solar panels (or similar technologies) proposed by the Project, Mitigation Measure 4.3.8 of the Draft EIR is restated below.

> *4.3.8 Prior to issuance of the first Certificate of Occupancy, the Project shall install a photovoltaic array (solar panels) or other source of renewable energy generation onsite, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the Project's office electrical needs.*

The intent of measure is to reduce the Project's reliance on "non-renewable" electrical energy sources. To this end, the mitigation measure has been crafted in a manner that provides flexibility to allow the Project to determine the most suitable technology available at the time of development. In terms of the number of panels or the amount of alternative energy to be supplied, Mitigation Measure 4.3.8 is precise in that it requires all of the "Project's office energy needs" be accommodated through this alternative source. Results and conclusions of the EIR are not affected.

SC-3

Comment:

Your response to our NOP/Scoping comments in regards to LEED certified buildings shows a total lack of the importance as well as understanding of such construction and operation of these buildings. If you build your project to Gold LEED standards, you would not have

such poor answers on your Climate Action Team (CAT) report on Greenhouse Gas Emissions Reduction Strategies (Table 4.3-22) If you built this project on County land, you would need to construct warehouses that are at least Silver LEED certified. The City of Riverside last year accepted a warehouse almost on our city's border that will be built to Gold LEED certification. Most of the last few major warehouses in Moreno Valley have agreed to Silver LEED certification. Explain why your project chooses to take this backwards step from protecting the health and environment of Moreno Valley residents during the life of your project.

Response:

The commentor suggests that the Project be constructed as a LEED Certified building. Based on further refinement of the Project, the Draft EIR Project Description has been amended to incorporate LEED design, construction, and operational criteria and performance standards.

More specifically, the RPT Centerpointe West Project will reflect design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond Title 24 Energy

Efficiency standards, as well as compliance with other applicable state and federal energy standards.

Although the ultimate level of LEED certification cannot be determined at this time, since the tenant and therefore specific environmental strategies to be employed at the facility, are unknown, it is important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification. Results and conclusions of the EIR are not affected.

Please also refer to Section 2.0, "Revisions and Errata Corrections."

SC-4

Comment:

Continuing to pave over Agricultural lands of Local Importance must be mitigated. Having locally grown products also cuts down on the Climate Change problems mentioned in this letter. Recently a local developer donated $100,000 to the Riverside Land Conservancy to help mitigate for the loss of Ag Lands. The San Jacinto Basin Resource Conservation District is another entity that would use your monetary donation to mitigate the loss of important Ag lands as well as the loss of lands for raptor foraging. Your statement that "the Project will not affect riparian habitat" is not valid because these presently open acres can be used for raptor foraging. (p 19) The Conservation district also received developer money to mitigate for the loss of Ag lands in our area. You must make sure your parking/landscape area provides significant drought tolerant plants/shade trees - not palm trees - and ample reserved spaces for several forms of cars using alternative fuels. The parking lot for employees' cars also needs to be made of porous material to help with ground water recharge and to lessen run off.

Response:

The potential impacts of the Project on Agricultural Resources was discussed within the Initial Study that was distributed as part of the Notice of Preparation for the Project. A

summary discussion was also presented oat page 1-7 of the Draft EIR. For ease of reference, this discussion is presented below.

> ***Agricultural Resources.*** The Project site is not designated as Prime Farmland, Unique Farmland or Farmland of Statewide Importance. The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) does, however, indicate that the site is considered Farmland of Local Importance. Notwithstanding, the City of Moreno Valley has envisioned urban buildout of the site through its General Plan and Zoning designations. In this regard, the Moreno Valley General Plan Final Program EIR acknowledged that adoption of the 2006 General Plan Update would result in a significant and unavoidable impact associated with the general conversion of existing agricultural land to non-agricultural uses. No feasible mitigation measures were identified that would minimize this significant impact. The General Plan Final Program EIR also examined an alternative designed to result in increased preservation of agricultural land;[8] however, this alternative was not adopted. The Project would not result in potential impacts to agricultural lands not previously addressed through the City's General Plan processes. Based on these facts, the Initial Study identified no potentially significant impacts in regard to agricultural resources.

Based on these findings, there is no nexus to require the Project to donate any funds or land as mitigation for impacts to agricultural lands.

The commentor also takes exception to the statement within the Draft EIR that the Project will not affect riparian habitat, stating that "these presently open spaces can be used for raptor foraging." Merriam-Webster dictionary defines riparian as "relating to or living or located on the bank of a natural watercourse (as a river) or sometimes of a lake or a tidewater <*riparian* trees> ". Based on the Merriam-Webster definition, the statement within the Draft EIR is accurate. Finally, the final landscape plan (including the standards for

8 Section 6.2, pp. 6-3 to 6-7, City of Moreno Valley General Plan Final Program EIR, State Clearinghouse No. 2000091075, July 2006.

parking lot construction) for the Project will be designed consistent with the City landscape and parking requirements and the plan(s) will be reviewed and approved by the City to assure that the requirements have been met. Results and conclusions of the EIR are not affected.

SC-5

Comment:

The Sierra Club did not see the World Logistic Center, West Ridge Commerce Center, Prologis Eucalyptus Park or the VIP warehouse projects on your Cumulative Project List. We do not believe all of your analyses have included these massive projects as well as others. The FEIR will be inadequate unless these and all other projects that are being considered are part of the analysis in each area of the FEIR.

Response:

The scope of the traffic study was developed by the Lead Agency and included the requirement to include all known and reasonably known Projects within a five mile radius of the RPT Centerpointe West. Consistent with CEQA Guidelines Section 15130 "Discussion of Cumulative Impacts," the EIR discussion focuses on the cumulative impact to which the identified other related projects contribute, rather than the attributes of other projects which do not contribute to the cumulative impact. The projects cited by the commentor are more than five miles distant from the RPT Centerpointe West Project site, and would not create individually discernible effects not already accounted for in the assumed ambient growth rate reflected in the EIR analyses:

> The [Draft EIR] ambient growth factor accounts for non-specific development within the Study Area, as well as anticipated growth in traffic volumes generated by projects outside the Study Area. Based on direction of City of Moreno Valley staff, the standard annual growth factor used within the City is two percent (2.0%) (Draft EIR, pages 4.2-31, 32).

SC-6

Comment:

The project's distance from homes needs to be easily understood as well as all the paths trucks could take to and from the warehouse which might pass housing units. Most literature on toxic diesel emissions relate how sensitive receptors need to be at least 1,500 feet from warehouses, roads that diesel trucks use, and diesel truck parking areas. How will you accomplish this with the existing residents who live along existing city truck routes? The DEIR mentions Cactus/Heacock as "local major roadways" to "facilitate movement of goods throughout the region". (p 108/p 4.1-23) How will the project protect the children in the several schools that are within 1,500 feet of Heacock and as the children walk to/from school along the street from the toxic diesel truck emissions? The same is true for people in homes and schools along both Heacock St and Alessandro Blvd. The FEIR needs to show all adjacent zoning within 2,000 feet of the project and Moreno Valley truck routes. The adjacent land zoned business to the west and commercial to the south will, upon being built out, expose their employees and customers to the toxic diesel pollution of this project. The FEIR needs to explain how you will protect these people from this project's unhealthy diesel pollution. The Sierra Club totally disputes RPT/SCS G6, which states the project will "protect the environment and health for our residents by improving air quality" and believes the FEIR needs to give substantial proof for this statement. (p 110/p 4.1-25) How will you protect the warehouse workers from the long-term health effects of breathing toxic diesel emissions throughout their workday and employment --- as mentioned in my scoping letter on this project? What equipment will you make sure is electric instead of diesel or gasoline in order to lessen pollution and better protect the workers-- this includes gardening equipment? The project needs to explain why electrical recharging plugins for future electric semi-trucks are not being considered for this project.

Response:

Contrary to the commentor's assertion, the location of the nearest sensitive receptor is clearly presented at Draft EIR page 4.3-69. For ease of reference, this discussion is repeated below.

> Sensitive receptors considered in air quality analyses include uses such as health care facilities, rehabilitation centers, retirement homes, residences, schools, playgrounds, child care centers, and athletic facilities. Sensitive receptors located proximate to the Project site are indicated at Figure 4.3-1 (previously presented), and are described below.
>
> The nearest sensitive receptor land use (defined as a place where an individual could remain for 24-hours) would be the existing Motel 7 located at 23581 Alessandro Boulevard, located approximately 525 feet/160 meters northeasterly of the Project site. Additionally, proximate residential land uses are located approximately 708 feet/216 meters north of the Project site, across Alessandro Boulevard. Figure 4.3-1 (previously presented) illustrates existing land uses including sensitive receptors in the Project vicinity.
>
> As discussed in the previous discussions of potential localized emissions impacts (see construction source and operational source LST analyses) the Project will not under any circumstances, exceed applicable SCAQMD localized significance thresholds. As such, less than significant localized emissions impacts would occur and sensitive receptors would not be exposed to substantial pollutant concentrations.

The commentor is making suggestions for what should be included in a diesel risk assessment. The Draft EIR contains a complete Health Risk Assessment and was prepared consistent with the *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003), and is presented in its entirety at Appendix C to the Draft EIR.

For ease of reference, the conclusions of this analysis are restated below.

> The maximum exposed sensitive receptor indicated at Table 4.3-19 is the residential land use located approximately 680 feet northerly of the Project site, across Alessandro Boulevard (indicated at Figure 4.3-1). At this location,

the maximum incremental cancer risk attributable to Project DPM source emissions is estimated at 8.48 in one million, which is less than the threshold of 10 in one million.

Table 4.3-19
Summary of Cancer Risk - Without Mitigation

Time Period	Location	Maximum Lifetime Cancer Risk (Risk per Million)	Significance Threshold (Risk per Million)	Threshold Exceeded?
70 Year Exposure (2017 to 2086)	Maximum Exposed Sensitive Receptor	8.48	10	**No**
40 Year Exposure (2017 to 2056)	Maximum Exposed Worker Receptor	0.48	10	**No**
9 Year Exposure (2017 to 2025)	Maximum Exposed School Child	0.06	10	**No**

Source: *RPT Centerpointe West Project Mobile Source Health Risk Assessment (Urban Crossroads, Inc.), August 27, 2012.*

The worker receptor land use with the greatest potential exposure to Project DPM source emissions identified at Table 4.3-19 is located immediately south of Cactus Avenue just before the I-215 freeway, approximately 5,000 feet westerly of the Project site. The incremental cancer risk impact at this location is 0.48 in one million which is less than the threshold of 10 in one million.

The school site land use with the greatest potential exposure to Project DPM source emissions is located approximately 0.6 mile (~3,400 feet) northerly of the Project site at the Moreno Valley High School. The maximum incremental cancer risk impact at this location is 0.06 in one million which is less than the threshold of 10 in one million.

SCAQMD guidance does not require assessment of the potential health risk to on-site workers. Additionally assessment of health risk to on-site workers is not required by OEHHA HRA guidelines. As such, for purposes of this analysis, risk to on-site workers has not been evaluated.

Operational Source Emissions-LST Analysis

The SCAQMD LST operational source emissions analysis protocol is formulated to include on-site sources only. However, the CalEEMod model does not differentiate between on-site and off-site emissions. In an effort to establish a maximum potential impact scenario for analytic purposes the analysis presented here represents all on-site Project-related stationary (area) sources and five percent (5%) of the Project-related mobile sources. Considering that the weighted trip length used in CalEEMod for the Project is approximately 40.76 miles, 5% of this total is equivalent to an on-site travel distance for each car and truck of approximately 2 miles or 10,560 feet. The 5% assumption is conservative and would tend to overstate the actual impact. Modeling based on these assumptions demonstrates that even within broad encompassing parameters, Project operational-source emissions would not exceed applicable LSTs. Table 4.3-16 presents the calculated emissions for the Project's operational activities compared with applicable LSTs.

Table 4.3-16
Unmitigated Operational Source Emissions (pounds per day)
Localized Significance Thresholds (LST) Compliance

	NO_x	CO	PM_{10}	$PM_{2.5}$
On-Site Emissions	**24.64**	**18.77**	**5.26**	**0.99**
SCAQMD LST	407	4,985	17.87	5.87
LST Exceeded	**No**	**No**	**No**	**No**

Source: *RPT Centerpointe West Project Air Quality Impact Analysis (Urban Crossroads, Inc.), August 22, 2012.*

As indicated at Table 4.3-16, Project operational emissions would not exceed applicable LSTs, and are therefore considered less-than-significant.

As substantiated in the Draft EIR and supporting HRA, the Project will not cause or result in any potentially significant emission-source health risks. The commentor's remarks are forwarded to the decision-makers. Result and conclusions of the EIR are not affected.

SC-7

Comment:

Impacts to our local streets as well as our very crowded freeways need to be explained so the average citizen will understand. The FEIR -- not just appendices – needs to show the length of trips the diesel trucks will be taking when driving to and from the warehouse as well as their routes. We need to know the maximum number of trucks that will use these warehouses each workday and not just after the first year, but when the warehouses are being used to their maximum capacity during peak times of the year. Your traffic analysis is inadequate unless it includes all sections of SR 60 that border any part of Moreno Valley. It will also be inadequate unless it addresses the July 2012 judgment of the Friends of the Northern San Jacinto Valley and Sierra Club vs County of Riverside concerning the Villages of Lakeview project, which is incorporated by reference and sent to you in our scoping comments. Judge Waters mentions that the same five-mile radius used in this project was not adequate for traffic and related impact like air quality under CEQA. (p 7 Statement of Decision) As mentioned in the Press-Enterprise, the developers of the World Logistic Center, upon learning of the Villages of Lakeview July court decision, doubled down on doing a significantly better traffic and air-quality analysis for their project. This has delayed the planned release of their DEIR by at least five months. The RPT Centerpoint Warehouse Project has done the opposite. In September I sent you my NOP/Scoping comments for this project which included the Villages of Lakeview (VOL) court decision about traffic/air quality and, about one month later, the DEIR was printed/released for public comment. Until your Final EIR has addressed both traffic and air-quality impacts to meet the standard set by Judge Waters in the Villages of Lakeview decision, it will remain inadequate. The decisionmakers have a right to know the cumulative impacts before they vote: that the section of SR 60 passing through Moreno Valley and regionally will become a parking lot with significant pollution. Simply paying into a pot of money that may not be used in the impacted part of Moreno Valley does not mitigate your traffic locally, and TUMF doesn't address your specific regional impacts. Your response to my NOP/Scoping comments on regional traffic issues cannot simply be dismissed by writing that this is a smaller project than the VOL. This project's traffic will have significant impacts well beyond the area within the five miles you studied. The City of Riverside should be concerned as well as others along SR 60 and other roadways.

Response:

Project trip distribution and assignment is presented in the Traffic Impact Analysis (TIA) (Draft EIR Appendix B, TIA, pages 57-67). Trip lengths are reflected in the Project Air Quality Impact Analysis (AQIA) (Draft EIR Appendix C, AQIA, pages 29-32). Individual variables such as trip distribution and trip lengths provide little meaningful information outside of their context within the larger technical traffic and air quality studies. The implications (impacts) of trip distribution and trip lengths are presented in the Draft EIR in a manner that is meant to understandable to the public at large. Readers are encouraged to review the Draft EIR technical appendices for answers to technical questions.

The trip generation and trip distribution modeling presented in the Draft EIR reflect full Project buildout conditions. Traffic impact analyses reflect peak hour traffic conditions.

The DEIR thoroughly evaluated the directional orientation of Project-related passenger vehicles and trucks for the purposes of evaluating potential traffic impacts. As identified in the Project TIA (EIR Appendix B), twenty-five percent (25%) of passenger vehicles assumed to access the I-215 Freeway at Cactus Avenue are anticipated to be oriented to and from the north, while twenty percent (20%) are assumed to be oriented to and from the south. The Project TIA also indicates that seventy percent (70%) of the Project-related truck trips are anticipated to be oriented to and from the north via the I-215 Freeway at Cactus Avenue interchange, while twenty percent (20%) would access the I-215 Freeway at Cactus Avenue to head south. As noted in the Project TIA, trip distribution patterns for passenger vehicle trips were based on a number of factors including existing travel patterns, the geographic location of the site, and the site's proximity to the state highway system. While trip distribution patterns for Project-related truck trips were based on these same factors, they also included data related to existing travel patterns for an existing on-site warehouse tenant Harbor Freight.

The passenger vehicle trips oriented to and from the south on the I-215 Freeway are anticipated to interact with residential and commercial areas in the City of Perris, City of Menifee, City of Riverside and unincorporated areas of Riverside County, whereas, all Project-related southbound I-215 trucks are anticipated to be oriented to destinations

further to the south, such as Temecula and San Diego. As southbound I-215 truck trips oriented to regional destinations to the south would have no incentive to use Van Buren Boulevard to head west to the SR-91 freeway, only Project-related passenger vehicles oriented southbound on the I-215 Freeway would potentially utilize Van Buren Boulevard. However, even if it were conservatively assumed that up to fifty percent (50%) of all Project-related passenger vehicles oriented southbound on the I-215 Freeway were to utilize Van Buren Boulevard, this would equate to a total of five (5) trips in the AM peak hour and six (6) trips in the PM peak hour. This relatively de minimis number of Project trips is not anticipated to result in a significant impact to Van Buren Boulevard, nor does it meet the City of Riverside's stated potential impact criteria of fifty (50) or more peak hour trips (*City of Riverside Public Works Traffic Impact Analysis Preparation Guide*, August 2012).

Furthermore, Project-related passenger vehicles oriented to and from the north on the I-215 Freeway are anticipated to interact predominately with residential and commercial areas in northwest Moreno Valley, the City of Riverside, unincorporated areas of Riverside County, etc.; while Project-related truck trips oriented to and from the north on the I-215 Freeway are anticipated to be heavily oriented to regional destinations via the I-10 and SR-60 freeways. The truck trip patterns are consistent with existing travel patterns for Harbor Freight, and are primarily due to the fact that the SR-60 Freeway corridor provides the most direct and efficient route from the Ports of Los Angeles and Long Beach for inbound containers coming to Harbor Freight. Outbound truck trips also tend to heavily utilize both the SR-60 and I-10 freeway corridors to access regional destinations such as Los Angeles metro area, central California, Las Vegas, Phoenix, along with other Harbor Freight distribution hubs to the east. Based on the Project's current truck-related origins and destinations, and anticipated travel patterns, it is highly unlikely that Project truck traffic would benefit from leaving the I-215/SR-60 freeway to head west on Alessandro Boulevard to the SR-91. This would result in trucks then needing to travel an additional three (3) miles north on the SR-91 through a typically congested downtown area to connect back to the original SR-60/I-215 route. This route would seem impractical even during the most congested of freeway conditions.

However, if it were conservatively assumed that up to fifty percent (50%) of the Project-related northbound I-215 passenger vehicles were to utilize Alessandro Boulevard to access destinations along this route or the SR-91 Freeway, this would equate to a total of six (6) trips in the AM peak hour and seven (7) trips in the PM peak hour. Furthermore, if it were also conservatively assumed that up to fifteen percent (15%) of the Project's northbound I-215 truck trips were to choose to utilize Alessandro Boulevard, the total number of passenger vehicles and trucks would be twenty-three (23) net AM peak hour passenger car equivalent (PCE) trips and twenty-six (26) net PM peak hour PCE trips. As noted previously, this relatively de minimis number of peak hour vehicles is far below the 50 peak hour trip threshold used by the City of Riverside to determine the likelihood of a Project-related traffic impact. Results and conclusions of the EIR are not affected.

Traffic distribution or redistribution within the South Coast Air Basin has no substantive effects on a given project's regional air quality impacts. These impacts are determined through comparison of project air pollutant emissions to standardized region-wide numeric thresholds. The Project would not result in or cause any potentially significant localized air quality impacts. Conclusions regarding the Project's regional air quality impacts are not affected by any redistribution of traffic such as is inferred by the commentor. The commentor's remarks are forwarded to the decision- makers. Results and conclusions of the EIR are not affected.

SC-8

Comment:

The land should not be disked/graded or disturbed for at least six months prior to doing the Burrowing Owl survey; otherwise many will believe you are just making it difficult on this special animal as well as making it more likely it will be listed as endangered. The Sierra Club believes the FEIR will be inadequate unless our concerns and issues found throughout this letter and our scoping letter are thoroughly addressed within the document. This includes, as mentioned in my scoping comments, the need to have this document and the Final EIR published in Spanish.

Response:

As noted in the Project Initial Study (Draft EIR Appendix A, pgs. 8 to 9), the Project site is located in an urban setting, and has been heavily disturbed by human activities. The majority of the site was previously surveyed as part of a General Biological Habitat Assessment[9] performed prior to the development of the existing Harbor Freight Warehouse facilities, and no evidence of burrowing owl habitation was identified. A subsequent survey focused on the burrowing owl was also performed prior to the development of the Harbor Freight Warehouse,[10] also with negative results. Additionally, the Project site in its entirety was surveyed by Michael Brandman Associates to determine any potential for jurisdiction of the Army Corps of Engineers or the California Department of Fish and Game.[11] This report notes that "[t]he development areas have been subject to repeated disking and are generally devoid of vegetation.

Additionally, pursuant to comments received from the Fish and Wildlife Service on the Draft EIR, new Mitigation Measure BR-3 (below) will further minimize and mitigate habitat loss and incidental take of biological species within the Project area. Mitigation Measure BR-3 has been incorporated into the Project Mitigation Monitoring Program.

> ***Mitigation Measure BR-3:*** *Prior to the issuance of a grading permit, the Project Applicant shall be responsible for ensuring that a biological resources survey is conducted for the Project site by a qualified biologist, consistent with the policies of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). This survey will specifically address the identification of potential burrowing owl (*Athena cunicularia*) habitat, and the protection of species associated with riparian/riverine areas and vernal pools. The results of this biological survey shall be submitted to the City for review. If the City finds that the Project, in its final design, would involve areas of burrowing owl occupation, and/or areas of riparian or riverine resources, the following requirements would apply:*

9 *General Biological Habitat Assessment for Moreno Valley Centerpointe* (Ecological Sciences, Inc.), December 2003.
10 *Western Burrowing Owl Survey, ±125-acre Moreno Valley Centerpointe Site* (Ecological Sciences, Inc.), October 26, 2004.
11 *USACE and CDFG Jurisdiction – Moreno Valley Centerpointe TPM 32326, Moreno Valley California* (Michael Brandman Associates), December 7, 2005.

- *If the site contains, or is part of an area supporting less than 35 acres of suitable burrowing owl habitat, or the survey reveals that the site and the surrounding area supports fewer than three pairs of burrowing owls, then the on-site burrowing owls will be passively or actively relocated following accepted protocols.*
- *If the site (including adjacent areas) supports three or more pairs of burrowing owls, supports greater than 35 acres of suitable habitat and is non-contiguous with MSHCP Conservation Area lands, at least 90 percent of the area with long-term conservation value and burrowing owl pairs will be conserved onsite.*
- *If the 90 percent threshold cannot be met, the City of Moreno Valley, as a permittee of the MSHCP, must make a Determination of Biologically Equivalent or Superior Preservation.*
- *If riparian/riverine resources are present onsite and cannot be avoided, a Determination of Biologically Equivalent or Superior Preservation will be required.*

It is also noted that Mitigation Measure BR-2, requiring pre-construction surveys for the burrowing owl, will remain in effect as part of the Project's Mitigation Monitoring Program, as reflected Section 4.0 of this Final EIR. As required by Mitigation Measure BR-2, pre-construction surveys are required to be completed within 30 days prior to site clearing activities. This ensures that the results of the survey remain valid at the time of grading.

As mentioned above, the site has been subject to repeated disking and is generally devoid of vegetation, in accordance with City and Fire Department maintenance requirements. The commentor's suggestion to allow the site to remain undisturbed for "at least six months prior" to the required surveys will be forwarded to the decision-makers for consideration during their deliberations.

In regard to the commentor's statement that the Final EIR should be published in Spanish, the document will be provided in compliance with the City of Moreno Valley's translation policies.

SC-9

Comment:

Table 5.4-1 shows that the project has decided not to do any more on several impacts they cause. This includes Operational Pollutant Emission Cumulatively Significant Impacts, Regional Non-Attainment Impacts as Exceedances, well as Project Specific and Cumulatively Significant Noise Impacts. Each of these areas can have its impacts reduced, and the FEIR needs to show what the project will incorporate into the project to further protect the health of the residents of Moreno Valley as well as those in the region. There are three Moreno Valley intersections and four Moreno Valley roadway segments mentioned in this same table which the project will cause impacts that are considerable and significant. When will the City of Moreno Valley solve these problems, which would not be caused were it not for the building of this project? With the City spending current and future road improvement monies in eastern Moreno Valley, how long will the residents have to live with the impacts caused by this project? Paying your TUMF and DIF responsibilities does not resolve this problem.

Response:

An EIR must identify any significant environmental effects that would result from the Project. (Pub. Resources Code, §21100, subd. (b)(2)(B).) Pursuant to this requirement, the significant environmental impacts of the Project are summarized at Table 5.4-1. The full analyses leading to these determinations are presented throughout the Draft EIR. For instance, regarding the Cumulatively Significant Regional Air Quality Exceedances, the Draft EIR (Page 4.3-57) explains;

> The Project Air Quality Impact Analysis indicates that Project operational source criteria pollutants will exceed applicable SCAQMD regional thresholds for VOCs and NOx. These exceedances are primarily attributable to mobile sources (vehicular tailpipe emissions) and at present there are no feasible means for the Lead Agency or the Applicant to reduce these emissions to levels that would not exceed SCAQMD threshold criteria. Notwithstanding, energy efficiencies reflected in the Project design, and compliance with existing SCAQMD/CARB emissions requirements will act to

> incrementally reduce the Project's operational source emissions levels. Over time, it is anticipated that federal and state mandates will act to substantively reduce tailpipe emissions. Pending these federal and state actions, or other means that act to substantively reduce vehicle tailpipe emissions, Project operational exceedances of SCAQMD VOC and NOx regional thresholds are considered significant and unavoidable.

In regards to the three (3) intersections and four (4) roadway segments, the Draft EIR explains the following;

> With the implementation of the recommended improvements, LOS conditions at Study Area intersections will comply with the City's intersection LOS performance standards. However, because the improvements identified in Mitigation Measures 4.2.2 through 4.2.6 involve the construction of improvements that are either outside the jurisdiction of the City of Moreno Valley (e.g., widening of I-215 ramps) or beyond the control of the Project Applicant (e.g., widening of Cactus Avenue beyond the Project frontage), the successful completion of the required improvements for the Opening Year Cumulative condition cannot be ensured prior to the opening of the Project. As such, the Project's contributions to Opening Year Cumulative traffic impacts at the following intersections are cumulatively considerable, significant and unavoidable:
>
> - I-215 Southbound Ramps at Cactus Avenue;
> - I-215 Northbound Ramps at Cactus Avenue;
> - Elsworth Street at Cactus Avenue;
> - Frederick Street at Cactus Avenue; and
> - Graham Street at Cactus Avenue.
>
> Because the adjacent Study Area intersections at each of these roadway segments are anticipated to operate acceptably in the Opening Year (2017) With-Project condition with mitigation, no additional roadway segment

widening (beyond the six lanes identified in the General Plan) is recommended. Nonetheless, because the successful completion of the widening is outside the control of the Project Applicant, the addition of Project-related traffic to roadway segments that are already deficient is considered a cumulatively significant and unavoidable impact.

The commentor also provides additional opinions relative to areawide traffic improvements and the funding thereof. Those comments will be provided to the decision-making bodies for consideration during their deliberations. Results and conclusions of the EIR are not affected.

SC-10

Comment:

As a potential significant impact, the Final EIR (FEIR) must more thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code §§ 21000 et seq., 14 Cal. Code Regs. § 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed.

The FEIR must discuss the grave threats posed by global warming to California and the world. Current scientific consensus on climate change has now determined that the link between greenhouse gas emissions and global warming is highly certain. In California, elected leaders, through Executive Order S-03-05 and the California Global Warming Solutions Act of 2006 (AB 32), have also squarely linked greenhouse gases with global warming. In order to conform to CEQA's informational mandates and properly inform the public and decision makers of the significance of the Project's contribution to greenhouse gases, the DEIR must first adequately discuss the threat posed by greenhouse gas emissions and avoid minimizing or discounting the severity of global warming's impacts. See Guidelines § 15151. See, e.g., Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.

("Laurel Heights I"), 47 Cal.3d 376, 392 (1988) (EIR is intended "to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action."); Guidelines § 15151 (requiring an FEIR be detailed, complete, and reflect a good faith effort at full disclosure). A discussion of global warming impacts need not be lengthy, but should, at a minimum, convey the magnitude of the threat posed by global warming to humans and the environment. For the City's convenience, a scientific background on global warming and the specific threats posed to California is provided below.

Response:

The commentor has provided extensive information regarding methodology of performing a Greenhouse Gas Analysis, but has not provided any specific comments regarding specific perceived shortfalls of the study conducted for the RPT Centerpointe West Project. That analysis is summarized within the Draft EIR at pages 4.3-78 through 4.3-96 and the full Greenhouse Gas Analysis is provided within Draft EIR Appendix C. The conclusion of the Analysis is summarized below:

> The Project will be designed and operated consistent with incumbent GHG regulatory requirements. Further, the project is consistent with, or otherwise is not in conflict with, applicable CARB Scoping Plan recommended measures and actions, and applicable GHG emission reduction strategies identified in the 2006 CAT Report.
>
> The previous assessment of Project impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report, supports the conclusion that the Project GHG emissions are not individually significant or cumulatively considerable. Already less-than-significant Project GHG emissions will be further reduced as a byproduct of other general Project Air Quality Mitigation Measures and the required use of renewable energy, pursuant to Mitigation Measures 4.3.7 and 4.3.8. This analysis does not take any credit for a reduction of GHG emissions as a result of implementation of such measures.

> Based on the preceding, the potential for the Project to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or conflict with an applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases is less-than-significant.

Further, as detailed in Response SC-3 (presented previously) in support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards.

SC-11

Comment:

There is no longer credible scientific dispute that the climate is warming. In its most recent assessment, the Intergovernmental Panel on Climate Change ("IPCC") concluded that "[w]arming of the climate is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting snow and ice, and rising mean sea level." (IPCC 2007a). Expressed as a global average, surface temperatures have increased by about 0.74°C over the last hundred years, with 11 of the 12 warmest years on record having occurred in the past 12 years (IPCC 2007a). In September 2007, Arctic sea ice plummeted to a record-low level not anticipated by most climate models until 2050, leading scientists to predict that the Arctic could be ice-free in summer by 2030 (National Snow & Ice Data Center 2007). Other observed consequences of the warming climate include sea level rise, increased frequency of droughts, floods, and heat waves and substantial increases in the duration and intensity of hurricanes (IPCC 2007a).

The IPCC now states with "very high confidence" that most of the warming observed over the past 50 years is the result of human generation of greenhouse gases, including carbon dioxide, methane, and nitrous oxide (IPCC 2007a). The rapid warming observed since the 1970s has occurred in a period when the increase in greenhouse gases has dominated over

all other factors (IPCC 2007a). The largest known contribution to global warming is from carbon dioxide (IPCC 2007a). Fossil fuel combustion is responsible for more than 75% of human caused carbon dioxide emissions with the remainder due to land-use change (primarily deforestation) (IPCC 2007a). The global atmospheric concentration of carbon dioxide has increased from a pre-industrial value of about 280 parts per million (ppm) to 379 ppm in 2005, a level that has not been exceeded during the past 650,000 years (during which carbon dioxide concentrations remained between 180 and 300 ppm). (IPCC 2007a; Canadell et al. 2007). In 2006, carbon dioxide concentrations reached a new high of 381.2 ppm (World Metrological Organization 2007). As greenhouse gas concentrations increase, more heat reflected from the earth's surface is absorbed by these greenhouse gases and radiated back into the atmosphere and to the earth's surface. Consequently, the higher the level of greenhouse gas concentrations, the larger the degree of warming experienced.

At current growth rates and continued reliance on fossil fuels, atmospheric concentrations of carbon dioxide would likely exceed 1,000 ppm by the end of the century, resulting in an average global temperature increase of more than 5°C (United Nations Foundation & Sigma XI 2007). This is equivalent to the change in temperature since the last ice age – an era in which Europe and North America was under more than one kilometer of ice (United Nations Foundation & Sigma XI 2007). The growing consensus among climate scientists is that the threshold for dangerous climate change, whereupon a potential "tipping point" is reached and ecological changes become dramatically more rapid and out of control, is estimated at a temperature increase of around 2°C from pre-industrial levels, or an atmospheric concentration of carbon dioxide of approximately 450 ppm (United Nations Foundation & Sigma XI 2007; IPCC 2007c). In 2006, Dr. James E. Hansen, Director of the NASA Goddard Institute for Space Studies, and NASA's top climate scientist, stated: "In my opinion there is no significant doubt (probability > 99%) that . . . additional global warming of 2° C would push the earth beyond the tipping point and cause dramatic climate impacts including eventual sea level rise of at least several meters, extermination of a substantial fraction of the animal and plant species on the planet, and major regional climate disruptions" (Hansen et al. 2006). More recently however, given the recent unpredicted and extreme rate of loss of arctic ice observed in 2007, Dr. Hansen concluded that "the safe upper limit for atmospheric CO2 is no more than 350 ppm" (McKibben 2007).

Moreover, according to Hansen, just 10 more years of "business-as-usual" global emissions will make it difficult, if not impossible, to keep atmospheric concentrations of greenhouse gases at levels necessary to avoid a temperature increase above 2°C (Hansen et al. 2007). Keeping the climate within the 2°C threshold requires significant reductions in the world's greenhouse gas emissions. To reach this objective, it is estimated that developed countries would have to target an emissions peak between 2012 and 2015, with 30 percent cuts by 2020 and 80 percent cuts from 1990 levels by 2050 (United Nations Foundation & Sigma XI 2007). In recognition of need for immediate action, California has committed itself though Executive Order S-3-05 and the California Global to reduce the state's emissions to 1990 levels by 2020 and by 80% reductions from 1990 levels by 2050. Ca. Health & Safety Code § 38550; Cal. Executive Order S-3-05 (2005).

The costs of taking no action to reduce greenhouse gas emissions far outweigh the costs of stabilizing emissions. The Stern Review of the Economics of Climate Change, a comprehensive report commissioned by the British government, recently concluded that allowing current emissions trajectories to continue unabated would eventually cost the global economy between 5 to 20 percent of GDP each year within a decade, or up to $7 trillion, and warned that these figures should be considered conservative estimates (Stern 2006). By contrast, measures to mitigate global warming by reducing emissions were estimated to cost about one percent of global GDP each year, and could save the world up to $2.5 trillion per year (Stern 2006). The Stern Report determined that if no action is taken to control greenhouse gas emissions, each ton of CO2 emitted causes damage worth at least $85 (Stern 2006).

Climate change poses enormous risks to California. Scientific literature on the impact of greenhouse gas emissions on California is well developed. The California Climate Change Center ("CCCC") has evaluated the present and future impacts of climate change to California and the project area in research sponsored by the California Energy Commission and the California Environmental Protection Agency (Cayan et al. 2007). The severity of the impacts facing California is directly tied to atmospheric concentrations of greenhouse gases (Cayan et al. 2007; Hayhoe et al. 2004). According to the CCCC aggressive action to cut greenhouse gas emissions today can limit impacts, such as loss of the Sierra snow pack to

30%, while a businessas-usual approach could result in as much as a 90% loss of the snowpack by the end of the century. As aptly noted in a report commissioned by the California EPA:

Because most global warming emissions remain in the atmosphere for decades or centuries, the choices we make today will greatly influence the climate our children and grandchildren inherit. The quality of life they experience will depend on if and how rapidly California and the rest of the world reduce greenhouse gas emissions (Cayan et al. 2007).

Some of the types of impacts to California and estimated ranges of severity – in large part dependent on the extent to which emissions are reduced – are summarized as follows:

- A 30 to 90 percent reduction of the Sierra snowpack during the next 100 years, including earlier melting and runoff.
- An increase in water temperatures at least commensurate with the increase in air temperatures.
- A 6 to 30 inch rise in sea level, before increased melt rates from the dynamical properties of ice-sheet melting are taken into account.
- An increase in the intensity of storms, the amount of precipitation and the proportion of precipitation as rain versus snow.
- Profound impacts to ecosystem and species, including changes in the timing of life events, shifts in range, and community abundance shifts. Depending on the timing and interaction of these impacts, they can be catastrophic.
- A 200 to 400 percent increase in the number of heat wave days in major urban centers.
- An increase in the number of days meteorologically conducive to ozone (O3) formation.
- A 55 percent increase in the expected risk of wildfires (Cayan et al. 2007).

By providing details as to the ranges of proposed impacts, and indicating that the higher-range of impact estimates are projected if greenhouse gas emissions continue to increase under a "business as usual" scenario, decision-makers and the public will be better informed of the magnitude of the climate crisis and the urgency with which it must be addressed.

Finally, the DEIR should also include a brief discussion of other laws to address climate change, including California's mandate to reduce emissions to 1990 levels by 2020 and goal of further reducing emissions to 80% below 1990 levels by 2050. Achievement of state mandated emissions reductions will be severely impeded if agencies across the state continue to approve new projects without incorporating measures to reduce the added emissions created by these.

The first step in determining a project's greenhouse gas pollution impact is to complete a full inventory of all emissions sources. In conducting such an inventory, all phases of the proposed project must be considered. See 14 Cal. Code Regs. § 15126. A basic requirement of CEQA is that "[a]n EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences." 14 Cal. Code Regs. § 15151. The greenhouse gas inventory for a project must include a complete analysis of all of a project's substantial sources of greenhouse gas emissions, from building materials and construction emissions to operational energy use, vehicle trips, water supply and waste disposal.

A greenhouse gas inventory for the project must include the project's direct and indirect greenhouse gas emissions. See 14 Cal. Code Regs § 15358(a)(1) (Indirect or secondary effects may include effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems, including ecosystems.). Consequently, a complete inventory of a project's emissions should include, at minimum, an estimate of emissions from the following:

- Fugitive emissions of greenhouses gases, such as methane, from the proposed project;
- Emissions during construction from vehicles and machinery;
- Manufacturing and transport of building materials;
- Electricity generation and transmission for the heating, cooling, lighting, and other energy demands of the project;
- Water supply and transportation to the project;

- Vehicle trips and transportation emissions generated by the project;
- Wastewater and solid waste storage or disposal, including transport where applicable; and
- Outsourced activities and contracting.

Methodologies are readily available to inventory the emissions from the proposed project. In its recent white paper, CEQA & Climate Change, Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act (Jan. 2008), the California Air Pollution Control Officers Association (CAPCOA) set forth methodologies for analyzing greenhouse gas pollution (CAPCOA 2008) The California Office of Planning and Research ("OPR") has also released technical guidance on the preferred approach for analyzing greenhouse gas emissions and climate change entitled "Technical Advisory, CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review" (California OPR 2008). OPR also provides references to methodologies to quantify greenhouse gas emissions. In addition to the methodologies set forth by CAPCOA and OPR, ICLEI's Clean Air/Climate Protection (CACP) software allows cities to calculate emissions reductions, track and quantify emission outputs, and develop emissions scenarios to inform the planning process.

As noted in the ICLEI Climate Action Handbook, "Expertise in climate science is not necessary" to conduct an emissions inventory and compare this inventory against a forecast year (ICLEI). "A wide range of government staff members, from public works to environment and facilities departments, can conduct an inventory" (ICLEI). ICLEI also provides technical assistance and training to local government using the CACP software. It is incumbent on the City to "disclose all it can" about project impacts and educate itself on methodologies that are available to measure project emissions. Berkeley Keep Jets Over the Bay Comm. v. Board of Port Comm'rs ("Berkeley Jets"), 91 Cal. App. 4th 1344, 1370 (2001).

As with any other project under CEQA, the baseline used for analyzing the impacts of a project is the existing on the ground environmental conditions at the time of the NOP. See Environmental Planning & Information Council v. County of El Dorado (EPIC), 131 Cal.App.3d 350, 355 (1982) (effect of general plan amendment must be compared against

actual environment, not assumptions in existing general plan). Accordingly, the DEIR should compare emissions from existing conditions with those that would result from the development of the project, as well as those that would occur under any proposed alternative scenarios. Because the Project envisions development over a long period, the EIR should also provide data on the trajectory for emissions in the planned community and under each proposed alternative in five-year increments.

Without a complete inventory, the DEIR cannot adequately inform the public and decision-makers about the Project's impacts. Similarly, without a complete inventory and analysis of greenhouse gas emissions that will result from the project, there is simply no way that The EIR can then adequately discuss alternatives, avoidance, and mitigation measures to reduce those impacts.

Response:

Contrary to the commentor assertion, the Draft EIR (page 4.3-79) and Draft EIR Appendix C provide a complete inventory of the Project GHG Emissions. For ease of reference the relevant discussion is presented below:

> **Project GHG Emissions Quantified**
>
> CEQA Guidelines 15064.4 (a) states in pertinent part:
>
> A lead agency shall have the discretion to determine, in the context of a particular project whether to:
>
> (1) Use a model or methodology to quantify greenhouse gas emissions from a project, and which model or methodology to use. . . .
>
> On February 3, 2011, the SCAQMD released the California Emissions Estimator Model (CalEEMod). The purpose of this Model is to more accurately calculate air quality and greenhouse gas (GHG) emissions from direct and indirect sources and quantify applicable air quality and GHG reductions achieved from mitigation measures. The CalEEMod was

employed to quantify GHG emissions for this Project. The CalEEMod model includes GHG emissions from the following source categories: construction, area, energy, mobile, waste, and water. Results of the Project GHG emissions modeling are presented at Table 4.3-20.

Table 4.3-20
Total Project Greenhouse Gas Emissions (Metric Tons Per Year)

	GHGs (CO_2E)			
Emission Source	**CO_2**	**CH_4 (CO_2E)**	**N_2O(CO_2E)**	**Total CO_2E**
Construction emissions – (amortized over 30 years)	79.25	0.004	--	79.25
Area Sources	1,270.47	0.05	0.02	1,278.41
Mobile Sources	24,958.76	0.41	--	24,967.44
Waste	673.52	39.80	--	1,509.41
Water Use	52.22	0.42	0.01	64.58
Total CO_2E (All Sources)	**27,899.09**			

Source: *RPT Centerpointe West Project Greenhouse Gas Analysis (Urban Crossroads, Inc.), August 22, 2012.*

GHG Emissions Significance

As discussed at CEQA Guidelines, Section 15064(b), the determination of impact significance is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for a "careful judgment" by the City "based to the extent possible on scientific and factual data."

The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases, and as previously noted, CARB's proposed GHG emissions thresholds are not yet final. Similarly, SCAQMD's proposed GHG emissions thresholds are currently in Draft form.

Nevertheless, comparison of the GHG emissions from the Project's area sources (construction sources, area sources, waste, and water use) indicates that the Project's emissions from such sources are well below the proposed

CARB and SCAQMD thresholds for equivalent or similar sources. Notwithstanding, thresholds for vehicles/mobile sources (the predominant source of this Project's [and other similar development-related] GHG emissions) are not available and/or are not usefully applicable to the Project. In this latter regard, Project traffic and related mobile source GHG emissions currently exist to a large extent, and are not new effects or impacts when considered in a global context. Any estimation of the Project's impacts on Global Climate Change based on entirely new or additional mobile sources of GHG resulting from Project operations is therefore likely inflated and overestimated. No methods or models exist to reliably and accurately estimate the Project's net contribution to regional or global vehicle miles traveled. In light of the preceding considerations, and consistent with previous GHG analyses prepared for and by the Lead Agency, the analysis presented here considers the Project's qualitative, rather than quantitative compliance with State greenhouse gas reduction guidelines and policies.

More specifically, consistent with past practice in the City of Moreno Valley, the significance of the Project's GCC impacts is based upon on whether or not the Project can demonstrate compliance with the CARB Scoping Plan prepared in response to California Assembly Bill 32 (AB 32); and compliance with the State of California's Climate Action Team Report (2006), prepared in response to the California Governor's Executive Order S-3-05. The analysis below sets out the factual basis for the City's determination regarding the effect of greenhouse gases. The analysis is specific to this Project, and is not necessarily germane to other development proposal or other actions proposed within or by the City of Moreno Valley.

SC-12

Comment:

California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b).

Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008).

These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced. (Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008).

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and

allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review.

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and quantity in many countries, where groundwater systems are overdrawn (Epstein 2005).

Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997).

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project would significantly understate Project impacts.

Response:

The commentor provides statements regarding the potential impacts of global warming on the Project and how it, in turn, will intensify the environmental impacts of the Project. These comments will be provided to the decision-makers for their consideration.

SC-13

Comment:

The greenhouse gas emissions generated by a project of this size and scope will have a clearly significant cumulative impact. An impact is considered significant where its "effects are individually limited but cumulatively considerable." Guidelines § 15065(a)(3). Climate change is the classic example of a cumulative effects problem; emissions from numerous sources combine to create the most pressing environmental and societal problem of out time. *Ctr. For Biological Diversity*, 508 F.3d 508, 550 (9th Cir. 2007) ("the impact of greenhouse gas emissions on climate change is precisely the kind of cumulative impacts analysis that NEPA requires agencies to conduct."); *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3d 692, 720 (1990) ("Perhaps the best example [of a cumulative impact] is air pollution, where thousands of relatively small sources of pollution cause a serious environmental health problem."). While a particular project's greenhouse gas emissions represent a fraction of California's total emissions, courts have flatly rejected the notion that the incremental impact of a project is not cumulatively considerable because it is so small that it would make only a de minimis contribution to the problem as a whole. *Communities for a Better Environment v. California Resources Agency*. 103 Cal.App.4th 98, 117 (2002); see also *Kings County Farm Bureau*, 221 Cal. App. 3d at 720 ("[p]erhaps the best example of [a cumulative impact] is air pollution, where thousands of relatively small sources of pollution cause a serious environmental health problem.").

In addition, there is nothing speculative about the fact that higher levels of greenhouse gas pollution will lead to greater impacts, which is why the State of California has prioritized greenhouse gas pollution reductions under AB 32. Moreover, in the analogous context of the National Environmental Policy Act (NEPA), the Ninth Circuit has already rejected the argument that "global warming is too speculative to warrant NEPA analysis." *Ctr. for Biological Diversity v. Nat'l Highway Traffic Safety Admin.*, 508 F.3d at 554.

In addition, lack of established significance thresholds does not excuse an agency from its obligation under CEQA to determine the significance of a Project's impacts. CEQA routinely calls for an agency to evaluate impacts in the absence of thresholds or to exercise its individual discretion in determining the significance of an impact. *See, e.g., Protect the Historic Amador Waterways*, 116 Cal. App. 4th at 1111 (agency required to assess potential impact not listed in CEQA checklist). The development of significance thresholds is "encouraged" and not a prerequisite for an impact analysis. Guidelines § 15064.7. Indeed, as noted in the CAPCOA white paper on CEQA and Climate Change, "[t]he absence of a threshold does not in any way relieve agencies of their obligations to address GHG emissions from projects under CEQA" (CAPCOA 2008). In fact, CEQA may require additional analysis even if a project meets an adopted standard, if other evidence indicates the project may nonetheless have a significant impact. *See Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners*, 91 Cal.App.4th 1344, 1380-82 (2001).

As the lead agency, CEQA requires the City to determine the significance of the Project's emissions with or without established significance thresholds. Guidelines § 15064. CAPCOA provides various means by which a lead agency can determine the significance of project emissions (CAPCOA 2008). Importantly, a universally adopted methodology is *not* necessary to analyze project impacts. *Berkeley Keep Jets*, 91 Cal.App.4th at 1370 ("the fact that a single methodology does not exist…requires the [respondent] to do the necessary work to educate itself about the different methodologies that *are* available.").

"The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data." Guidelines § 15064(b). Any determination of whether there is a fair argument that the project may have a significant impact must include the consideration of the California Global Warming Solutions Act of 2006 (AB 32), wherein the State of California recognized that "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California" and required that existing levels of greenhouse gases be reduced to 1990 levels by 2020. Health & Safety Code §§ 38501(a), 38550.

Because AB 32 establishes that existing greenhouse gas levels are unacceptable and must be substantially reduced within a fixed timeframe, any additional emissions that contribute to existing levels frustrate California's ability to meet its ambitious and critical emissions reduction mandate. Ignoring emissions from smaller sources would be neglecting a major portion of the greenhouse gas inventory.

In accordance with the scientific and factual data, the City should adopt a zero significance threshold for the Project's greenhouse gas emissions. As noted by the Ninth Circuit in *Center for Biological Diversity v. Nat'l Highway Traffic Safety Admin.*: [W]e cannot afford to ignore even modest contributions to global warming. If global warming is the result of the cumulative contributions of myriad sources, any one modest in itself, is there not a danger of losing the forest by closing our eyes to the felling of the individual trees? 508 F.3d 508, 550 (9th Cir. 2007). Accordingly, the City must unequivocally consider Project emissions to be a potentially significant impact.

Response:

The commentor provides statements regarding the impact of the greenhouse gas emissions generated by the Project. These comments will be provided to the decision-makers for their consideration.

SC-14

Comment:

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. Of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b).

Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the

"policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code § 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).

To the extent that the project moves forward as planned, there are many mitigation measures the City can consider, as described below. This is not an exhaustive list and the EIR should explore these and all other feasible mitigation measures that will reduce the project's greenhouse gas emissions (CAPCOA 2008; California Office of the Attorney General 2008).

Response:

The analysis presented within the Draft EIR demonstrates that the Project will be designed and operated consistent with incumbent GHG regulatory requirements. Further, the Project is consistent with, or otherwise is not in conflict with, applicable CARB Scoping Plan recommended measures and actions, and applicable GHG emission reduction strategies identified in the 2006 CAT Report.

The previous assessment of Project impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report, supports the conclusion that the Project GHG emissions are not individually significant or cumulatively considerable. Already less-than-significant Project GHG emissions will be further reduced as a byproduct of other general Project air quality mitigation measures and the required use of renewable energy. Regardless, the analysis contained within the Draft EIR does not take any credit for a reduction of GHG emissions as a result of implementation of such measures.

Further mitigation of already less-than-significant impacts is not proposed or necessary.

SC-15

Comment:

The development plan for the proposed project should incorporate public transit into the project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Additionally, the FEIR should analyze ways of including pedestrian and bicycle only streets and plazas within the development and create routes that will allow residents to reach the commercial center, schools and parks by public transportation, bicycling and walking.

Response:

In an effort to address the incorporation of alternative transportation onto the Project design, the following mitigation measure has been added to the EIR.

Mitigation Measure 4.3.9

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.*

Please refer also to Section 2.0, "Revisions and Errata Corrections" and Section 4.0, "Mitigation Monitoring Plan" of this Final EIR.

SC-16

Comment:

The FEIR should consider mitigation measures that will ensure the planned community will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008).

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008).

Using green building techniques, however, can substantially reduce buildings' influence in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient

ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals.

Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to:

- Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy efficient building during pre-design, design, construction, operations and management.
- Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;
- Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.
- Reducing the use of pavement and impermeable surfaces;
- Requiring water re-use systems;
- Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting
- Limiting the hours of operation of outdoor lighting
- Maximizing water conservation measures in buildings and landscaping, using drought tolerant plants in lieu of turf, planting shade trees;
- Ensure that the Project is fully served by full recycling and composting services;
- Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
- Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;

- Installing solar water heating systems to generate all of the Project's hot water requirements;
- Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.
- Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
- Minimize, reuse, and recycle construction-related waste;
- Minimize grading, earth-moving, and other energy-intensive construction practices;
- Landscape to preserve natural vegetation and maintain watershed integrity;
- Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.
- Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
- Create a car sharing program within the planned community;
- Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;
- Provide necessary facilities and infrastructure to encourage residents to use low or zero emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
- Provide a shuttle service to public transit within and beyond the planned community;
- Incorporate bicycle lanes and routes into the planned community's street systems.

Response:

Please refer to Response SC-3, presented previously, regarding the Project's LEED certification.

SC-17

Comment:

After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Care

should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets must be discussed in the FEIR. As demonstrated by the Office of the Attorney General offsets are a feasible CEQA mitigation measures once all feasible mitigation measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources.

Response:

The City of Moreno Valley does not have a policy or a framework to require a development project to purchase carbon offsets. Furthermore the use of carbon offsets are infeasible because California has not established any generally applicable standards for requiring offsets for GHG emissions; and most cities and counties in California have not required offsets for GHG emissions on projects of the scale of the proposed project. Since this is a cumulative rather than a project level impact, mitigation for the cumulative level impact will be ineffective unless it is applied to all the cumulative projects.

There is a myriad of uncertainty surrounding the uses of carbon off sets to mitigate for cumulative impacts As the comment implies ("… offsets purchased are real…"), but there is considerable controversy regarding whether offsets that are available today will actually mitigate this cumulative effect.

First, it requires an accurate measure of the emissions to be offset and the offsets to be provided. That calculation turns out to be riddled with uncertainty on both ends of the equation. First in accurately defining the Project contribution, and also in determining an accurate measure of the carbon saved elsewhere. Most of the earliest offset projects involved planting trees, which naturally ingest carbon, a complex and unpredictable process which forbids accurate measurement.

Finally, the very idea of offsetting relies on evidence that a carbon reduction would not have occurred in the natural order of commercial life. For example, one of the biggest UK companies that sells offsets, Climate Care, distributed 10,000 energy-efficient light bulbs in a South African township; offered the carbon reductions as offsets; and then discovered that an energy company was distributing the same kind of light bulbs free to masses of customers, including their township, so the reduction would have happened anyway.

To accurately calculate the amount of credit for each of the above actions, the offset program must make a number of critical assumptions:

- What is the baseline of emissions for the existing facilities that would be retrofitted to reduce their energy consumption? Would they ultimately be retrofitted in any case, thus limiting the actual resulting reduction in GHG emissions?

- Is the development of the alternative energy source actually dependent on the external funding provided by the offset? Or is the alternative energy developer simply achieving another subsidy?

- How much extra energy (and GHG emissions) is required to construct the alternative energy facility? What period of time should this be amortized over? For example, the development of the California High Speed Rail Project is estimated to reduce energy consumption in the long run. However, the extra energy involved with construction is estimated to have a 40 year payback.

As such, the actual amount of mitigation provided by an offset program can be speculative, based upon the actual performance of the program.

While the above cites issues with offsets are problematic, even if they are successful, they are based upon the assumption that a 1:1 reduction in emissions will actually result in the same reduction in global CO2 values. This static analysis fails to take into account the dynamic nature of energy consumption worldwide. When energy consumption (a proxy for GHG emissions) is reduced in one location, there are powerful economic reasons to assert that the same energy consumption (GHG emissions) will simply be shifted to another location.

There is a global marketplace for fossil fuel energy based upon a market between buyers and sellers. The sellers, those who own the sources and production of fossil fuel energy, have a powerful economic interest to keep and increase their income stream from the production of fossil fuels. To the extent that the actions cited above as potential offset

measures, in combination with other conservation measures, reduce the demand for fossil fuels in the countries where they are implemented, the owners of these fossil fuel supplies will still want to preserve and enhance their income as much as possible. And there is a large unmet need (unmet as defined by consumer actions) for increased energy consumption in developing countries.

For example the average annual energy consumption of a citizen of China or sub-Saharan Africa, at 4.5 metric tons, is far less than that of the average US citizen, at 20 metric tons. To the extent that the US and other countries reduce energy consumption based upon energy efficiency measures, the owners of fossil fuel resources will seek to sell the same energy, perhaps at a lower price, to the less developed countries. If the energy is sold at a lower price, then more energy would need to be sold to generate the same income, and the resulting energy consumption and GHG emissions could actually increase.

There is uncertainty regarding the efficacy, reliability and legal standing of carbon off-sets at this time. For this reason, such mitigation is considered to be infeasible. Results and conclusions of the EIR are not affected.

SC-18

Comment:

The EIR must consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code §21002; Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo*, 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted). In analyzing the no-

project alternative, the EIR must discuss the need for this project and whether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008).

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources including water quality and water availability, and traffic resulting from each proposed alternative.

Response:

Pursuant to *CEQA Guidelines* §15126.6, an EIR must describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain most of the basic Project Objectives, but would avoid or substantially lessen any of the significant environmental effects of the proposal. As further presented in the *Guidelines,* an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation. To this end, the *Guidelines* indicate that the range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision.

Consistent with the preceding provisions, the analysis presented within the Draft EIR evaluates a reasonable range of alternatives to the Project that would potentially lessen the Project's environmental effects while allowing for attainment of most of the basic Project

Objectives. As a point of departure, and for ease of reference in developing alternatives to the Project, the Project's significant environmental impacts and the Project Objectives are summarized and restated at Table 5.2-1.

Table 5.2-1
Summary of Significant Impacts and Project Objectives

Significant Environmental Impacts	
Environmental Consideration	**Comments**
TRAFFIC	The Project will construct, or pay required fees toward, completion of all necessary Study Area circulation system improvements. At the significantly-impacted locations noted below, the Project cannot feasibly construct the required improvements, and/or payment of fees will not assure their timely completion. **Project-Specific Significant Impacts** All Project-specific traffic impacts are less-than-significant, or are mitigated to levels that are less-than significant through application of the EIR Mitigation Measures. **Cumulative Intersection and Roadway Segment Impacts** Pending completion of required improvements, the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting the following intersections are cumulatively considerable, significant and unavoidable (jurisdictional control of affected facilities is indicated parenthetically)**:** • I-215 Southbound Ramps at Cactus Avenue (Caltrans); • I-215 Northbound Ramps at Cactus Avenue (Caltrans); • Elsworth Street at Cactus Avenue (City of Moreno Valley); • Frederick Street at Cactus Avenue (City of Moreno Valley); and • Graham Street at Cactus Avenue (City of Moreno Valley). Similarly, pending completion of required improvements, the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting the following roadway segments are cumulatively considerable, significant and unavoidable: • Cactus Avenue, I-215 Northbound Ramps to Commerce Center Drive (Caltrans); • Cactus Avenue, Commerce Center Drive to Elsworth Street (City of Moreno Valley); • Cactus Avenue, Elsworth Street to Veterans Way (City of Moreno Valley); • Cactus Avenue, Veterans Way to Frederick Street (City of Moreno Valley); • Cactus Avenue, Frederick Street to Driveway 3 (City of Moreno Valley); • Cactus Avenue, Driveway 3 to Driveway 4 (City of Moreno Valley); and • Cactus Avenue, Driveway 4 to Graham Street (City of Moreno Valley). **Cumulative Freeway Ramp Impacts** **P**ending completion of required improvements, the Project's contributions to Opening Year Cumulative freeway ramp queues at the following locations are cumulatively considerable, significant and unavoidable: • I-215 Southbound Ramps at Cactus Avenue, Westbound Left-turn (evening peak hour period); • I-215 Northbound Ramps at Cactus Avenue, Northbound Left-turn (morning and evening peak hour periods); and • I-215 Northbound Ramps at Cactus Avenue, Westbound through Lane (morning peak hour period).

Table 5.2-1
Summary of Significant Impacts and Project Objectives

Significant Environmental Impacts	
Environmental Consideration	**Comments**
AIR QUALITY	**Operational Pollutant Emissions Exceedances** Even after compliance with South Coast Air Quality Management District (SCAQMD) rules and regulations, and the application of EIR mitigation measures, operational pollutant emissions would exceed applicable SCAQMD regional emission thresholds for VOC and NOx. These impacts are therefore considered to be individually significant and unavoidable. **Cumulatively Significant Impacts** The above-noted Project-specific operational pollutant emissions exceedances are also cumulatively considerable, significant and unavoidable impacts. **Regional Non-Attainment Area Impacts** Project exceedances of regional emissions thresholds for VOC and NOx (ozone precursors), in combination with VOC and NOx emissions generated by other sources affecting regional non-attainment areas will result in a cumulatively significant air quality impacts within the encompassing ozone and NOx non-attainment areas. This is a cumulatively considerable, significant and unavoidable impact.
NOISE	**Project-Specific Significant Impacts** The EIR's noise analysis indicates that construction-related noise may temporarily and intermittently exceed the City's thresholds of significance at sensitive receptors in the Project vicinity. This is considered a significant Project-specific temporary noise impact. **Cumulatively Significant Impacts** Construction noise impacts when considered with ambient noise conditions would be cumulatively considerable and significant for the duration of Project construction.

Project Objectives

- Expand on the existing productive uses within the Project vicinity;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's proximate regional freeway access;
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation; and
- Develop a project that is compatible with surrounding land uses.

In light of the Project's significant impacts and stated Objectives, the discussions presented at Section 5.2.2 provide supporting reasoning behind the selection of alternatives, together with a summary description of each alternative. Additionally, the rationale underlying the rejection of certain alternatives, including an alternative site for the Project, is discussed at Section 5.2.2, "Alternatives Considered and Rejected." The merits of the selected alternatives compared with the Project are subsequently described and evaluated at Section 5.2.3, "Comparative Impacts of Evaluated Alternatives."

As previously noted, the project contribution to Greenhouse Gases was determined to be less-than-significant and therefore does not require that an alternative to be developed to reduce a previously determined less-than significant impact. The commentor's remarks are forwarded to the decision makers. Results and conclusions of the EIR are not affected.

SC-19

Comment:

Thank you for your attention to these comments. We look forward to working with the City to assure that the FEIR conforms to the requirements of CEQA to assure that all significant impacts to the environment are fully analyzed, mitigated or avoided. I hope the FEIR will fully address the concerns found within this letter as I did not see that within the DEIR.

Many times I will read responses in a FEIR where they only address one or two points found in a paragraph instead of all of the concerns. The Sierra Club looks forward to seeing all of our concerns and questions addressed in this project's FEIR. The Sierra Club wishes to be placed on the mailing list for all future notices, hearings and documents regarding this project. Please mail all notices to Sierra Club, San Gorgonio Chapter, Moreno Valley Group, 26711 Ironwood Ave, Moreno Valley, CA. 92555.

Response:

The City appreciates the Sierra Club's review and comments on the Draft EIR. Great care has been taken to address each concern voiced by the Sierra Club. Pursuant to the Sierra Club's request, they have been added to the distribution list for the RPT Centerpointe West Project.

SC-20

Comment:

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Response:

The commentor has provided a list of references, as they pertain to the citations presented within the commentor's letter. No further response is required.

4.0 MITIGATION MONITORING PLAN

4.0 MITIGATION MONITORING PLAN

4.1 INTRODUCTION

To ensure that the mitigation measures contained in this EIR are properly implemented, a monitoring plan has been developed pursuant to State law. This Mitigation Monitoring Plan (MMP) identifies measures incorporated in the Project which reduce its potential environmental effects; the entities responsible for implementation and monitoring of mitigation measures; and the appropriate timing for implementation of mitigation measures. As described at *CEQA Guidelines* §15097, this MMP employs both reporting on, and monitoring of, Project mitigation measures.

The objectives of the MMP are to:

- Assign responsibility for, and ensure proper implementation of mitigation measures;
- Assign responsibility for, and provide for monitoring and reporting of compliance with mitigation measures;
- Provide the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs.

Mitigation monitoring and reporting procedures incorporated in the Project are presented in the following Section 4.2. Specific mitigation measures incorporated in the Project, mitigation timing, and implementation and reporting/monitoring responsibilities are presented within this Section at Table 4.2-1.

4.2 MITIGATION MONITORING AND REPORTING

Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the Project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof.

If during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Traffic and Circulation				
4.2.1 Elsworth Street and Cactus Avenue Improvements: *Prior to issuance of the first Certificate of Occupancy, the Project Applicant shall construct the following improvement.* • *Remove the existing southbound crosswalk (i.e., the crosswalk on the western leg of the intersection) to provide additional "green time" to other approaches. This removal shall be accomplished in a manner consistent with applicable regulations, including but not limited to Chapter 3B of the 2012 California Manual on Uniform Traffic Control Devices (MUTCD), and Section 21950.5 of the California Vehicle Code. The existing crosswalks on the north, east and south legs of the intersection shall be maintained.*	Prior to issuance of first Certificate of Occupancy.	Applicant	City of Moreno Valley, Transportation Division and Land Development Division	City shall verify completion of improvements prior to issuance of first Certificate of Occupancy.
4.2.2 I-215 Southbound Ramps at Cactus Avenue Improvement: • *Construct a second westbound through lane.* *This improvement will be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of I-215 Southbound Ramps at Cactus Avenue.*	Prior to issuance of first Certificate of Occupancy.	Applicant	City of Moreno Valley, Transportation Division and Land Development Division	City shall verify receipt of fees before issuance of first Certificate of Occupancy.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Traffic and Circulation				
4.2.3 I-215 Northbound Ramps at Cactus Avenue Improvements: • *Construct a second northbound left-turn lane;* • *Re-stripe the existing eastbound shared through/right-turn lane as the third through lane;* • *Construct a dedicated eastbound right-turn lane;* • *Construct a third westbound through lane; and* • *Construct a dedicated westbound right-turn lane.* *These improvements will be funded through participating in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of I-215 Northbound Ramps at Cactus Avenue.*	Prior to issuance of first Certificate of Occupancy.	Applicant	City of Moreno Valley, Transportation Division and Land Development Division	City shall verify receipt of fees before issuance of first Certificate of Occupancy.
4.2.4 Elsworth Street at Cactus Avenue Improvement: • *Construct a third eastbound through lane.* *This improvement will be funded through participation in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Elsworth Street at Cactus Avenue.*	Prior to issuance of first Certificate of Occupancy.	Applicant	City of Moreno Valley, Transportation Division and Land Development Division	City shall verify receipt of fees before issuance of first Certificate of Occupancy.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Traffic and Circulation				
4.2.5 Frederick Street at Cactus Avenue Improvements: • *Construct a third eastbound through lane; and* • *Construct a third westbound through lane.* *These improvements will be funded through participating in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Frederick Street at Cactus Avenue.*	Prior to issuance of first Certificate of Occupancy.	Applicant	City of Moreno Valley, Transportation Division and Land Development Division	City shall verify receipt of fees before issuance of first Certificate of Occupancy.
4.2.6 Graham Street at Cactus Avenue Improvements: • *Remove the existing southbound crosswalk (i.e., crosswalk on the west leg) to provide additional green time to other approaches; and* • *Construct a third eastbound through lane.* *These improvements will be funded through participating in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Graham Street at Cactus Avenue.*	Prior to issuance of first Certificate of Occupancy.	Applicant	City of Moreno Valley, Transportation Division and Land Development Division	City shall verify receipt of fees before issuance of first Certificate of Occupancy.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Air Quality				
4.3.1 Pursuant to SCAQMD Rule 403 requirements: • *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.* • *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.* • *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are limited to 15 miles per hour or less.*	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division	On-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.
4.3.2 A sign shall be posted on-site stating that construction workers shall not idle diesel engines in excess of five minutes.	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division	On-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

	Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Air Quality					
4.3.3	*During grading activities, total horsepower-hours per day for all equipment shall not exceed 13,568 horsepower-hours per day and the maximum disturbance (actively graded) area shall not exceed four acres per day.*	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division and Land Development Division	On-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.
4.3.4	*Only "Zero-Volatile Organic Compounds" paints (no more than 150 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications consistent with South Coast Air Quality Management District Rule 1113 shall be used.*	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division and Land Development Division	On-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.
4.3.5	*The Project truck access gates and loading docks site shall be posted with signs which state:* • *Truck drivers shall turn off engines when not in use;* • *Diesel delivery trucks servicing the Project shall not idle for more than three minutes; and* • *Telephone numbers of the building facilities manager and the CARB to report violations.*	Prior to issuance of first Certificate of Occupancy.	Applicant and contractor(s)	City of Moreno Valley, Planning Division	Before issuance of first Certificate of Occupancy.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

	Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Air Quality					
4.3.6	*The Project's final site design shall allow for trucks to check-in within the facility area to prevent queuing of trucks outside the facility.*	Prior to issuance of first Building Permit.	Applicant	City of Moreno Valley, Planning Division	City shall verify designs prior to Final Site Plan approval, with verification of implemented check-in improvements at issuance of first Building Permit.
4.3.7	*The building roof shall be designed and constructed to accommodate solar panels.*	Prior to issuance of first Building Permit.	Applicant	City of Moreno Valley, Planning Division	City shall verify final designs prior to issuance of first building permit. Implemented design to be verified prior to the issuance of first Building Permit.
4.3.8	*Prior to issuance of the first Certificate of Occupancy, the Project shall install a photovoltaic array (solar panels) or other source of renewable energy generation onsite, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the Project's office electrical needs.*	Prior to issuance of first Certificate of Occupancy.	Applicant	City of Moreno Valley, Planning Division	City shall verify final designs prior to issuance of first building permit. Implemented design to be verified prior to the issuance of first Certificate of Occupancy.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Air Quality				
4.3.9 *The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements;* *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;* *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.*	Prior to issuance of first Building Permit.	Applicant	City of Moreno Valley, Planning Division	City shall verify final designs prior to final site plan approval. Implemented design to be verified prior to the issuance of first Building Permit.
Noise				
4.4.1 *During all Project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.*	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division and Building and Safety Division	On-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

	Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Noise					
4.4.2	*The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the project site during all Project construction.*	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division and Building and Safety Division	City to verify required notations before issuance of first development permit. Thereafter, on-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.
4.4.3	*The construction contractor shall limit haul truck deliveries to weekdays between the hours of 7:00 a.m. and 8:00 p.m., or the same hours specified for construction equipment. Haul routes that utilize only City-designated truck routes shall not pass sensitive land uses or residential dwellings be identified on construction plans. The Project construction manager shall be responsible for ensuring that all contractors operate in compliance with construction plan specifications.*	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division and Building and Safety Division	On-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

	Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Noise					
4.4.4	*All trucks, tractors, and forklifts shall be operated with proper operating and well maintained mufflers.*	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division and Building and Safety Division	On-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.
4.4.5	*Maintain quality pavement conditions that are free of bumps to minimize truck noise.*	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division and Building and Safety Division	On-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.
4.4.6	*The truck access gates and loading docks within the truck court on the project site shall be posted with signs which state:* • *Truck drivers shall turn off engines when not in use;* • *Diesel trucks servicing the Project shall not idle for more than five minutes; and* • *Post telephone numbers of the building facilities manager to report violations.*	On-going implementation of mitigation requirements during Project construction.	Applicant and contractor(s)	City of Moreno Valley, Planning Division	On-going monitoring by construction superintendent. City to respond to any community concerns regarding Project construction activities.

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Biological Resources				
BR-1 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed within 72 hours prior to clearing for the presence of nesting birds by a qualified Project biologist. The Project biologist shall be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the City Planning Department. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 300-foot buffer and up to 500 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.	Nesting bird surveys and any necessary species protection or relocation activities shall be completed prior to issuance of grading permit(s) for the affected area(s).	Applicant	City of Moreno Valley, Planning Division and Project Biologist	City and Project Biologist to verify adequacy of Surveys and any necessary species protection or relocation activities prior to issuance of grading permit(s) for the affected area(s).

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

	Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
Biological Resources					
BR-2	*Within 30 days prior to site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the City Planning Department prior to issuance of a grading permit.*	Nesting bird surveys and any necessary species protection or relocation activities shall be completed prior to issuance of grading permit(s) for the affected area(s).	Applicant	City of Moreno Valley, Planning Division and Project Biologist	City and Project Biologist to verify adequacy of Surveys and any necessary species protection or relocation activities prior to issuance of grading permit(s) for the affected area(s).
BR-3	*Prior to the issuance of a grading permit, the Project Applicant shall be responsible for ensuring that a biological resources survey is conducted for the Project site during nesting season (February 15 to July 31) by a qualified biologist, consistent with the policies of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). This survey will specifically address the identification of potential burrowing owl (*Athena cunicularia*) habitat, and the protection of species associated with riparian/riverine areas and vernal pools. The results of this biological survey shall be submitted to the City for review. If the City finds that the Project, in its final design, would involve areas of burrowing owl occupation, and/or areas of riparian or riverine resources, the following requirements would apply:*	Nesting bird surveys and any necessary species protection or relocation activities shall be completed prior to issuance of grading permit(s) for the affected area(s).	Applicant	City of Moreno Valley, Planning Division and Project Biologist	City and Project Biologist to verify adequacy of Surveys and any necessary species protection or relocation activities prior to issuance of grading permit(s) for the affected area(s).

Table 4.2-1
RPT Centerpointe West Project
Mitigation Monitoring Plan

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
• *If the site contains, or is part of an area supporting less than 35 acres of suitable burrowing owl habitat, or the survey reveals that the site and the surrounding area supports fewer than three pairs of burrowing owls, then the on-site burrowing owls will be passively or actively relocated following accepted protocols.* • *If the site (including adjacent areas) supports three or more pairs of burrowing owls, supports greater than 35 acres of suitable habitat and is non-contiguous with MSHCP Conservation Area lands, at least 90 percent of the area with long-term conservation value and burrowing owl pairs will be conserved onsite.* • *If the 90 percent threshold cannot be met, the City of Moreno Valley, as a permittee of the MSHCP, must make a Determination of Biologically Equivalent or Superior Preservation.* • *If riparian/riverine resources are present onsite and cannot be avoided, a Determination of Biologically Equivalent or Superior Preservation will be required.*				

RPT Centerpointe West Project
Draft
Environmental Impact Report

Prepared for:

The City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Prepared by:

applied planning inc

September 2012

RPT Centerpointe West Project
Draft Environmental Impact Report

State Clearinghouse Number:
2012081034

Prepared for:
The City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Prepared by:
Applied Planning, Inc.
5817 Pine Avenue, Suite A
Chino Hills, CA 91709

September 2012

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1.0 SUMMARY

1.0 SUMMARY

1.1 INTRODUCTION

Pursuant to the requirements of the California Environmental Quality Act (CEQA) and the *Guidelines for Implementation of the California Environmental Quality Act* (*CEQA Guidelines*), this Draft Environmental Impact Report (DEIR or EIR) has been prepared to analyze and disclose the potential environmental effects of development and operation of the proposed RPT Centerpointe West Project (Project) in the City of Moreno Valley. In summary, the Project involves three primary components: (1) an expansion of approximately 508,000 square feet to the existing 779,016-square-foot Harbor Freight warehouse/distribution facility on Cactus Avenue; (2) construction of a new warehouse/distribution building of approximately 608,000 square feet to the north of the expansion area; and (3) construction of a new warehouse/distribution facility of up to approximately 165,000 square feet, to be located at the northeast corner of Frederick Street and Cactus Avenue. As an interim occupancy, this proposed warehouse may be improved and screened for use as a vehicle storage area.

This Section of the EIR provides a brief description of the Project and its objectives, and summarizes potential environmental impacts of the proposal. The "Impacts and Mitigation Summary Table," presented at the conclusion of this Section, identifies these impacts and lists the mitigation measures recommended to eliminate or reduce the effects of potentially significant impacts. Alternatives to the Project which could reduce the extent or severity of potential environmental impacts are also briefly described within this Section. For a full description of the Project, its impacts, recommended mitigation measures, and considered Alternatives, please refer to EIR Sections 3.0, 4.0, and 5.0, respectively.

1.2 PROJECT SITE LOCATION AND CHARACTERISTICS

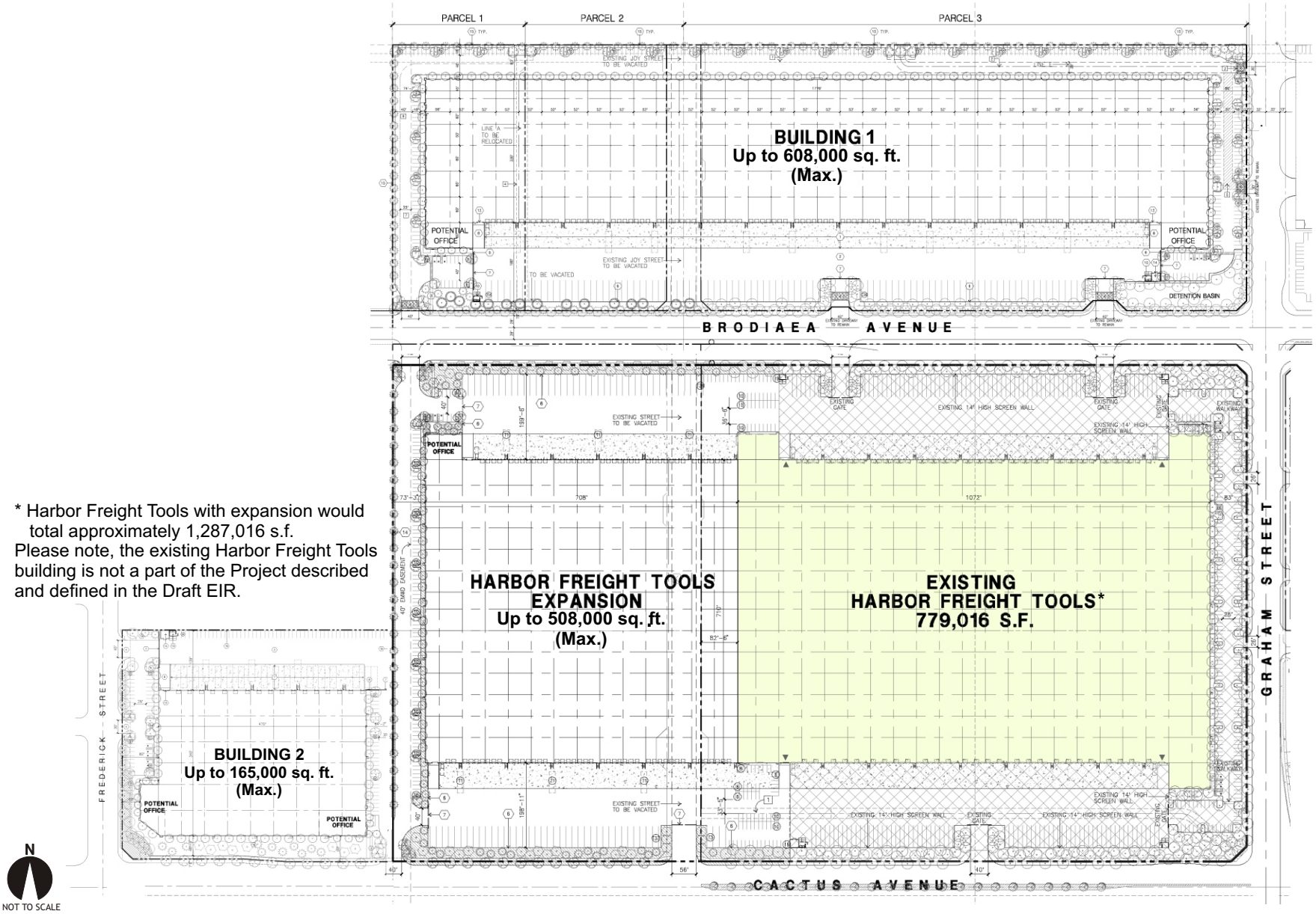
The Project site is located in the northwesterly portion of the City of Moreno Valley, in central Riverside County. More specifically, the Project will be developed within an approximately 56.2-acre site, located northeasterly of the intersection of Cactus Avenue and Frederick Street, northerly of the March Air Reserve Base (MARB) and approximately one mile easterly of Interstate 215 (I-215). The site is bounded by Cactus Avenue to the south, Frederick Street to the west and Graham Street to the east. Brodiaea Avenue currently transects the site in an east-west direction, and Alessandro Avenue parallels the site approximately 500 feet to the north. The Project site contains current Assessor's Parcel Numbers (APNs) 297-170-027, -064, -065, -075, -076 and -082.

1.3 PROJECT SUMMARY

The proposed Harbor Freight Expansion Project in part involves the expansion of the existing Harbor Freight warehouse/distribution facility located northwesterly of the intersection of Cactus Avenue at Graham Street. As shown in Figure 1.3-1, the proposed expansion of the existing Harbor Freight warehouse would add approximately 508,000 square feet to the existing approximately 779,000 square foot Harbor Freight warehouse, and would extend this facility westerly across Joy Street, to be vacated as noted below.

In order to facilitate the expansion of the existing structure, the vacation of Joy Street is requested. Joy Street currently terminates within the Project site, north of Brodiaea Avenue. Any utilities within Joy Street will be removed or demolished in place, as determined appropriate by the City and the affected utility(ies) service(s).

In addition to expansion of the existing Harbor Freight warehouse, a new warehouse/distribution facility of up to 608,000 square feet (Building 1) would be constructed to the north of the expanded facility, and would take access from Brodiaea Avenue and Graham Street. Additionally, a future warehouse/distribution facility of up to 165,000 square feet (Building 2) is proposed for construction northeasterly of the intersection of Cactus Avenue and Frederick Street. On an interim basis, the site may be developed as a fully-screened vehicle/trailer storage area. Notwithstanding, for the purposes of this environmental review, the ultimate development scenario has been assessed, in which the site is presumed to be developed with a fully operational warehouse/distribution center.



* Harbor Freight Tools with expansion would total approximately 1,287,016 s.f.
Please note, the existing Harbor Freight Tools building is not a part of the Project described and defined in the Draft EIR.

Source: HPA, Inc.; Applied Planning, Inc.

Figure 1.3-1
Conceptual Ultimate Project Site Plan

For the purposes of the analyses within this Draft EIR, in order to assess the highest probable impact, Project construction is presumed to occur in a single phase, with infrastructure and building construction to be completed following site preparation operations. The Project also incorporates on-site parking, landscape, hardscape, screening and infrastructure improvements to support all proposed uses. Table 1.3-1 provides a summary of the Project's proposed land uses.

Table 1.3-1
RPT Centerpointe West Project Proposed Land Uses

Site Plan Designation	Use(s)	Maximum Building Area (s.f.)
Harbor Freight Expansion	Warehouse/Distribution	508,000[1]
Building 1	Warehouse/Distribution	608,000
Building 2	Warehouse/Distribution[2]	165,000
TOTAL PROJECT		**1,281,000**

Source: Ridge Property Trust, May 2012.

Notes:

[1] With the addition proposed by the Project, the expanded Harbor Freight facility would total approximately 1,287,016 square feet. The existing Harbor Freight facility and its operations, however, are not a part of the Project considered in this EIR.

[2] Site may be used on an interim basis for vehicle/trailer storage.

The Project will also be responsible for constructing or participating financially in the construction of the following improvements:

- Roadway and access improvements necessary to support the Project;

- Infrastructure improvements, including the extension of water, sewer, and storm drain facilities from the Project site to existing points of connection in Cactus Avenue and/or Brodiaea Avenue, and the installation of underground utilities (electrical, natural gas, and communications) from their existing locations within the nearest right-of-way.

Please refer also to the expanded identification and characterization of Project facilities presented in EIR Section 3.0, "Project Description."

1.3.1 Discretionary Actions and Permits

As also noted at EIR Section 3.0, "Project Description," necessary discretionary actions, permits, and consultations allowing for implementation and operation of the Project will include, but are not limited to the following discretionary actions and permitting by the lead agency; and consultation, permitting or other actions by responsible and trustee agencies.

1.3.1.1 Lead Agency Discretionary Actions and Permits

CEQA Section 15124 states in pertinent part that if "a public agency must make more than one decision on a Project, all its decisions subject to CEQA should be listed . . ." Requested decisions, or discretionary actions, necessary to realize the Project include, but may not be limited to the following:

- Certification of the EIR;
- A zone change from Business Park to Light Industrial will be necessary to accommodate the Project;
- Joy Street Right-of-Way Vacation (may be included as an element of the proposed Parcel Map);
- Development Plan Review; and
- Parcel Map Approval.

1.3.1.2 Responsible and Trustee Agency Discretionary Actions, Permits, and Consultation

- **Permitting through the California Department of Fish and Game (CDFG**), to include:

  - Consultation regarding the possible relocation of resident burrowing owls (if burrowing owls are determined to be present on the subject site during required pre-construction surveys);

- **Permitting required by/through CWA Section 401 and the Santa Ana Regional Water Quality Control Board (SARWQCB)** pursuant to requirements of the National Pollutant Discharge Elimination System (NPDES) Permit;

- **Permitting required by/through the South Coast Air Quality Management District (SCAQMD)** for certain equipment to be temporarily employed within the Project during construction, and/or permanently installed and used over the life of the Project; and

1.4 INITIAL STUDY AND NOTICE OF PREPARATION (NOP)

The City of Moreno Valley, through the Initial Study process, has determined that the Project may cause or result in potentially significant environmental impacts, and warrants further analysis and public review through the preparation of an EIR.

The Initial Study and associated EIR Notice of Preparation (NOP), dated August 2012, have been provided to the California Office of Planning and Research, State Clearinghouse (SCH), and circulated for public review and comment. The State Clearinghouse established the comment period for the NOP/Initial Study as August 13 through September 11, 2012. The assigned State Clearinghouse reference for the Project is SCH No. 2012081034. Copies of the Project Initial Study, NOP, and NOP responses are presented in EIR Appendix A.

1.5 IMPACTS CONSIDERED PREVIOUSLY BUT NOT FOUND TO BE POTENTIALLY SIGNIFICANT

The Initial Study summarizes and substantiates the Lead Agency's preliminary assessment of the Project's potential environmental impacts. As discussed in the following paragraphs, through the Initial Study process, it was determined that some issues need not be addressed in the EIR because previous studies or other documentation provided information to conclude that there was no potential for significant impacts. For example, it was determined that this EIR did not need to examine potential impacts to recreational facilities since the Project proposes light

industrial uses, which typically do not generate substantial increased demands for neighborhood or regional parks or other recreational facilities.

The following summary discussions identify those environmental issues that have been determined pursuant to the IS/NOP preparation and public review processes to pose no potentially significant impacts. These specific issues are not substantively further discussed within the body of this EIR. Please refer also to related discussions and analyses presented within the Initial Study, EIR Appendix A.

Aesthetics. The Project area and surrounding properties are developed or planned for urban uses. No designated scenic vistas, scenic highways, or scenic resources are located within the Project site or in the Project vicinity. Development of the Project would result in a compatible continuation of the industrial and office/commercial uses that currently exist in the Project area. All Project designs will conform to City of Moreno Valley development standards. The Project would not have adverse effects on existing aesthetic resources, nor would it introduce elements that would degrade the existing visual character of the site or its surroundings. On this basis, the Initial Study determined that the Project would have a less-than-significant effect in regard to aesthetics.

Agricultural Resources. The Project site is not designated as Prime Farmland, Unique Farmland or Farmland of Statewide Importance. The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) does, however, indicate that the site is considered Farmland of Local Importance. Notwithstanding, the City of Moreno Valley has envisioned urban buildout of the site through its General Plan and Zoning designations. In this regard, the Moreno Valley General Plan Final Program EIR acknowledged that adoption of the 2006 General Plan Update would result in a significant and unavoidable impact associated with the general conversion of existing agricultural land to non-agricultural uses. No feasible mitigation measures were identified that would minimize this significant impact. The General Plan Final Program EIR also examined an alternative designed to result in increased preservation

of agricultural land;[1] however, this alternative was not adopted. The Project would not result in potential impacts to agricultural lands not previously addressed through the City's General Plan processes. Based on these facts, the Initial Study identified no potentially significant impacts in regard to agricultural resources.

Air Quality and Greenhouse Gas Emissions. The Project Initial Study determined that the Project's potential to create objectionable odors affecting a substantial number of people would be less than significant, based on compliance with established requirements for construction-related material handling procedures. Objectionable odors are not anticipated as a result of Project operations. All other Project-related air quality and greenhouse gas emissions impacts are addressed in the Draft EIR. These considerations are presented in Draft EIR Section 4.3, "Air Quality."

Biological Resources. The Project site is currently developed and/or disturbed by human activities, and has been substantially altered from its natural state. The site is devoid of any substantive natural habitat and in general has no significant biological resource value. Notwithstanding, the Project site and surrounding areas also serve as potential urban habitat for ground-nesting birds, and the area in general is also considered to have a low potential for the presence of the burrowing owl. Moreover, the Project site is located within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) burrowing owl survey area. On this basis, mitigation measures designed to ensure protection of nesting birds (generally) and the burrowing owl specifically were identified as part of the Project Initial Study, and have been carried forward as Measures BR-1 and BR-2 in the summary of impacts and mitigation (Table 1.10-1) presented at the end of this section. As mitigated, potential impacts to migratory birds and the burrowing owl are less-than-significant.

The Project does not otherwise have the potential to cause or result in a substantial adverse effect on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California

[1] Section 6.2, pp. 6-3 to 6-7, City of Moreno Valley General Plan Final Program EIR, State Clearinghouse No. 2000091075, July 2006.

Department of Fish and Game or U.S. Fish and Wildlife Service. Similarly, the Project will not have affect riparian habitat or wetlands, nor will native wildlife migratory movement corridors be disrupted. The Project is consistent with the City's General Plan and the Western Riverside County Multiple-Species Habitat Conservation (MSHCP) policies, and will not conflict with any applicable provisions of this conservation plan.

Cultural Resources. There are no known historic structures, archaeological resources, or paleontological resources located within or near the Project site. Past and existing development of the site indicates that whatever resources may have been previously present on or near the surface have likely since been disturbed and/or removed. Additionally, the likelihood of encountering human remains in the course of Project development is considered remote. Compliance with established State regulations would be sufficient to reduce the Project's potential to disturb remains, including those of Native American origin, to a level that is considered less-than-significant.

Geology and Soils. The Project site is not located within an Alquist-Priolo Earthquake Fault Zone, and as such, is not subject to adverse strong seismic ground shaking events that substantively differ from those affecting the City at large. It is further noted that the area encompassing the Project site has been previously and comprehensively evaluated in conjunction with existing industrial development of the area. Notwithstanding, consistent with City Building Department requirements and City General Plan Policies, prior to the issuance of development permits, the Project Applicant is required to prepare and submit a site- and development-specific geotechnical report which identifies appropriate specific seismic design attributes, parameters, and performance standards for the Project. The City Building Department will review the Project Geotechnical Report and ensure that its recommendations and requirements are reflected in the Project construction plans and design specifications and that the project design and specifications comply with and implement applicable City, California Building Code (CBC), and Uniform Building Code (UBC) seismic design and construction requirements. Soils within the Project site will be over-excavated and replaced with engineered fill pursuant to the Geotechnical Investigation's recommendations. The Initial Study found that no potential landslide impacts exist in

the Project area, and similarly determined that no impact would occur in regard to the use of septic or other types of alternative waste disposal systems, since uses proposed by the Project would be connected to municipal wastewater facilities.

Hazards and Hazardous Materials. The Project Initial Study determined that the Project site is not included in established lists of hazardous materials sites. The Project's potential to interfere with the MARB airport land use plan, or otherwise substantially affect the operations of MARB were determined less than significant. The Project would not affect adopted emergency response or emergency evacuation plans, and the Project site is not located within a potential wildland fire area. All other potential impacts relative to hazards and/or hazardous materials are addressed in the Draft EIR. These considerations are presented in Draft EIR Section 4.5, "Hazards/Hazardous Materials."

Hydrology and Water Quality. As described in greater detail in the Initial Study, the Project will be constructed and operated consistent with all applicable regulations established by the Regional Water Quality Control Board (RWQCB). Compliance with relevant NPDES permitting requirements, and adoption and implementation of an effective Stormwater Pollution Prevention Plan (SWPPP) will effectively mitigate any potentially adverse impacts of storm waters discharged from portions of the site affected by construction activities. The Project Applicant is also required to prepare and implement a Project-specific Water Quality Management Plan (WQMP). The Project WQMP establishes and maintains post-construction Best Management Practices (BMPs) that address management of the quantity and quality of stormwater runoff, thereby acting to protect receiving waters. A Water Supply Assessment has been prepared for the Project, indicating that the Project would not result in groundwater depletion or interfere with groundwater recharge. The Project would not result in the alteration of watercourses, create runoff in excess of the capacity of stormwater drainage systems, or otherwise contribute to degraded water quality. The Project is not located within a 100-year floodplain or dam inundation area, nor would it be affected by potential inundation due to seiche, tsunami or mudflow. As such, potential hydrology and water quality impacts were determined in the Initial Study to be less-than-significant.

Land Use and Planning. The Project Initial Study determined that the Project would not have the potential to physically divide an established community. The Project's potential to conflict with an applicable land use plan has been addressed in the Draft EIR. This potential impact is discussed in Draft EIR Section 4.1, "Land Use." Further, the Project's potential to conflict with an applicable habitat or natural community conservation plan has been addressed through the implementation of Mitigation Measures BR-1 and 2, as discussed in the preceding summary of potential Biological Resource impacts.

Mineral Resources. No mineral resources are known to exist on the Project site that would be of value to the region or the residents of the State. As such, the Project would not have any impact upon mineral resources.

Noise. The Project Initial Study determined that the Project's potential to expose people to excessive noise levels due to the proximity of MARB airport uses would be less-than-significant. All other Project-related noise impacts are addressed in the Draft EIR. These considerations are presented in Draft EIR Section 4.4, "Noise."

Population and Housing. Because the Project proposes the development of light industrial uses, no direct contribution to population growth, such as that which occurs through creation of additional housing, would result. Employment generated from Project development may incidentally contribute to population growth. However, given the existing levels of unemployment in the region, opportunities arising from the Project are not likely to result in substantial population migration. As such, this incidental growth is not anticipated to be significant. Further, the Project does not involve the displacement of any existing residents or housing stocks. On this basis, potential impacts in regard to population and housing would be less-than-significant.

Public Services. The Initial Study addressed the Project's potential to result in impacts in regard to fire protection, police protection, schools, parks, and other public facilities. The CEQA threshold for significance in terms of public services is defined as whether the Project would result in "substantial adverse physical impacts associated with the

provision of new or physically altered governmental facilities; or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services." The Initial Study found that the anticipated service needs of the Project would not meet this threshold in regard to schools, parks and other public facilities. Potential impacts relative to the provision of police and fire protection services have been addressed in Draft EIR Section 4.6, "Public Services."

Recreation. The Project is not expected to result in any identifiable increase in new residents and therefore would not result in increased demands for neighborhood or regional parks or other recreational facilities. As such, no potentially significant impacts to existing recreational assets and opportunities would occur as a result of Project implementation.

Traffic and Circulation. The Project Initial Study determined that the Project does not have the potential to affect air traffic patterns within the Study Area. All other Project-related impacts relative to traffic and circulation are addressed in the Draft EIR. These considerations have been presented in Draft EIR Section 4.2, "Traffic and Circulation."

Utilities and Service Systems. The Project's potential to impact utilities and service systems was determined to be less-than-significant. All necessary utility services exist proximate to the Project site. Modification of, and connection to existing services will be realized consistent with City and purveyor requirements. Incremental demands of the Project are addressed through connection and use fees, providing for ongoing upgrade, expansion and maintenance of serving utilities. The Project's potential to exceed landfill capacities or otherwise violate existing solid waste disposal regulations was also determined to be less-than-significant, based on factors provided by the California Integrated Waste Management Board.

1.6 AREAS OF CONCERN OR CONTROVERSY AND ISSUES TO BE RESOLVED

Section 15123 of the *CEQA Guidelines* requires that the EIR summary identify areas of potential concern or controversy known to the lead agency, including issues raised by other agencies and the public. The *CEQA Guidelines* (Section 15204(a)) includes the following guidance in regard to the review of EIRs.

> In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conducts every test or perform all research, study, and experimentation recommended or demanded by commentors. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

Issues of concern were identified by the Lead Agency, through the Project scoping meeting, and through responses to the Project Initial Study/NOP. The Project Scoping Meeting was held at the Moreno Valley City Hall on August 29, 2012. City Staff, the Applicant, EIR consultant, and three other participants were present. No formal comments on the project or the EIR were submitted. Comments were, however, received in response to the EIR NOP. Copies of these comments have been included at EIR Appendix A. Issues to be resolved and areas of controversy/concern identified through the NOP process are summarized at Table 1.6-1.

Table 1.6-1

List of NOP Respondents and Summary of NOP Comments

Respondent	Summary of Comments
State Agencies	
Governor's Office of Planning and Research, State Clearinghouse (OPR)	*OPR provided receipt and record of distribution of the NOP/IS and established the NOP review and comment period of 08/13/2012 through 09/11/2012.* EIR Appendix A includes a copy of the Project Initial Study, Notice of Preparation (NOP), and NOP Responses.
California Department of Transportation, District 8 (Caltrans)	*Caltrans provides detailed guidance in regard to the preparation of the Project traffic study, referencing their Traffic Impact Study Guidelines. Contact information is also provided in order to facilitate an expedited review of the Draft EIR.* The Project Traffic Impact Analysis (TIA), prepared by Urban Crossroads, Inc. in August 2012 is presented in Draft EIR Appendix B. The TIA notes that the analyses of Caltrans facilities have been performed in accordance with the Caltrans Guide for the Preparation of Traffic Impact Studies (December 2002). Each of the specific topics referenced by Caltrans in their NOP response is addressed in Section 4.2 of the Draft EIR, "Traffic and Circulation."
California Native American Heritage Commission (NAHC)	*The NAHC recommends consultation with local Native American tribes, and provides state and federal statutes generally applicable to EIR preparation.* The Project does not involve a General Plan amendment, and as such, consultation with Tribes is not required, pursuant to California SB-18. As noted in the Project's Initial Study (Draft EIR Appendix A), "[t]here are no known historic structures, archaeological resources, or paleontological resources located within the Project site, nor would the Project affect any off-site resources of historical, archaeological, or paleontological significance."
County/Regional Agencies	
Southern California Association of Governments (SCAG)	*SCAG indicates their determination that the Project is regionally significant, and requests a copy of the Draft EIR when it is available to review. Additionally, SCAG provides excerpts from its growth forecasts and Regional Transportation Plan/Sustainable Communities Strategy Goals for use in the Draft EIR.* The Project's consistency with SCAG's recently updated Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) goals is included in Draft EIR Section 4.1, "Land Use and Planning." Please refer to Table 4.1-2, "SCAG Regional Transportation Plan/Sustainable Communities Strategy Goals Consistency." The City will provide a copy of the Draft EIR to SCAG for further review as part of the standard 45-day public review process mandated by CEQA.

Table 1.6-1

List of NOP Respondents and Summary of NOP Comments

Respondent	Summary of Comments
City/Local Agencies	
City of Riverside	*The City of Riverside requests that the Draft EIR thoroughly evaluate the Project's regional impacts and "mitigate all spill-over impacts to the City of Riverside." Specific concerns include traffic that may use Alessandro Boulevard or Van Buren Boulevard through the City of Riverside in order to access SR-91; the cumulative effects of the Project when combined with the planned ProLogis Eucalyptus Industrial Park and the World Logistics Center; and related air quality (including greenhouse gas) impacts.* The Project TIA (included in this EIR as Appendix B) identifies potentially affected Study Area intersections, roadway segments, and freeway facilities, and addresses potential impacts using the City of Moreno Valley and County of Riverside approved methodology. The identified projects are located more than five miles northeast of the Project site, beyond the Project's Study Area. The cumulative effects of traffic have been accounted for in the TIA's ambient growth rate of 10.4 percent (compounded from 2012 to 2017). Please refer to Draft EIR Section 4.2, "Traffic and Circulation," and Section 5.1, "Cumulative Impacts." The Project's potential impacts in regard to air quality and greenhouse gas emissions have been addressed in Section 4.3 of this Draft EIR.
March Air Reserve Base (MARB)	*MARB indicates that the Project "is consistent with compatible land use and MARB mission operations at the proposed location. The site does not occupy any area impacted by current mission aircraft noise, flight paths, or any zones related to localized aircraft incident statistics."* This information supports discussions included within the Project Initial Study in regard to aircraft noise and safety. (Please refer to Draft EIR Appendix A, "Initial Study, NOP, and NOP Responses," Initial Study pages 13, 19 and 21.) Issues related to the proximate airport uses at MARB were found to be less-than-significant or to have no impact in the Project Initial Study, and as such, are not further assessed within this Draft EIR.
Local Organizations/Individuals	
Sierra Club (via email)	*The Sierra Club requests that the Draft EIR be published in Spanish as well as English, and expresses concerns related to the "very few jobs per thousand square feet" produced by distribution warehouse uses; the use of solar panels and tier III equipment to achieve LEED certification; the wording of mitigation; the Applicant's request for road vacation; and "[t]he cumulative direct and indirect impacts" of traffic, air quality, greenhouse gas emissions and the "health of warehouse workers and residents." Several links to internet articles are provided in regard to the health effects of diesel exhaust, and on a recent court decision related to the Villages at Lakeview project in Riverside County. Additionally,*

Table 1.6-1

List of NOP Respondents and Summary of NOP Comments

Respondent	Summary of Comments
Sierra Club (cont'd)	*copies of the statement of decision, judgment, and writ of mandate from this case were attached. The Sierra Club requests notification of all meetings and document publications related to the Project, along with publication of the links and attachments to their letter.* Comments in regard to the publication of the Draft EIR in languages other than English, along with concerns about the relative number of jobs produced by warehouse uses versus other development types, are beyond the scope of the analysis included in this Draft EIR, and as such will be forwarded to decision-makers within the City of Moreno Valley for consideration. The use of LEED certification is not considered necessary to reduce or eliminate the Project's potentially significant air quality and greenhouse gas emissions, which are addressed in Section 4.3, "Air Quality." Mitigation included in this Draft EIR (summarized in the following Table 1.10-1) generally follows the recommendations provided by the commentor. The Project's potential impacts relative to diesel exhaust are addressed in Section 4.3, "Air Quality," and traffic impacts are discussed in Section 4.2, "Traffic and Circulation." In regard to the attached court decision, it is noted that the Project addressed in this Draft EIR bears little resemblance to The Villages at Lakeview project, which involves more than 2,800 acres of mixed use development, including residential, commercial, public facilities and open space land uses. The Project's consistency with the City of Moreno Valley General Plan's land use designations is addressed in Draft EIR Section 4.1, "Land Use and Planning." The Project TIA (included as Draft EIR Appendix B) identifies potentially affected Study Area intersections, roadway segments, and freeway facilities, and addresses potential impacts using the City of Moreno Valley and County of Riverside approved methodology. As requested, the Sierra Club will be included on the City's list of those being notified in regard to this Project, and a copy of their letter has been included in Draft EIR Appendix A, "Initial Study, NOP, and NOP Responses."

1.7 EIR TOPICAL ISSUES

Based on the Initial Study analysis, comments received pursuant to the NOP, and other public agency input, the analysis of the EIR has been focused on the following topics:

- Land Use and Planning;
- Traffic and Circulation;
- Air Quality;
- Noise;
- Hazards and Hazardous Materials; and
- Public Services.

1.8 SUMMARY OF SIGNIFICANT AND UNAVOIDABLE PROJECT IMPACTS

Implementation of the Project will result in certain impacts which are determined to be significant, adverse and unavoidable. These impacts are discussed in detail in the body of the EIR under their associated topic headings, and are summarized at Table 1.8-1.

Table 1.8-1
Summary of Significant and Unavoidable Impacts

Environmental Consideration	Comments
TRAFFIC	The Project will construct, or pay required fees toward, completion of all necessary Study Area circulation system improvements. At the significantly-impacted locations noted below, the Project cannot feasibly construct the required improvements, and/or payment of fees will not assure their timely completion. **Project-Specific Significant Impacts** All Project-specific traffic impacts are less-than-significant, or are mitigated to levels that are less-than significant through application of the EIR Mitigation Measures. **Cumulative Intersection and Roadway Segment Impacts** Pending completion of required improvements, the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting the following intersections are cumulatively considerable, significant and unavoidable (jurisdictional control of affected facilities is indicated parenthetically)**:** • I-215 Southbound Ramps at Cactus Avenue (Caltrans); • I-215 Northbound Ramps at Cactus Avenue (Caltrans); • Elsworth Street at Cactus Avenue (City of Moreno Valley); • Frederick Street at Cactus Avenue (City of Moreno Valley); and • Graham Street at Cactus Avenue (City of Moreno Valley).

Table 1.8-1
Summary of Significant and Unavoidable Impacts

Environmental Consideration	Comments
TRAFFIC (cont'd)	Similarly, pending completion of required improvements, the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting the following roadway segments are cumulatively considerable, significant and unavoidable: • Cactus Avenue, I-215 Northbound Ramps to Commerce Center Drive (Caltrans); • Cactus Avenue, Commerce Center Drive to Elsworth Street (City of Moreno Valley); • Cactus Avenue, Elsworth Street to Veterans Way (City of Moreno Valley); • Cactus Avenue, Veterans Way to Frederick Street (City of Moreno Valley); • Cactus Avenue, Frederick Street to Driveway 3 (City of Moreno Valley); • Cactus Avenue, Driveway 3 to Driveway 4 (City of Moreno Valley); and • Cactus Avenue, Driveway 4 to Graham Street (City of Moreno Valley). **Cumulative Freeway Ramp Impacts** **P**ending completion of required improvements, the Project's contributions to Opening Year Cumulative freeway ramp queues at the following locations are cumulatively considerable, significant and unavoidable: • I-215 Southbound Ramps at Cactus Avenue, Westbound Left-turn (evening peak hour period); • I-215 Northbound Ramps at Cactus Avenue, Northbound Left-turn (morning and evening peak hour periods); and • I-215 Northbound Ramps at Cactus Avenue, Westbound through Lane (morning peak hour period).
AIR QUALITY	**Operational Pollutant Emissions Exceedances** Even after compliance with South Coast Air Quality Management District (SCAQMD) rules and regulations, and the application of EIR mitigation measures, operational pollutant emissions would exceed applicable SCAQMD regional emission thresholds for VOC and NOx. These impacts are therefore considered to be individually significant and unavoidable. **Cumulatively Significant Impacts** The above-noted Project-specific operational pollutant emissions exceedances are also cumulatively considerable, significant and unavoidable impacts. **Regional Non-Attainment Area Impacts** Project exceedances of regional emissions thresholds for VOC and NOx (ozone precursors), in combination with VOC and NOx emissions generated by other sources affecting regional non-attainment areas will result in a cumulatively significant air quality impacts within the encompassing ozone and NOx non-attainment areas. This is a cumulatively considerable, significant and unavoidable impact.
NOISE	**Project-Specific Significant Impacts** The EIR's noise analysis indicates that construction-related noise may temporarily and intermittently exceed the City's thresholds of significance at sensitive receptors in the Project vicinity. This is considered a significant Project-specific temporary noise impact. **Cumulatively Significant Impacts** Construction noise impacts when considered with ambient noise conditions would be cumulatively considerable and significant for the duration of Project construction.

All other potential environmental impacts of the Project are considered to be less-than-significant as substantiated within the Initial Study, and/or within this EIR, or can be mitigated to levels that are less-than-significant through application of mitigation measures identified herein. A summary of all Project impacts and proposed mitigation measures is presented at EIR Section 1.10, "Summary of Impacts and Mitigation Measures."

1.9 ALTERNATIVES TO THE PROJECT

Consistent with provisions of the *CEQA Guidelines*, the EIR Alternatives Analysis (EIR Section 5.2) examines alternatives to the Project that would lessen the Project's environmental effects while allowing for attainment of the basic Project Objectives. The rationale underlying the selection of alternatives is presented together with a summary description of each alternative. The merits of the selected alternatives compared with the Project are described and evaluated. Additionally, Section 5.2.2 presents the rationale underlying the rejection of certain alternatives, including an alternative site.

Evaluated alternatives were selected based on their ability to fulfill the basic Project objectives, and capability to reduce the Project's potential environmental effects. The alternatives assessed in this EIR are summarized in the following paragraphs.

1.9.1 No Project Alternatives

The *CEQA Guidelines* specifically require that the Draft EIR include in its evaluation a "No Project" Alternative. At the direction of the City of Moreno Valley, two different "No Project" scenarios have been evaluated. The first, referred to as the No Project/No Build Alternative, assumes the site would remain in its current undeveloped state. The second, referred to as the No Project/Existing Zoning Alternative, makes a reasoned assessment as to the future development of the subject site should the Project under consideration not be developed. Both "No Project" Alternatives are discussed below.

No Project/No Build Alternative

The Project site is currently a predominantly vacant and undeveloped property, of which approximately nine acres currently supports vehicular parking associated with

the existing Harbor Freight facility. Under the No Project/No Build Alternative, the site would not be developed consistent with its "Business Park" General Plan land use designation and would remain in its current undeveloped state. Environmental conditions under the No Project/No Build Alternative would be similar to those described in this EIR under discussions of "existing conditions" or "existing setting."

No Project/Existing Zoning Alternative

The No Project/Existing Zoning Alternative describes the environmental conditions that would occur if development at the northeast corner of Cactus Avenue and Frederick Street (the location of the Project's "Building 2") was consistent with its current zoning designation of Business Park-Mixed Use (BPX). The expansion of the existing Harbor Freight Facility and construction of Building 1 would remain in place under this Alternative, resulting in the development of 1,116,000 square feet of light industrial uses. To provide a quantified comparison of potential traffic impacts and related vehicular-source air quality and noise impacts under the site's existing zoning, the No Project/Existing Zoning Alternative assumes that the 7.59-acre parcel is developed at a floor-area-ratio of 0.35, for a total of 115,717 square feet of BPX uses. Under this scenario, Building 2 would generate more than three times the trips that would otherwise be generated by logistics/distribution warehouse uses proposed under the Project.[2] The No Project/Existing Zoning Alternative considered herein approximates trip generation for the subject site at a thirty percent increase over that of the Project.

1.9.2 Reduced Intensity Alternative

The Reduced Intensity Alternative considered here assumes the same land use type as the Project, but at a development intensity scoped to reduce or eliminate one or more of the Project's otherwise significant impacts. More specifically, the Reduced Intensity Alternative has been designed to reduce the extent of regional threshold exceedances for VOC, based on operational emissions that would otherwise result from the Project.

[2] Urban Crossroads, August 2012. Please refer to Draft EIR Appendix B, the Harbor Freight Expansion [RPT Centerpointe West] Project Traffic Impact Analysis, Table 4-3, "Trip Generation Comparison."

In this regard, the Air Quality Analysis prepared for the Project identified regionally significant operational air quality exceedances for VOC and NOx. More specifically, even with application of mitigation, the Project operational VOC exceedance is approximately 1.49 times greater than the applicable SCAQMD regional threshold. And even with application of mitigation, the Project's operational NOx exceedance is approximately eight times greater than the applicable SCAQMD regional threshold. Operational emissions for both VOC and NOx are predominantly mobile source-generated, and are proportional to trip generation. Within a given land use type, trip generation is largely a function of development scope. As such, achievement of regional VOC thresholds could be achieved through a reduction of at least 34 percent in the Project scope and resultant reduction in trip generation.

The Reduced Intensity Alternative is assumed to provide for the expansion of the existing Harbor Freight Tools Facility (508,000 square feet) and the construction of Building 2 (165,000 square feet) for a total development area of 673,000 square feet. The proposed Building 1 (608,000 square feet) would not be developed under this Alternative. On this basis, the Reduced Intensity Alternative would result in a reduction in development intensity of approximately 47 percent when compared to the Project, and would achieve the target VOC emissions threshold. It is also noted that in achieving the threshold for VOC emissions, the Reduced Intensity Alternative would also provide for reductions in operational NOx emissions. Operational-source NOx emissions threshold exceedances would, however, remain significant.

Based on its overall reduced trip generation characteristics, the Reduced Intensity Alternative would also reduce the Project's incremental contributions to significant traffic impacts projected to occur within the Study Area. In this regard, the Reduced Intensity Alternative would diminish, but not completely avoid, Project-specific impacts anticipated at the intersection of Cactus Avenue and Elsworth Street under Opening Year conditions. Further, with or without the Project, cumulative impacts within the Study Area would remain significant pending completion of required improvements. The Reduced Intensity Alternative would also tend to reduce the extent and duration of construction-related noise impacts; however, impacts would remain significant. Other

long-term environmental effects considered in this EIR (i.e., Land Use, Hazards and Hazardous Materials, and Public Services), although found to be less-than-significant, would be further diminished under the Reduced Intensity Alternative.

1.9.3 Environmentally Superior Alternative

The *CEQA Guidelines* require that the environmentally superior alternative (other than the No Project Alternative) be identified among the Project and other Alternatives considered in an EIR. Based on comparative reductions in traffic generation, associated reductions in noise and air emissions, and its generally reduced scale, the Reduced Intensity Alternative is considered the environmentally superior alternative.

1.10 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table 1.10-1 summarizes the Project's potential environmental impacts, lists measures proposed to mitigate the Project's potentially significant environmental impacts, and indicates the level of significance after application of proposed mitigation measures. The impacts identified in this Table correspond with environmental topics and impacts discussed at EIR Section 4.0, "Environmental Impact Analysis."

Table 1.10-1
Summary of Environmental Impacts and Mitigation Measures

Potential Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.1 Land Use and Planning			
Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.	Less-Than-Significant	No mitigation measures are necessary.	Not Applicable
Conflict with any applicable habitat conservation plan or natural community conservation plan.	Less-Than-Significant With implementation of proposed Mitigation Measures BR-1 and BR-2, the potential for the Project to conflict with any applicable habitat conservation plan or natural community conservation plan is less-than-significant.	Please refer to Mitigation Measures BR-1 and BR-2, presented under Biological Resources.	Not Applicable
Physically divide an established community.	Less-Than-Significant	No mitigation measures are necessary.	Not Applicable

Table 1.10-1
Summary of Environmental Impacts and Mitigation Measures

Potential Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.2 Traffic and Circulation			
Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.	***Potentially Significant*** Under Opening Year Cumulative Conditions, Project-Specific traffic impacts at or affecting the following intersections are potentially significant: • *I-215 Southbound Ramps at Cactus Avenue (Caltrans);* • *I-215 Northbound Ramps at Cactus Avenue (Caltrans);* • *Elsworth Street at Cactus Avenue (City of Moreno Valley);* • *Frederick Street at Cactus Avenue (City of Moreno Valley); and* • *Graham Street at Cactus Avenue (City of Moreno Valley).*	*4.2.1 Elsworth Street and Cactus Avenue Improvements:* *Prior to issuance of the first Certificate of Occupancy, the Project Applicant shall construct the following improvement.* • *Remove the existing southbound crosswalk (i.e., the crosswalk on the western leg of the intersection) to provide additional "green time" to other approaches. This removal shall be accomplished in a manner consistent with applicable regulations, including but not limited to Chapter 3B of the 2012 California Manual on Uniform Traffic Control Devices (MUTCD), and Section 21950.5 of the California Vehicle Code. The existing crosswalks on the north, east and south legs of the intersection shall be maintained.*	*Opening Year Ambient Conditions: Less-Than-Significant* *Opening Year Cumulative Conditions: Pending the completion of planned improvements, the Project's contributions to Opening Year Cumulative conditions at the locations identified herein are* ***cumulatively considerable, significant and unavoidable.***

Table 1.10-1
Summary of Environmental Impacts and Mitigation Measures

Potential Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
	Project-Specific traffic impacts at or affecting the following roadway segments are also potentially significant: • *Cactus Avenue, I-215 Northbound Ramps to Commerce Center Drive (Caltrans);* • *Cactus Avenue, Commerce Center Drive to Elsworth Street (City of Moreno Valley);* • *Cactus Avenue, Elsworth Street to Veterans Way (City of Moreno Valley);* • *Cactus Avenue, Veterans Way to Frederick Street (City of Moreno Valley);* • *Cactus Avenue, Frederick Street to Driveway 3 (City of Moreno Valley);* • *Cactus Avenue, Driveway 3 to Driveway 4 (City of Moreno Valley); and* • *Cactus Avenue, Driveway 4 to Graham Street (City of Moreno Valley).*	4.2.2 *I-215 Southbound Ramps at Cactus Avenue Improvement:* • *Construct a second westbound through lane.* *This improvement will be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of I-215 Southbound Ramps at Cactus Avenue.* 4.2.3 *I-215 Northbound Ramps at Cactus Avenue Improvements:* • *Construct a second northbound left-turn lane;* • *Re-stripe the existing eastbound shared through/right-turn lane as the third through lane;* • *Construct a dedicated eastbound right-turn lane;* • *Construct a third westbound through lane; and* • *Construct a dedicated westbound right-turn lane.* *These improvements will be funded through participating in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities*	

Table 1.10-1
Summary of Environmental Impacts and Mitigation Measures

Potential Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
	Additionally, the Project's contributions to Opening Year Cumulative freeway ramp queues at the following locations are potentially significant: • *I-215 Southbound Ramps at Cactus Avenue, Westbound Left-turn (evening peak hour period);* • *I-215 Northbound Ramps at Cactus Avenue, Northbound Left-turn (morning and evening peak hour periods); and* • *I-215 Northbound Ramps at Cactus Avenue, Westbound Through Lane (morning peak hour only).*	*for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of I-215 Northbound Ramps at Cactus Avenue.* 4.2.4 *Elsworth Street at Cactus Avenue Improvement:* • *Construct a third eastbound through lane.* *This improvement will be funded through participation in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Elsworth Street at Cactus Avenue.* 4.2.5 *Frederick Street at Cactus Avenue Improvements:* • *Construct a third eastbound through lane; and* • *Construct a third westbound through lane.* *These improvements will be funded through participating in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Frederick Street at Cactus Avenue.*	

Table 1.10-1
Summary of Environmental Impacts and Mitigation Measures

Potential Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		4.2.6 Graham Street at Cactus Avenue Improvements: • *Remove the existing southbound crosswalk (i.e., crosswalk on the west leg) to provide additional green time to other approaches; and* • *Construct a third eastbound through lane.* *These improvements will be funded through participating in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Graham Street at Cactus Avenue.*	
Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.	Less-Than-Significant	No mitigation measures are necessary.	Not Applicable
Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); and/or result in inadequate emergency access.	Less-Than-Significant	No mitigation measures are necessary.	Not Applicable

Table 1.10-1
Summary of Environmental Impacts and Mitigation Measures

Potential Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.3 Air Quality			
Conflict with or obstruct implementation of the applicable air quality plan.	Less-Than-Significant	No mitigation measures are necessary.	Not Applicable
Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	***Potentially Significant***	*To facilitate implementation and monitoring of mitigation measures addressing construction source air quality impacts, all plans, specifications, and contract documents shall include the following or equivalent notations:* *4.3.1 Pursuant to SCAQMD Rule 403 requirements:* • *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.* • *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.* • *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are limited to 15 miles per hour or less.*	*Construction-Related Emissions (exceedance for VOC only): Less-Than-Significant* *Operational Emissions: Project operational exceedances of SCAQMD VOC and NOx regional thresholds are considered* ***significant and unavoidable.***

Table 1.10-1
Summary of Environmental Impacts and Mitigation Measures

Potential Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		4.3.2 A sign shall be posted on-site stating that construction workers shall not idle diesel engines in excess of five minutes. *4.3.3 During grading activities, total horsepower-hours per day for all equipment shall not exceed 13,568 horsepower-hours per day and the maximum disturbance (actively graded) area shall not exceed four acres per day.* *4.3.4 Only "Zero-Volatile Organic Compounds" paints (no more than 150 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications consistent with South Coast Air Quality Management District Rule 1113 shall be used.*	
Expose sensitive receptors to substantial pollutant concentrations.	***Potentially Significant***	*4.3.5 The Project truck access gates and loading docks site shall be posted with signs which state:* • *Truck drivers shall turn off engines when not in use;* • *Diesel delivery trucks servicing the Project shall not idle for more than three minutes; and* • *Telephone numbers of the building facilities manager and the CARB to report violations.*	Less-Than-Significant

Table 1.10-1
Summary of Environmental Impacts and Mitigation Measures

Potential Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		4.3.6 The Project's final site design shall allow for trucks to check-in within the facility area to prevent queuing of trucks outside the facility.	
Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard, including releasing emissions which exceed quantitative thresholds for ozone precursors.	***Potentially Significant***	No feasible mitigation measures have been identified.	***Significant and Unavoidable*** (for operational source VOC and NOx emissions only).
Create objectionable odors affecting a substantial number of people.	Less-Than-Significant	No mitigation measures are necessary.	Not Applicable
Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; Conflict with an applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases.	Less-Than-Significant	*4.3.7 The building roof shall be designed and constructed to accommodate solar panels.* *4.3.8 Prior to issuance of the first Certificate of Occupancy, the Project shall install a photovoltaic array (solar panels) or other source of renewable energy generation onsite, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the Project's office electrical needs.*	Not Applicable

Table 1.10-1
Summary of Environmental Impacts and Mitigation Measures

Potential Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.4 Noise			
Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan, noise ordinance, or other applicable standards; result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project; or result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project.	***Potentially Significant***	*4.4.1 During all Project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.* *4.4.2 The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the project site during all Project construction.* *4.4.3 The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. Haul routes shall not pass sensitive land uses or residential dwellings.* *4.4.4 All trucks, tractors, and forklifts shall be operated with proper operating and well maintained mufflers.* *4.4.5 Maintain quality pavement conditions that are free of bumps to minimize truck noise.*	*Temporary Construction-Related Noise Impacts:* ***Significant and Unavoidable.*** *Operational Noise Impacts: Less-Than-Significant.*

Table 1.10-1
Summary of Environmental Impacts and Mitigation Measures

Potential Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		4.4.6 The truck access gates and loading docks within the truck court on the project site shall be posted with signs which state: • *Truck drivers shall turn off engines when not in use;* • *Diesel trucks servicing the Project shall not idle for more than five minutes; and* • *Post telephone numbers of the building facilities manager to report violations.*	
Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels.	Less-Than-Significant	No mitigation measures are necessary.	Not Applicable
4.5 Hazards/Hazardous Materials			
Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	Less-Than-Significant	No mitigation measures are necessary.	Not Applicable
Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.	Less-Than-Significant	No mitigation measures are necessary.	Not Applicable
Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	Less-Than-Significant	No mitigation measures are necessary.	Not Applicable

Table 1.10-1
Summary of Environmental Impacts and Mitigation Measures

Potential Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.6 Public Services			
Result in or cause substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities; or result in the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire or police protection services.	Less-Than-Significant	No mitigation measures are necessary.	Not Applicable
Biological Resources			
Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	***Potentially Significant***	*BR-1 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed within 72 hours prior to clearing for the presence of nesting birds by a qualified Project biologist. The Project biologist shall be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the City Planning*	Less-Than-Significant

Table 1.10-1
Summary of Environmental Impacts and Mitigation Measures

Potential Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		Department. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed. *BR-2 Within 30 days prior to site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the City Planning Department prior to issuance of a grading permit.*	

2.0 INTRODUCTION

2.0 INTRODUCTION

2.1 OVERVIEW

This EIR has been prepared to analyze and disclose potential environmental effects of the proposed RPT Centerpointe West Project (Project). Together with necessary supporting improvements, the Project provides for construction of 1.29 million square feet of distribution warehouse uses on an approximately 56-acre site, located approximately one mile to the east of the I-215/Cactus Avenue interchange. Elements of the Project are further described in EIR Section 3.0, "Project Description."

An EIR is an informational document intended to inform decision-makers and the general public of potentially significant environmental impacts of a project. An EIR also identifies possible ways to minimize these potentially significant impacts (referred to as mitigation) and describes reasonable alternatives to a project that may also reduce its significant impacts. Having the authority to take action on the Project, the City of Moreno Valley will consider the information in this EIR in their evaluations of the proposal. The findings and conclusions of the EIR regarding environmental impacts do not affect the Lead Agency's discretion to approve, deny, or modify the Project, but instead are presented as information to aid in the decision-making process.

2.2 AUTHORIZATION

This EIR has been prepared for the City of Moreno Valley in accordance with the *CEQA Guidelines*, (Sections 15000-15387 of the California Code of Regulations), and the City's CEQA Guidelines. The RPT Centerpointe West Project considered in this EIR is a "Project," as defined under Section 15378 of the *CEQA Guidelines*. The *CEQA Guidelines*

stipulate that an EIR must be prepared for any project that may have a significant impact on the environment. Upon initial environmental review of the Project, the City determined that the Project may have a significant adverse impact on the environment and, therefore, the preparation of an EIR was required.

2.3 LEAD AND RESPONSIBLE AGENCIES

CEQA defines a "lead agency" as the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment. Other agencies, e.g., the South Coast Air Quality Management District (SCAQMD) or the Santa Ana Regional Water Quality Control Board (RWQCB), which also have some authority or responsibility to issue permits for project implementation, are designated as "responsible agencies." Both the lead agency and responsible agencies must consider the information contained in the EIR prior to acting upon or approving a project. The City of Moreno Valley is the Lead Agency for the RPT Centerpointe West Project.

The City's address is:

City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, California 92553
Contact: Jeff Bradshaw, Associate Planner

2.4 PROJECT PROPONENT

The Project proponent is:

Ridge Moreno Valley, LLC
201 Covina Avenue, Suite 8
Long Beach, California 90803
Attention: Dennis S. Rice, President

2.5 THE EIR PROCESS

When a public agency determines that there is substantial evidence that a project may have a significant effect on the environment, the agency must prepare an EIR before a decision is made to approve or deny the project under consideration. The purpose of the EIR is to disclose a project's potential environmental impacts and recommend measures to reduce or avoid significant impacts. The basic content of an EIR includes a description of a project and its objectives, a description of existing conditions, a discussion of the potentially significant environmental effects of a project, recommended measures for reducing these effects, and identification and evaluation of alternatives to a project which may also reduce its potentially significant impacts.

An EIR typically consists of two documents: a Draft EIR, distributed by the lead agency for review and comment by the general public and any interested governmental agencies; and a Final EIR, which consists of responses to comments received on, together with any necessary modifications to, the Draft EIR. After the Draft EIR has been circulated for review and the Final EIR has been prepared, the EIR must be certified by the lead agency as having complied with CEQA and considered by the agency's decision-making body before any action can be taken on the project.

When a public agency receives a complete project application or decides to undertake a project of its own, it first determines if the project is subject to environmental review under CEQA and, if it is, the agency then typically prepares an Initial Study to determine if the project has the potential to cause significant adverse environmental effects. The Initial Study serves as a tool to help the agency determine if an EIR is needed and, if so, also helps determine what issues should be examined in the EIR. An agency may skip the Initial Study process if it is evident in the preliminary assessment of a project that an EIR will be required.

The EIR process is initiated by the distribution of a Notice of Preparation (NOP). Together with the Initial Study, the NOP is sent to agencies and interested individuals to solicit their suggestions for appropriate issues and types of analysis to be included in

the Draft EIR. When preparation of the Draft EIR has been completed, it is circulated to responsible agencies, other affected or interested agencies, and interested members of the public for review and comment. The review period for a Draft EIR is typically 45 days. To provide for appropriate consideration in the Final EIR, all comments and concerns regarding the Draft EIR should be received by the lead agency during this 45-day period.

Responses to comments received on the Draft EIR are prepared by the lead agency and included in the Final EIR. The Final EIR may also contain some additional information about, or clarification of, a project's potential impacts as well as minor corrections or modifications to the Draft EIR. The Final EIR must be certified by the lead agency's decision-making body before, or in conjunction with, any action to approve or deny the Project.

CEQA requires that an EIR specifically address only those impacts determined to be potentially significant. To this end, the *CEQA Guidelines* suggest thresholds or standards which define the significance of various types of impacts. The *CEQA Guidelines* also state that the significance of impacts should be considered in relation to their severity and probability of occurrence. Ultimately however, the determination of the significance of impacts is determined by the lead agency. The identification of significant impacts in the EIR does not prevent an agency from approving the project. The project may be approved if the lead agency determines that impacts cannot be feasibly mitigated below a level of significance and if the agency determines that there are important overriding considerations, such as social and economic benefits, which are sufficient to justify approval of the project.

2.6 EIR CONTENT AND FORMAT

This Draft EIR is organized into seven sections, each dealing with a separate aspect of the required content of an EIR as described in the *CEQA Guidelines*. A summary of the Project's impacts and recommended mitigation measures is included in Section 1.0. An introduction and general overview of the environmental process and the format of this

EIR can be found within Section 2.0. Section 3.0 presents a complete description of the Project, including its location, objectives, and characteristics. The complete and detailed environmental impact analysis is presented in Section 4.0.

EIR Section 5.0, "Other Mandatory CEQA Topics," addresses other environmental considerations and topics mandated under the California Environmental Quality Act. These topics include Cumulative Impacts, Alternatives to the Project, Growth Inducement, Significant and Unavoidable Environmental Impacts, and Significant and Irreversible Environmental Changes. Section 6.0 defines the acronyms and abbreviations contained in this document. Section 7.0 lists the information sources and persons consulted during the environmental analysis process, and presents a list of the persons who prepared the Draft EIR. The Initial Study and responses to the NOP, and supporting technical analyses are appended to this document.

EIR Section 4.0, "Environmental Impact Analysis," is the focal component of this document. The environmental impact analysis has been organized into a series of sections addressing each environmental topic of relevance; e.g., "Traffic, Circulation, and Parking," "Air Quality," and "Noise." The sections covering each individual environmental topic are typically divided into the following subsections to assist the reader in understanding the organization and basis of the analysis:

- **Reader's Abstract:** An introductory reader's abstract, summarizing content and findings, is provided at the beginning of each topical section;

- **Introduction:** The introduction summarizes the content of the section and references other important studies and reports, such as technical studies appended to the EIR;

- **Setting:** This subsection describes environmental conditions at the Project site and in its vicinity which may be subject to change as a result of implementation

of the proposal. Separate descriptions of existing environmental conditions are provided for each environmental topic;

- **Existing Policies and Regulations:** Various relevant policies, regulations, and programs are briefly described. Often, these existing policies and regulations serve to reduce or avoid potential environmental impacts;

- **Standards of Significance:** Before potential impacts are evaluated, the standards which will serve as the basis for judging significance are presented;

- **Impacts and Mitigation Measures:** This subsection states and explains potential impacts caused by the Project. Based on the standards of significance, impacts are categorized as either potentially significant or less-than-significant. If the impacts are potentially significant, mitigation measures are proposed to reduce the extent or severity of impacts. At the conclusion of each discussion for a significant impact, a determination is made as to whether the impact can be reduced to a less-than-significant level with the application of proposed mitigation measures.

The Executive Summary presented in EIR Section 1.0 provides a comprehensive overview of the Project and its potential environmental impacts. For a more detailed description of the Project and associated potential environmental effects, it is recommended that the reader review EIR Section 3.0, "Project Description," and then review the topics of interest presented in EIR Section 4.0, "Environmental Analysis."

2.7 INTENDED USE OF THIS EIR

This EIR addresses the potential environmental effects of the implementation and operation of the proposed RPT Centerpointe West Project. The City of Moreno Valley (City) is the Lead Agency for the purposes of CEQA because it has the principal responsibility and authority for deciding whether or not to approve the Project, and how it will be implemented. As the Lead Agency, the City is also responsible for

preparing the environmental documentation for the Project in compliance with CEQA. The Lead Agency will employ this EIR in its evaluation of potential environmental impacts resulting from, or associated with, approval and implementation of the Project, to include potential effects of the Project's component elements. It is anticipated that this EIR may also be employed by other responsible agencies, e.g., the South Coast Air Quality Management District, Regional Water Quality Control Board, et al., for their related or dependent permit approvals.

2.8 DOCUMENTS INCORPORATED BY REFERENCE

Section 15150 of the State *CEQA Guidelines* permits and encourages an environmental document to incorporate, by reference, other documents that provide relevant data. The documents summarized below are incorporated by reference, and the pertinent material is summarized throughout this EIR, where that information is relevant to the analysis of potential impacts of the Project. All documents incorporated by reference are available for review at, or can be obtained through, the City of Moreno Valley Community Development Department, Planning Division.

2.8.1 City of Moreno Valley General Plan

The current City of Moreno Valley General Plan, initially adopted in 1988 and updated in 2006, acts as the "constitution" for the physical development of the City, and forms the basis of decisions concerning the development of property. To this end, the General Plan establishes City land use and development policies, identifies planned land uses, and supporting infrastructure systems.

State-mandated Elements addressed in the General Plan include the Community Development Element; the Parks, Recreation and Open Space Element; the Circulation Element; Safety Element; Conservation Element; and Housing Element. Development within the General Plan Area will be shaped by the General Plan's Goals, Objectives, Policies and Programs, which are integral to each of the General Plan Elements.

2.8.2 City of Moreno Valley Zoning Ordinance

The City of Moreno Valley Zoning Ordinance codifies and complements the City's General Plan. The Zoning Ordinance (Ordinance 389, adopted in 1992) provides the mechanism to implement and enforce the goals, objectives, policies, and programs articulated in the General Plan. Many of the potential environmental concerns considered in this EIR are adequately addressed through application of existing guidelines and regulations contained in the Zoning Ordinance. Current zoning regulations are included as Section 9.0 of the City's Municipal Code.

2.8.3 Project Technical Studies and Supporting Analyses

The technical studies prepared for the RPT Centerpointe West Project are described in the following paragraphs. It may be noted that certain technical studies reference the "Harbor Freight Expansion Project." This title was used as a preliminary name for the RPT Centerpointe West Project considered in this Draft EIR.

2.8.3.1 Initial Study, NOP, and NOP Responses – Draft EIR Appendix A

The EIR Initial Study (IS) and Notice of Preparation (NOP) and responses received pursuant to distribution of the IS/NOP are presented in EIR Appendix A. Based on the Initial Study and responses to the NOP, the EIR has been focused on the topics of: Land Use and Planning; Traffic and Circulation; Air Quality; Noise; Hazards and Hazardous Materials; and Public Safety. Additionally, Biological Resource mitigation measures have been incorporated from the Initial Study into the Draft EIR's summary of impacts and mitigation, and will be carried forward into the Final EIR's Mitigation Monitoring Program.

2.8.3.2 Traffic Impact Analysis – Draft EIR Appendix B

Potential traffic and circulation system impacts of the Project are assessed by the *Harbor Freight Expansion Project Traffic Impact Analysis, City of Moreno Valley, California* (Urban Crossroads, Inc.) August 6, 2012 (revised).

2.8.3.3 Air Quality Analysis Report – Draft EIR Appendix C

Potential air quality impacts of the Project, including potential short-term construction emissions impacts and potential long-term operational emissions impacts are assessed within the *RPT Centerpointe West Project Air Quality Impact Analysis, City of Moreno Valley, California* (Urban Crossroads, Inc.), August 22, 2012. Two additional studies supplement the findings of the Air Quality Impact Analysis. These include the *RPT Centerpointe West Project Greenhouse Gas Analysis, City of Moreno Valley, California* (Urban Crossroads, Inc.), August 22, 2012; and the *RPT Centerpointe West Project Mobile Source Health Risk Assessment, City of Moreno Valley, California* (Urban Crossroads, Inc.), August 27, 2012.

2.8.3.4 Noise Impact Analysis – Draft EIR Appendix D

Potential noise impacts of the Project, including potential short-term construction noise impacts and potential long-term operational noise impacts are assessed within the *Harbor Freight Expansion Project Noise Impact Analysis, City of Moreno Valley, California* (Urban Crossroads, Inc.) August 9, 2012.

2.8.3.5 Phase I and II Environmental Site Assessment – Draft EIR Appendix E

Documentation of hazardous or potentially hazardous materials concerns and contamination issues affecting the subject site are presented in the following Phase I and II Environmental Site Assessments: *Phase II Environmental Site Assessment for the Vacant Land, Moreno Valley, Riverside County, California 92553* (Professional Service Industries, Inc.) February 9, 2004; *Phase I Environmental Site Assessment Update for the Centerpointe Business Park Development, Moreno Valley, Riverside County, California 92553* (Professional Service Industries, Inc.) May 5, 2006; and *Phase I Environmental Site Assessment Update For The Centerpointe Business Park Development, Moreno Valley, Riverside County, California 92553* (Professional Service Industries, Inc.) February 4, 2009.

2.8.3.6 Water Supply Assessment - Draft EIR Appendix F

The Project Water Supply Assessment, prepared by Eastern Municipal Water District (June 20, 2012), documents the District's ability to serve the Project with a reliable supply of potable water.

2.9 PROJECTS OF STATEWIDE, REGIONAL, OR AREAWIDE SIGNIFICANCE

CEQA Guidelines Section 15206 defines a project to be of statewide, regional, or areawide significance if the project meets any of the following criteria:

> (1) A proposed local general plan, element, or amendment thereof for which an EIR was prepared.
>
> (2) A project has the potential for causing significant effects on the environment extending beyond the city or county in which the project would be located. Applicable to the RPT Centerpointe West Project, proposals subject to this criterion include industrial uses employing more than 1,000 persons, or which occupy more than 40 acres, or which encompass more than 650,000 square feet of floor area.
>
> (3) A project which would result in the cancellation of an open space contract made pursuant to the California Land Conservation Act of 1965 (Williamson Act) for any parcel of 100 or more acres.
>
> (4) A project for which an EIR . . . was prepared which would be located in and would substantially impact areas of critical environmental sensitivity . . .
>
> (5) A project which would substantially affect sensitive wildlife habitats including but not limited to riparian lands, wetlands, bays, estuaries, marshes, and habitats for endangered, rare and threatened species as defined by Section 15380 of this Chapter [of the *CEQA Guidelines*].

(6) A project which would interfere with attainment of regional water quality standards as stated in the approved areawide waste treatment management plan.

(7) A project which would provide housing, jobs, or occupancy for 500 or more people within 10 miles of a nuclear power plant.

The proposed RPT Centerpointe West Project qualifies under *Guidelines* Section 15206 item (2) above, and is therefore considered a project of "statewide, regional, or areawide significance." Projects of statewide, regional, or areawide significance require that a scoping meeting be conducted. A scoping meeting for the RPT Centerpointe West Project was held on August 29, 2012. Further, Draft EIRs prepared for projects of statewide, regional, or areawide significance must be submitted to the State Clearinghouse (SCH) together with the requisite SCH Notice of Completion (NOC). The Draft EIR for the proposed RPT Centerpointe West Project and accompanying NOC have been transmitted to the SCH.

3.0 PROJECT DESCRIPTION

3.0 PROJECT DESCRIPTION

3.1 OVERVIEW

The proposed RPT Centerpointe West Project involves three primary components:

- An addition of approximately 508,000 square feet to the existing 779,016-square-foot Harbor Freight warehouse/distribution facility;

- Construction of a new warehouse/distribution facility of approximately 608,000 square feet to the north of the expansion area; and

- Construction of a new warehouse/distribution facility of up to approximately 165,000 square feet, located at the northeast corner of Frederick Street at Cactus Avenue. As an interim occupancy, the parcel accommodating this proposed warehouse may be improved and screened for use as a vehicle storage area.

The Project also includes tentative parcel map(s) to create parcels for each of the proposed warehouse/distribution buildings, as noted above. Additionally, to allow for and facilitate implementation of the Project, the existing Joy Street right-of-way within the Project site would be vacated. The RPT Centerpointe West Project, including all facilities proposed within the Project site, on- and off-site supporting improvements, and associated discretionary actions, is the Project considered in this Draft EIR. Unless otherwise differentiated, the terms "RPT Centerpointe West Project" and "Project" are used interchangeably throughout this document.

3.2 PROJECT LOCATION AND BOUNDARIES

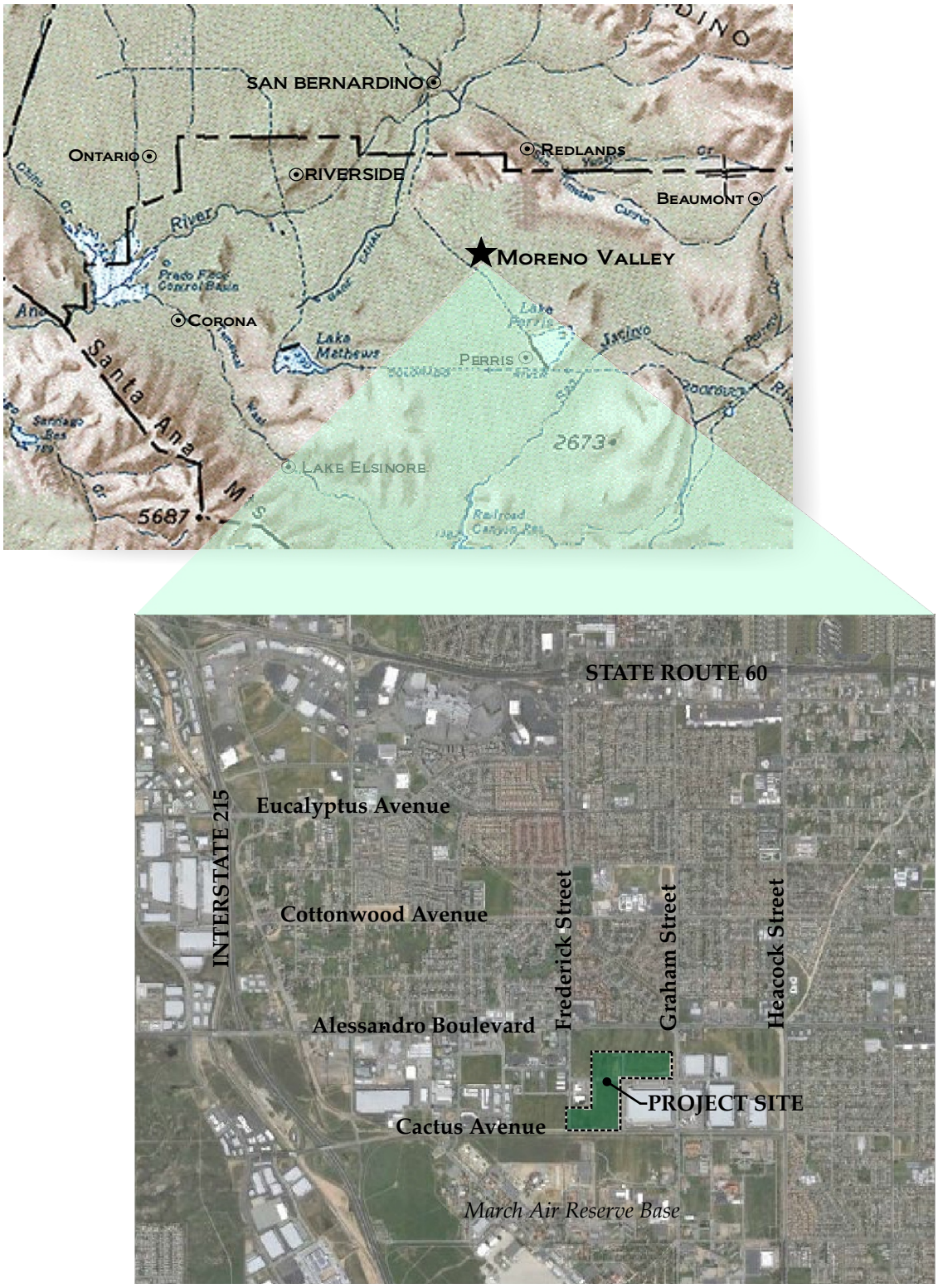
The Project site is located in the northwesterly portion of the City of Moreno Valley, in central Riverside County. More specifically, the Project will be developed within an approximately 56.2-acre site, located northeasterly of the intersection of Cactus Avenue and Frederick Street, northerly of the March Air Reserve Base (MARB); and approximately one mile easterly of Interstate 215 (I-215). The site is bounded by Cactus Avenue to the south, Frederick Street to the west and Graham Street to the east. Brodiaea Avenue currently transects the site in an east-west direction, and Alessandro Avenue parallels the site approximately 500 feet to the north. The Project site contains current Assessor's Parcel Numbers (APNs) 297-170-027, -064, -065, -075, -076 and -082. Please refer also to Figure 3.2-1, "Project Location."

3.3 EXISTING LAND USES

The majority of the Project site is currently vacant, consisting of largely flat, disced land. The area north of the existing Harbor Freight warehouse facility has been improved and is currently in use as an equipment/vehicle storage area. Any surface improvements within this area will be demolished as part of the Project site preparation activities.

As shown in Figure 3.3-1, "Existing Land Uses and General Plan Land Use Designations," properties to the east of the Project site, between Graham Street and Heacock Street, are currently developed with warehouse/distribution facilities and other light industrial or business park uses as part of the adjacent Centerpointe industrial development.

At the southeast corner of Frederick Avenue and Brodiaea Avenue are the existing administrative facilities of the Riverside County Waste Management Department. At the northwest corner of Cactus Avenue and Frederick Street, the Concourse at Centerpointe Project (an approximately 522,000-square-foot warehouse) is currently under construction. Properties between Resource Way and Alessandro Boulevard are developed with business park and office facilities, including the Moreno Valley City Hall.



Source: Google Earth; Applied Planning, Inc.

Figure 3.2-1
Project Location

1 Warehouse/Business Park (Business Park/Light Industrial, or BP/LI)
2 Administrative Offices (BP/LI)
3 Commercial (Commercial)
4 Residential (High-Density Residential: Max. 20 dwelling units/acre)
5 Residential (Medium-Density Residential: Max. 5 dwelling units/acre)
6 Serrano Elementary School (Public Facilities)
7 Residential (Medium-Density Residential: Max. 5 or 15 dwelling units/acre)
8 Credit Union (BP/LI)
9 Administrative Offices (Office)

Note: Moreno Valley General Plan Land Use Designations are shown (in parentheses).

N
NOT TO SCALE

Source: Google Earth; Applied Planning, Inc.

applied planning inc

Figure 3.3-1
Existing Land Uses and General Plan Land Use Designations

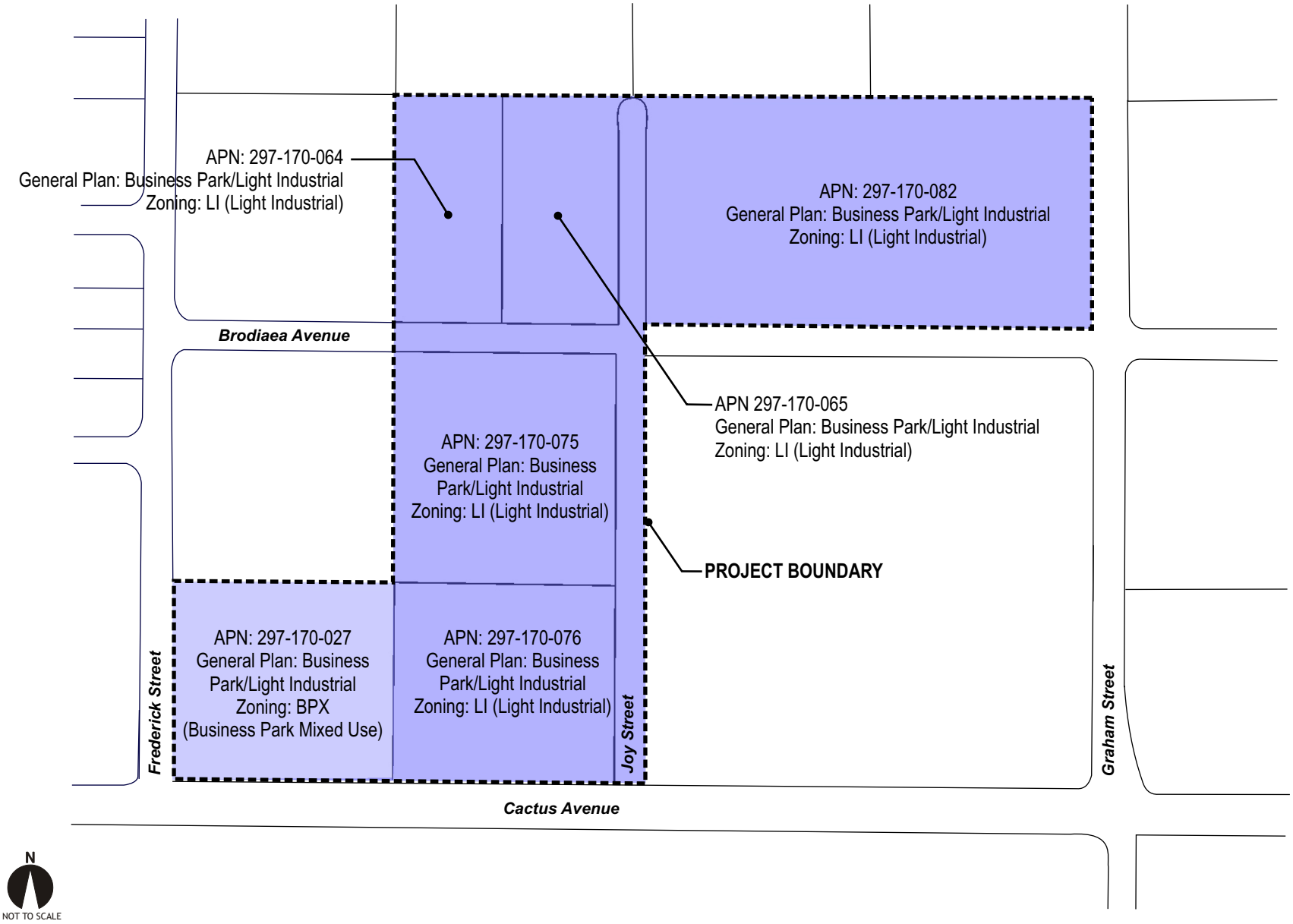
Properties to the north of the Project site are currently vacant, but are General Plan-designated for Commercial land uses. To the north of Alessandro Boulevard, existing uses include commercial and residential uses.

Southerly of the Project site, across Cactus Avenue, is the March Air Reserve Base (MARB). MARB properties located opposite the Project site are currently undeveloped and are designated for "Business Park" uses under the MARB General Plan.

Southeasterly of the Project site, across Cactus Avenue, is the March Lifecare Campus Specific Plan (MLCSP). In late 2009, the MLCSP was approved for development of a sustainable and integrated health care campus on approximately 196 acres of the former March Air Force Base now under the jurisdiction of the March Joint Powers Authority. The MLCSP area is located generally southwesterly of the intersection of Cactus Avenue at Heacock Street, extending approximately 3,000 feet westerly from Heacock Street; and approximately 4,000 feet southerly of Cactus Avenue. At its nearest point, the northwesterly limit of the MLCSP is located approximately 1,000 feet southeasterly of the Project site.

3.4 GENERAL PLAN AND ZONING DESIGNATIONS

As shown in Figure 3.4-1, "Existing General Plan and Zoning Designations," the entire Project Area is designated for Business Park/Light Industrial land uses by the Moreno Valley General Plan Land Use Map. Additionally, five of the six existing parcels within the Project Site are currently zoned for Light Industrial (LI) uses. The lone parcel (APN 297-170-027) not zoned for light industrial development is located at the northeast corner of the Cactus Avenue/Frederick Street intersection. This parcel is currently zoned "BPX," or Business Park Mixed Use. The Project proposes a zone change for this parcel, from BPX to LI. Other parcels within the Project Site would retain their existing LI zoning designations.



Source: Applied Planning, Inc.

Figure 3.4-1
Existing General Plan and Zoning Designations

3.5 PROJECT OBJECTIVES

Primary objectives of the Project as identified by the Project Applicant are as follows:

- Expand on the existing productive uses within the Project vicinity;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's proximate regional freeway access;
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation; and
- Develop a project that is compatible with surrounding land uses.

3.6 PROJECT CHARACTERISTICS

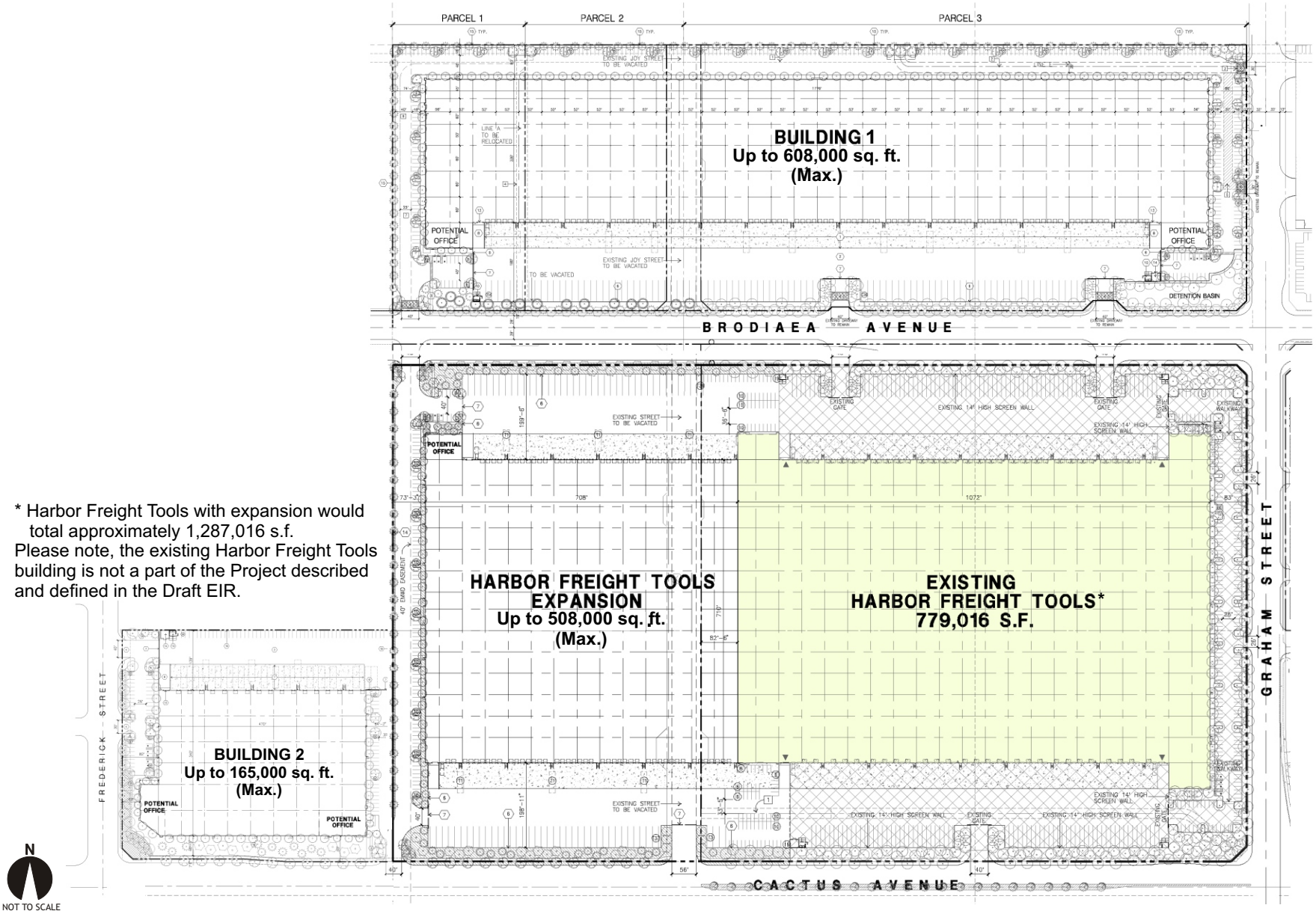
The proposed RPT Centerpointe West Project Site Plan Concept is presented at Figure 3.6-1. Table 3.6-1 provides a summary of the Project's proposed land uses.

Table 3.6-1
RPT Centerpointe West Project Proposed Land Uses

Site Plan Designation	Use(s)	Maximum Building Area (s.f.)
Harbor Freight Expansion	Warehouse/Distribution	508,000†
Building 1	Warehouse/Distribution	608,000
Building 2	Warehouse/Distribution*	165,000
TOTAL PROJECT		**1,281,000**

Source: Ridge Property Trust, May 2012.
Notes: † With the addition proposed by the Project, the expanded Harbor Freight facility would total approximately 1,287,016 square feet. The existing Harbor freight facility and its operations however are not part of the Project considered in this EIR. These and other existing uses are part of the background/setting described herein.
* Site may be used on an interim basis for vehicle/trailer storage.

As indicated at Figure 3.6-1 and summarized at Table 3.6-1, the Project proposes new development totaling approximately 1,281,000 square feet (1.28 million square feet). In part, the Project involves the expansion of the existing Harbor Freight warehouse/distribution facility located northwesterly of the intersection of Cactus Avenue at Graham Street. The proposed expansion of the existing Harbor Freight warehouse would add approximately 508,000 square feet to the existing 779,016-square-foot Harbor Freight warehouse, and would extend this facility westerly across Joy Street, to be vacated as noted below.



* Harbor Freight Tools with expansion would total approximately 1,287,016 s.f.
Please note, the existing Harbor Freight Tools building is not a part of the Project described and defined in the Draft EIR.

Source: HPA, Inc.; Applied Planning, Inc.

Figure 3.6-1
Conceptual Ultimate Project Site Plan

To accommodate the proposed expansion of the existing Harbor Freight structure and the construction of proposed "Building 1", the vacation of Joy Street is requested. Joy Street currently terminates within the Project site, north of Brodiaea Avenue. Any utilities within Joy Street will be removed or demolished in place, as determined appropriate by the City and the affected utility(ies) service(s). The existing signal located at the intersection of Joy Street and Cactus Avenue will be retained.

In addition to expansion of the existing Harbor Freight warehouse, a new warehouse/distribution facility of approximately 608,000 square feet (Building 1) would be constructed to the north of the expanded Harbor Freight facility.

Additionally, a future warehouse/distribution facility of 165,000 square feet (Building 2) is proposed northeasterly of the intersection of Cactus Avenue and Frederick Street. On an interim basis, the site of this future warehouse/distribution facility may be developed as a fully-screened vehicle/trailer storage area. Notwithstanding, for the purposes of this environmental review, the ultimate development scenario has been assessed, in which the site is presumed to be developed with a fully-operational warehouse/distribution center.

To establish a conservative, likely maximum impact scenario, it is assumed that Project construction would occur in a single phase. Infrastructure and building construction would be completed following site preparation operations. The Project also incorporates on-site parking, landscape, hardscape, screening and infrastructure improvements to support all proposed uses. All Project development will, at a minimum, industrial design and development standards articulated at City of Moreno Valley Municipal Code Section 9.05.040, "Industrial site development standards." All infrastructure modifications, improvements and realignments will conform to requirements and performance standards of affected purveyor(s).

The Project will also be responsible for constructing or participating financially in the construction of the following improvements:

- Roadway and access improvements necessary to support the Project, including any warranted signalization;
- Infrastructure improvements, including the extension of water, sewer, and storm drain facilities from the Project site to existing points of connection in Cactus Avenue and/or Brodiaea Avenue, and the installation of underground utilities (electrical, natural gas, and communications) from their existing locations within the nearest right-of-way.

Components of the Project considered herein are described in the following paragraphs.

3.6.1 Demolition

The Project site currently accommodates approximately nine (9) acres of improved equipment and vehicle holding area located northerly of the existing Harbor Freight Warehouse. This parking area and associated surface improvements will be demolished. Demolished asphaltic and concrete surfaces will be pulverized and stockpiled onsite for subsequent use in Project construction activities. Additionally, any utilities within vacated Joy Street will be removed or demolished in place, as determined appropriate by the City and the affected utility(ies) service(s). It is estimated that demolition activities will be completed within thirty (30) days of their commencement.

3.6.2 Site Preparation

The existing Project site will require soil removal, fill, and re-compaction to establish building pads and suitable sub-base for parking areas as well as to ensure proper foundation support. This work will be performed consistent with recommendations and requirements of the Project Geotechnical Investigation and related soils engineering and seismicity reports as may be required by the City Engineer (see: Municipal Code Section 8.21.050, "Grading permit requirements"). Rough grading of the Project site is expected to be accomplished within a period of approximately four to six weeks. Any residual materials resulting from site preparation processes will be appropriately disposed of and/or recycled in accordance with the City's Source Reduction and Recycling Element (SRRE).

3.6.3 Site Development Concept

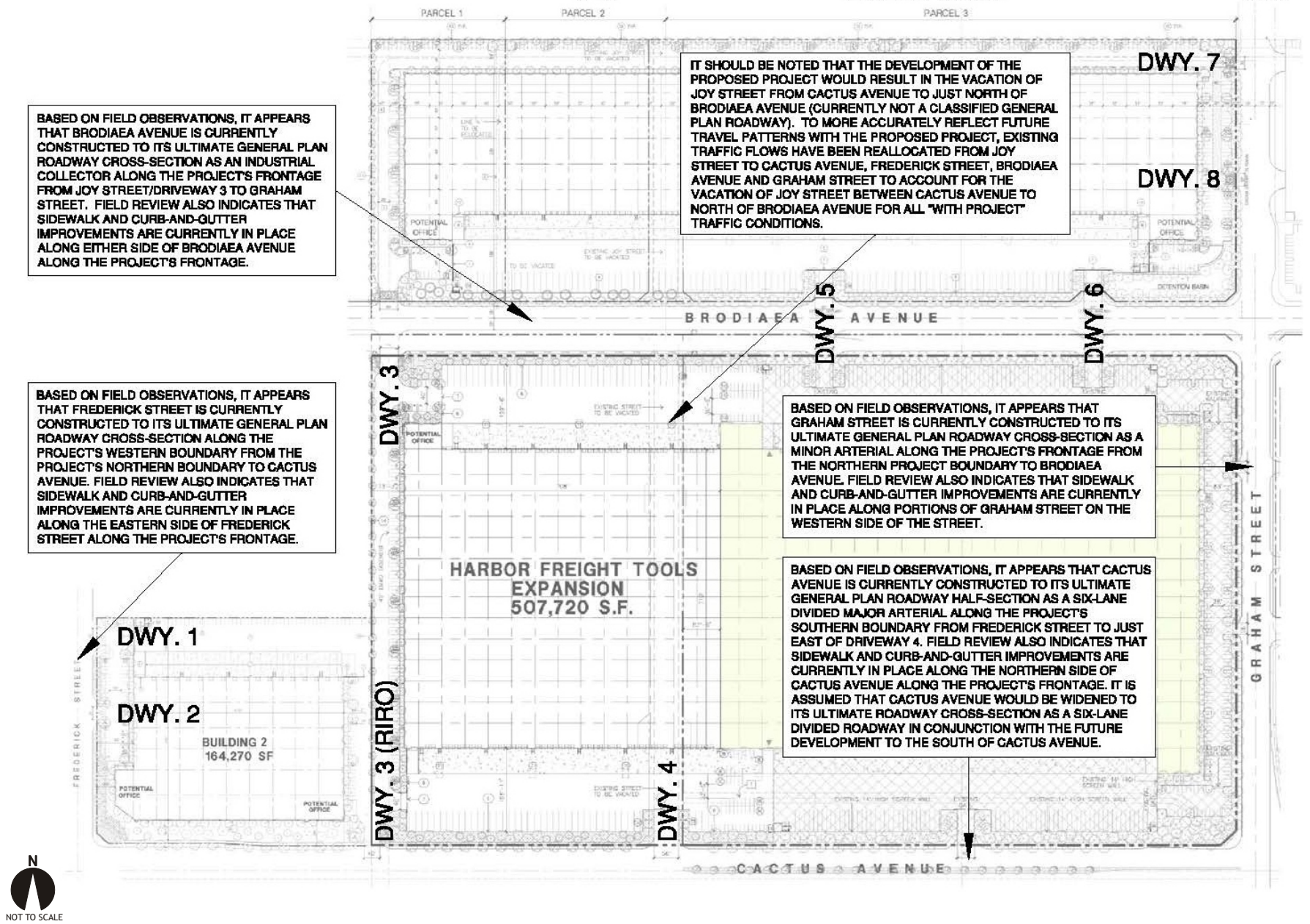
The approximately 56.2-acre site is anticipated to accommodate up to approximately 1,281,000 square feet of distribution warehouse uses configured as an expansion of approximately 508,000 square feet to the existing Harbor Freight Warehouse; and two new free-standing distribution warehouse buildings: one at approximately 608,000 square feet and the remaining structure at approximately 165,000 square feet. Please refer also to previous Figure 3.6-1, "Site Plan Concept." Final designs of the Project site and buildings will, at a minimum, conform to industrial design requirements and standards identified under Municipal Code Section 9.05.040, "Industrial Site Development Standards."

3.6.4 Access/Circulation

The Project's relative impacts and responsibilities for improvements of area-wide circulation improvements will be comprehensively addressed in the Project Traffic Impact Analysis (TIA) and Draft EIR. In summary, regional access to the Project is provided via the I-215/Cactus Avenue interchange, located approximately one mile westerly of the Project site. It is anticipated that vehicles accessing the Project site would travel east on Cactus Avenue, then turn north on either Frederick Avenue or Graham Street to enter the Project site.

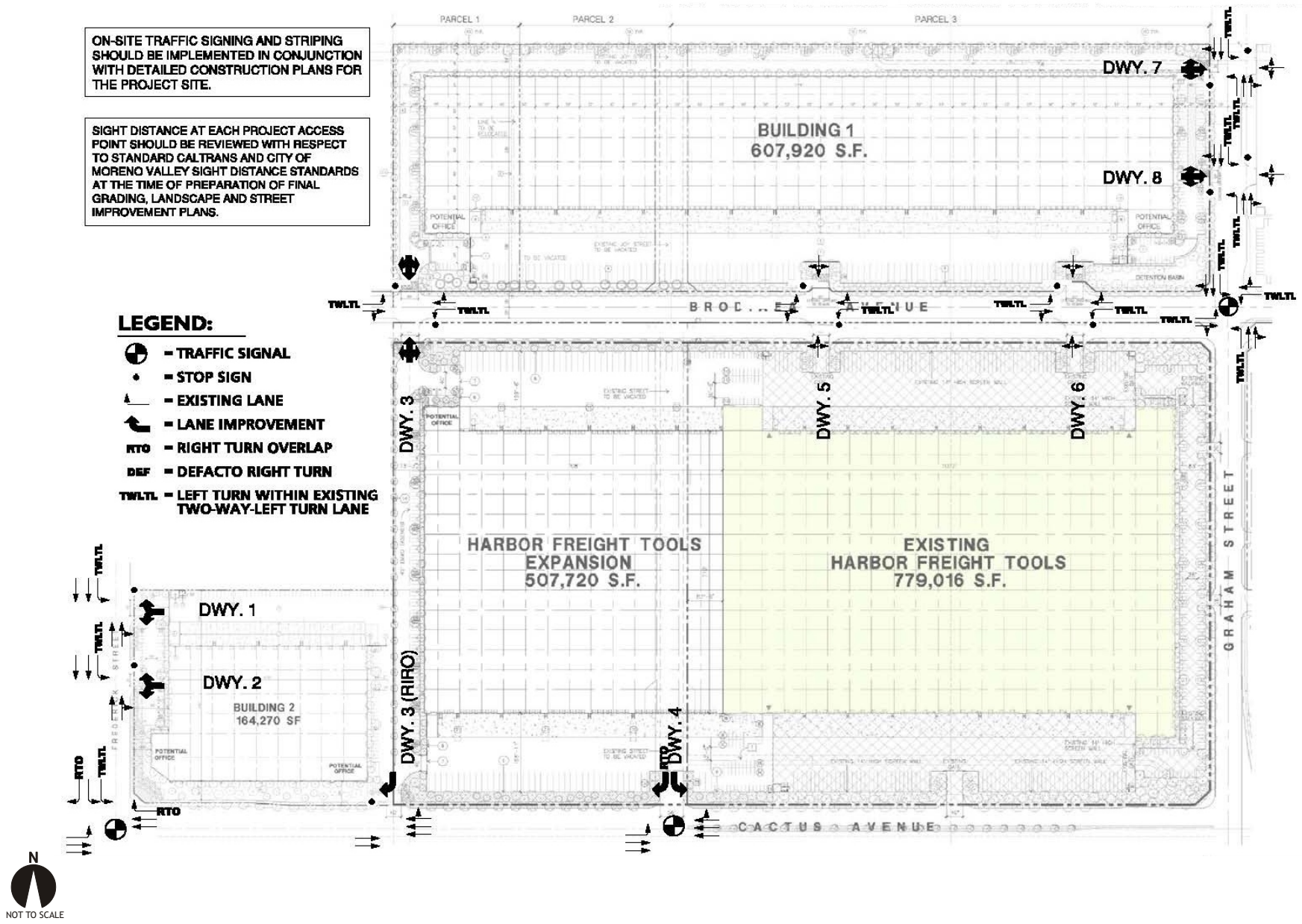
As noted previously within this Section, in order to facilitate the expansion of the existing Harbor Freight Warehouse structure, the vacation of Joy Street will be required. Joy Street is a minor street that terminates within the Project site, north of Brodiaea Avenue, and currently serves only Project-related uses. As such, the proposed vacation would not affect the mobility of traffic surrounding the Project site. The existing signal located at the intersection of Joy Street and Cactus Avenue will be retained.

Access/circulation improvement concepts are also incorporated in the Project pursuant to recommendations presented in the Project TIA. Figure 3.6-2 provides a summary of roadway conditions based on field observations, while Figure 3.6-3 schematically depicts recommended improvements. Final design and construction of all site access and circulation improvements are subject to review and approval by the Lead Agency. Site access and circulation improvement concepts will be constructed as part of the Project, consistent with Figure 3.6-3 (or as modified or amended by the Lead Agency).



Source: Urban Crossroads, Inc.

Figure 3.6-2
Summary of Project TIA Field Observations



Source: Urban Crossroads, Inc.

Figure 3.6-3
Recommended Circulation Improvements

3.6.5 On-Site Parking Requirements

The City of Moreno Valley Municipal Code specifies a parking ratio of one parking space for each 1,000 square feet of gross floor area in a warehouse/distribution building for the first 20,000 square feet, one additional space for each 2,000 square feet of floor area within the second 20,000 square feet, and one additional space for each 4,000 square feet of floor area for areas in excess of the initial 40,000 square feet. Additionally, one parking space per truck-loading dock door is also required. For the office uses, one parking space is required for every 250 square feet. The Project will provide onsite parking consistent with the Moreno Valley Municipal Code to accommodate all proposed uses. No off-site parking is proposed.

3.6.6 Building Design Concepts

The architectural concept for the Project buildings will incorporate large-scale industrial design, accented building entrances and openings, rear elevations incorporating surface relief, varied textures, and façade accents. Faux windows will be employed to break up large wall surfaces. The single-story buildings will have a maximum height of approximately 41 feet. Architectural concepts for the proposed Harbor Freight Expansion, proposed Building 1, and proposed Building 2 are presented at Figure 3.6-4 through 3.6-7. Additionally, Figure 3.6-8 presents the truck parking interim use concept for the Building 2 site.

Final designs of the Project buildings will, at a minimum, conform to industrial design requirements and standards identified under Municipal Code Section 9.05.040, "Industrial Site Development Standards" and Section 9.16.160, "Business Park/Industrial Design Guidelines."

Architect's view of the expanded Harbor Freight Tools facility (view from Cactus Avenue to the northeast).

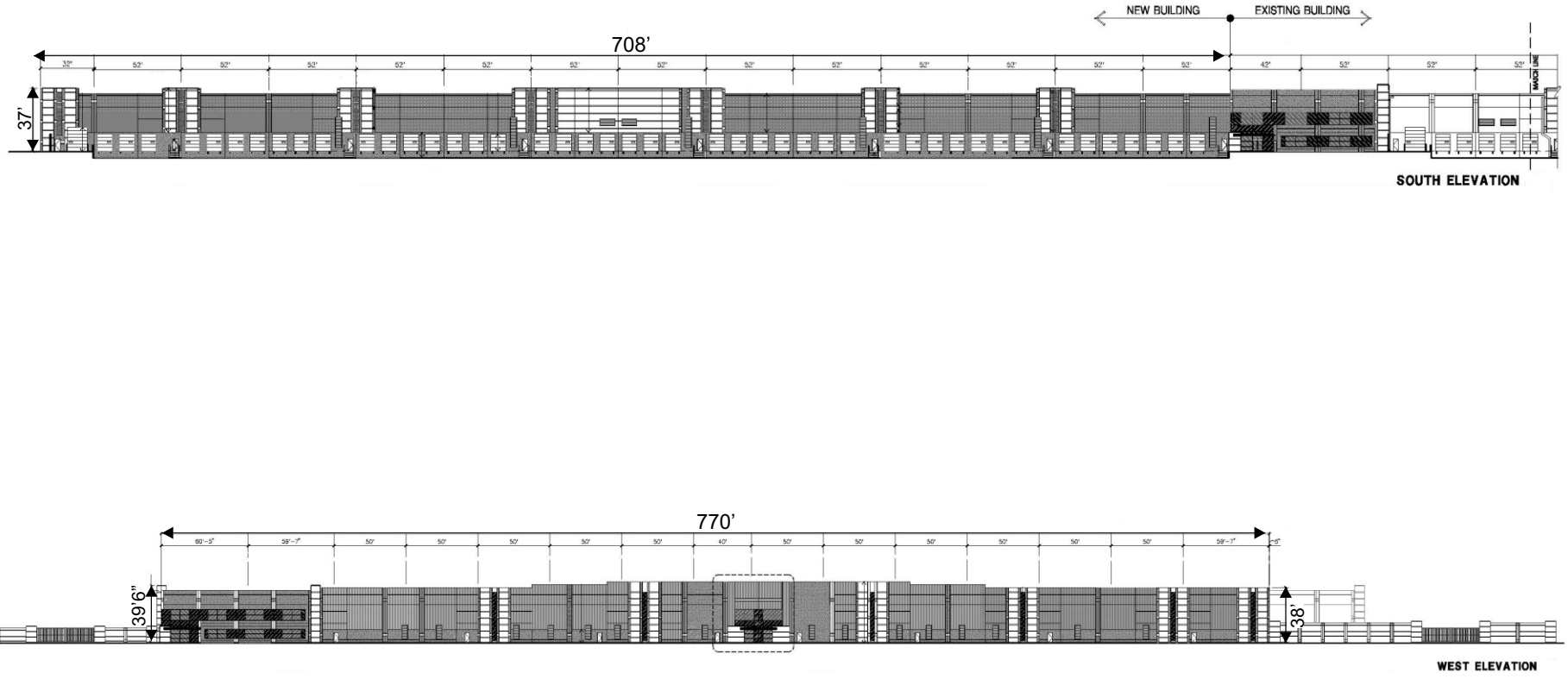
N

NOT TO SCALE

Source: Urban Crossroads, Inc.

applied planning inc

Figure 3.6-4
Project Architectural Concept



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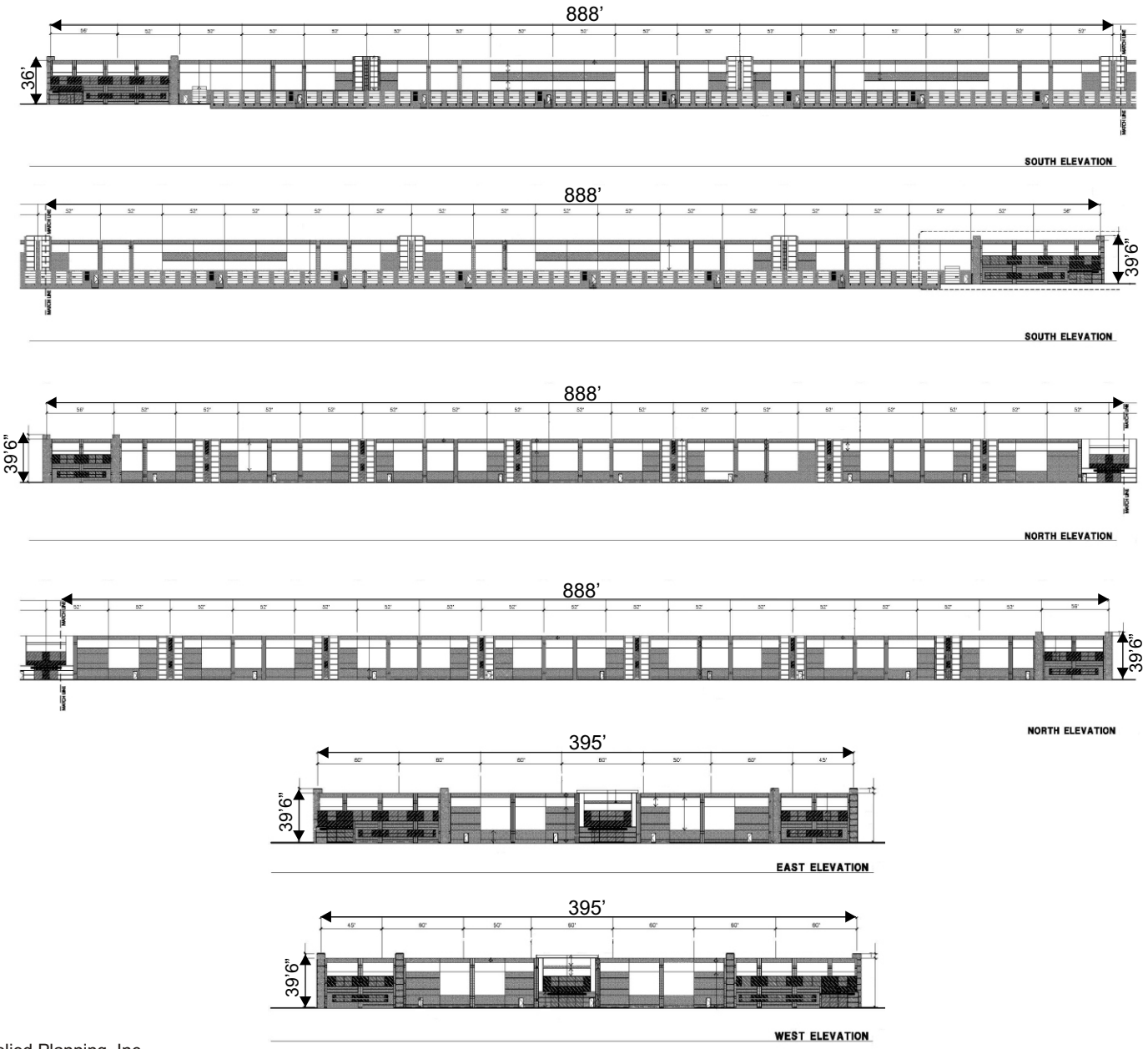
NOT TO SCALE

Source: HPA, Inc.; Applied Planning, Inc.

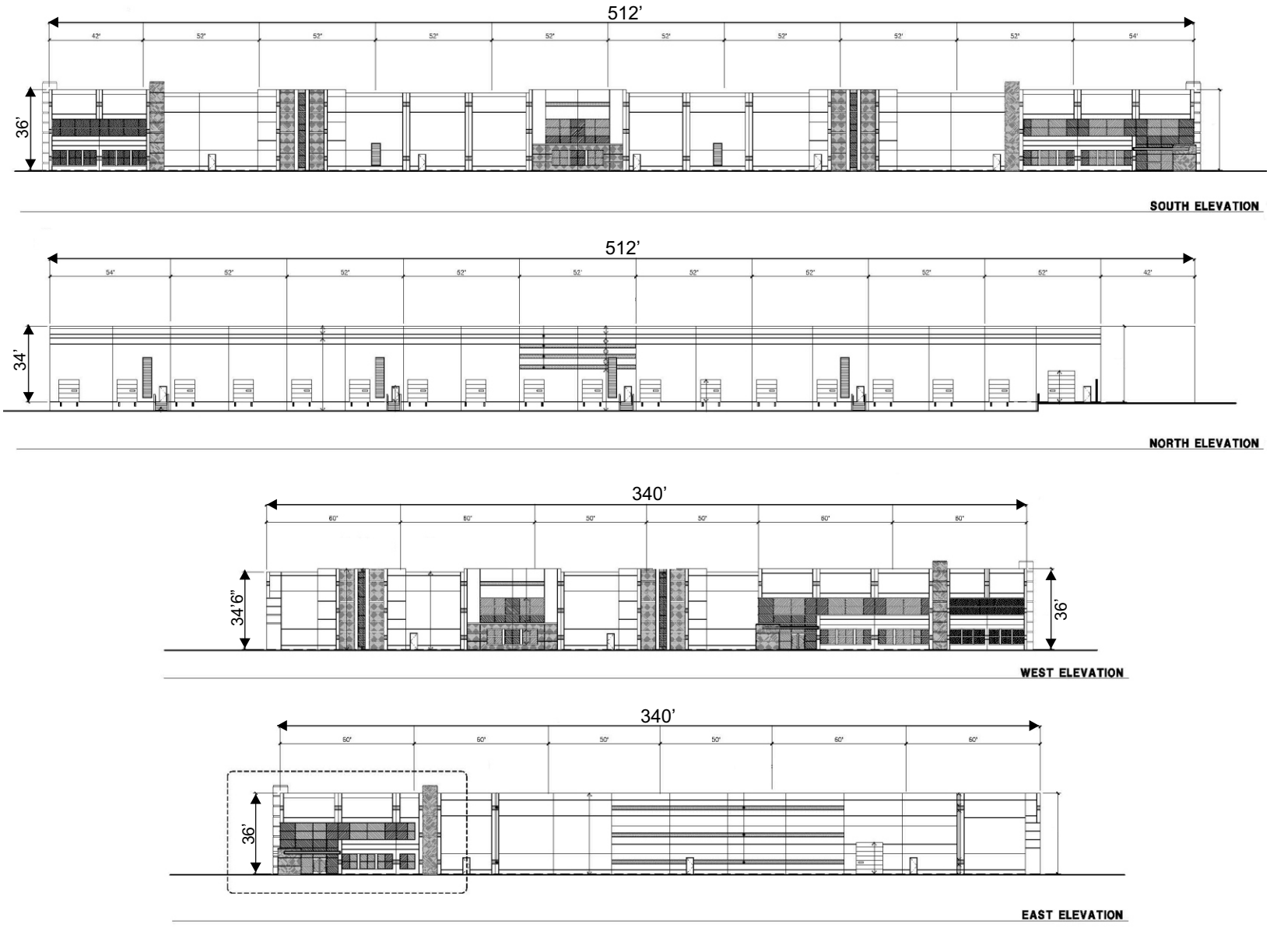
applied planning inc

Figure 3.6-5
Harbor Freight Expansion Elevations



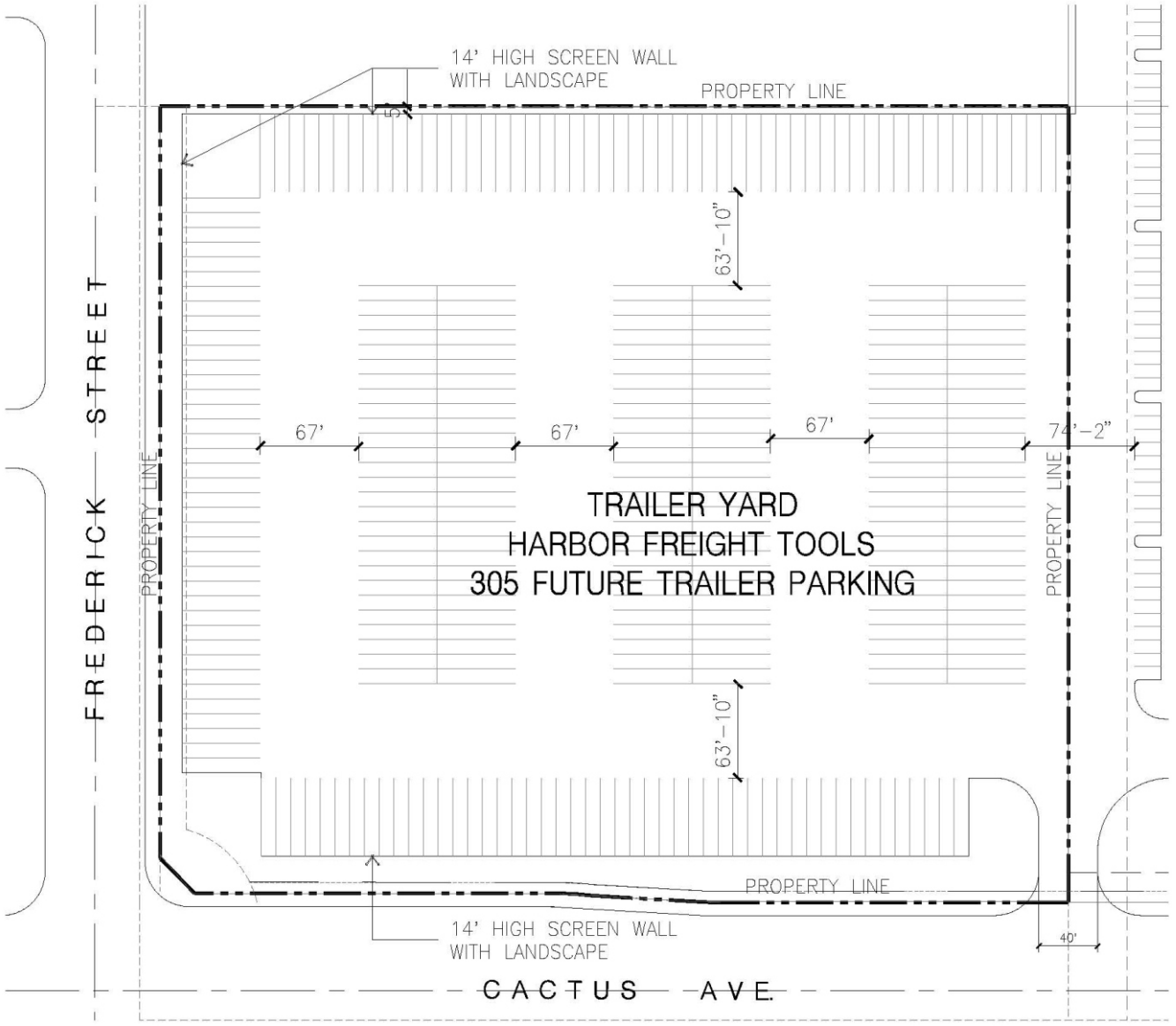
Source: HPA, Inc.; Applied Planning, Inc.

Figure 3.6-6
Building 1 Elevations



Source: HPA, Inc.; Applied Planning, Inc.

Figure 3.6-7
Building 2 Elevations



Source: HPA, Inc.; Applied Planning, Inc.

Figure 3.6-8
Building 2 - Interim Use Concept

3.6.7 Landscaping

Landscape and hardscape improvements will be provided for the Project as required under by the City's Landscape Standards, and as further identified under Municipal Code Section 9.17, "Landscape and Water Efficiency Requirements," which provides water conservation requirements, regulations and design guidelines to ensure that Project landscaping is consistent with the low-water use guidelines of the Eastern Municipal Water District (EMWD).

Landscaping plans and water-conserving irrigation systems for the Project, as required under Municipal Code Section 9.17.090, will be designed and implemented to the satisfaction of the City.

3.6.8 Screening/Buffering

All proposed and/or required screenwalls will be a minimum of 14-feet high. Screenwalls will be painted to match the accompanying building. Additionally, walls will be planted with vines on the exterior, public-facing side(s). Ultimately these vines grow to cover the walls, providing a landscaped screen and graffiti deterrent.

3.6.9 Signs

Signs for the Project will be designed and implemented consistent with Zoning Code Section 9.12, "Sign Regulations." All proposed signs will allow the maximum possible exposure in a manner that is consistent with the encompassing Project design concept, and responsive to community visual and aesthetic sensibilities.

3.6.10 Lighting

Zoning Code Section 9.16.280, "Applications for Lighting, General Requirements," subsection A. states:

> Lighting serves both safety and aesthetic purposes, illuminating dark areas and providing for highlights and accents. Effective lighting will highlight building features, add emphasis to important spaces and create an ambience of vitality

and security. The intent of these guidelines is to encourage effective and innovative lighting to be incorporated as an integral component of a project.

Detailed lighting plans will be prepared in conjunction with building plan submittals, and the City will review and approve lighting plans in conjunction with, or prior to, issuance of building permits. Potential light overspill, as addressed through Municipal Code Section 9.10.110, "Performance Standards, Light and Glare," will be minimized through the use of freestanding light standards, and the use of fixed wall-mounted fixtures.

3.6.11 Public Services/Utilities

All public services, infrastructure systems (water, sewer, storm drains), and utilities are currently available to the Project site. No major new infrastructure or utilities improvements are proposed by the Project, nor are any required. The Project will implement necessary utilities improvements to include connections to existing services, and/or necessary realignment or modification of existing service lines. Such realignments would include but are not limited to: relocation of utility lines/easements within the Project site, and affected lines/easements in the vicinity of Brodiaea Avenue. All connections to and modification of utilities necessary to serve the Project will be accomplished consistent with City and purveyor requirements.

All facilities will also be designed and constructed consistent with fire and police department requirements, as identified through the EIR and Project development review processes. In this manner Project demands for fire and police protection services are minimized.

Existing service/utilities providers include the following:

3.6.11.1 Public Services

- Fire Protection Services: Moreno Valley Fire Department under contract to the Riverside County Fire Department;

- Police Protection Services: Moreno Valley Police Department under contract with the Riverside County Sheriff's Department; and
- Schools: Moreno Valley Unified School District.

3.6.11.2 Utilities/Infrastructure

- Water/Sewer: Eastern Municipal Water District (EMWD);
- Storm Drain/Storm Water Management: City of Moreno Valley; Riverside County Flood Control & Water Conservation District;
- Electricity: Southern California Edison (SCE) and the Moreno Valley Electric Utility;
- Natural Gas: The Gas Company;
- Solid Waste Management: Waste Management of the Inland Empire; and
- Communications Services: Verizon.

3.7 PROJECT DISCRETIONARY ACTIONS, PERMITS, AND CONSULTATION

Discretionary actions, permits and related consultation(s) necessary to approve and implement the Project are preliminarily identified below.

3.7.1 Discretionary Actions and Permits

Necessary discretionary actions, permits, and consultations allowing for implementation and operation of the Project will include, but are not limited to the following discretionary actions and permitting by the lead agency; and consultation, permitting or other actions by responsible and trustee agencies.

3.7.1.1 Lead Agency Discretionary Actions and Permits

CEQA Section 15124 states in pertinent part that if "a public agency must make more than one decision on a Project, all its decisions subject to CEQA should be listed . . ." Requested decisions, or discretionary actions, necessary to realize the Project include, but may not be limited to the following:

- Certification of the EIR;
- A zone change from Business Park to Light Industrial will be necessary to accommodate the Project;
- Joy Street Right-of-Way Vacation (may be included as an element of the proposed Parcel Map);
- Development Plan Review; and
- Parcel Map Approval.

3.7.1.2 Responsible and Trustee Agency Discretionary Actions, Permits, and Consultation

- **Permitting through the California Department of Fish and Game (CDFG)**, to include:

  - Consultation regarding the possible relocation of resident burrowing owls (if burrowing owls are determined to be present on the subject site during required pre-construction surveys);

- **Permitting required by/through CWA Section 401 and the Santa Ana Regional Water Quality Control Board (SARWQCB)** pursuant to requirements of the National Pollutant Discharge Elimination System (NPDES) Permit;

- **Permitting required by/through the South Coast Air Quality Management District (SCAQMD)** for certain equipment to be temporarily employed within the Project during construction, and/or permanently installed and used over the life of the Project.

4.0 ENVIRONMENTAL IMPACT ANALYSIS

4.0 ENVIRONMENTAL IMPACT ANALYSIS

This Section of the EIR analyzes and describes the potential environmental impacts associated with the adoption and implementation of the proposed RPT Centerpointe West Project. The environmental impact analysis has been organized into a series of sections, each addressing a separate environmental topic. Environmental topics addressed in this EIR are presented in the following sections:

Section	Topic
4.1	Land Use and Planning
4.2	Traffic and Circulation
4.3	Air Quality
4.4	Noise
4.5	Hazards/Hazardous Materials
4.6	Public Services

Within each of the above topical Sections, the discussion is typically divided into subsections which describe the "setting" or existing environmental conditions; identify regulations and policies, which through their observance typically resolve many potential environmental concerns; identify thresholds of significance applicable to potential environmental effects of the Project; describe the significance of Project-related environmental effects in the context of applicable significance thresholds; and for impacts which are potentially significant or significant, recommend mitigation measures to eliminate or reduce their effects. In this latter regard, it is recognized that the intent of CEQA is to focus on significant, or potentially significant adverse effects of the Project, and therefore, mitigation is proposed only for potential impacts of this magnitude.

As noted above, before potential impacts are evaluated, the standards or thresholds which will serve as the basis for judging the relative significance of impacts are presented. Often thresholds serve as a general guide or gauge for determining an impact's potential significance, rather than defining absolutely its relative effects. Subsequent to identification of relevant significance thresholds, potential Project-related effects and impacts are identified and explained. If an impact is considered to be potentially significant, to the extent feasible, mitigation measures are proposed to reduce or avoid the impact. In determining the potential significance of impacts, the adequacy of existing policies and regulations in addressing each impact is taken into consideration. At the conclusion of each discussion for a potentially significant impact, a determination is made as to whether the impact can be reduced to a less-than-significant level with the application of mitigation measures.

In the environmental analysis, the following terms are used to describe the potential effects of the proposed Project:

- **Less-Than-Significant Impacts:** Minor changes or effects on the environment caused by the proposed Project which do not meet or exceed the criteria, standards, or thresholds established to gauge significance are considered to be less-than-significant impacts. Less-than-significant impacts do not require mitigation. In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation.

- **Potentially Significant or Significant Impacts:** A significant or potentially significant impact is defined by CEQA as "a substantial, or potentially substantial, adverse change in the environment." The *CEQA Guidelines* and various responsible agencies provide guidance for determining the significance of impacts. However, the determination of impact significance is ultimately based on the judgment of the lead agency. Similarly, the establishment of any

criteria to be used in evaluating the significance of impacts is the responsibility of the lead agency. Wherever possible, mitigation is proposed in the EIR to reduce or avoid significant or potentially significant impacts.

- **Significant and Unavoidable Impacts:** Impacts identified in the EIR which cannot be mitigated below thresholds of significance through the application of feasible mitigation measures are categorized as "significant and unavoidable."

- **Cumulative Impacts:** A discussion of cumulative impacts is provided in Section 5.0 of this EIR. Cumulative impacts refer to the impacts of the proposed Project combined with anticipated impacts of other vicinity projects and ambient regional growth.

4.1 LAND USE AND PLANNING

4.1 LAND USE AND PLANNING

Abstract

This Section identifies and addresses potential impacts that may result from land use and planning decisions necessary to implement the proposed development. Specifically, the land use and planning analysis presented here examines whether the Project would:

- *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect;*

- *Conflict with any applicable habitat conservation plan or natural community conservation plan; or*

- *Physically divide an established community.*

As supported by the analysis presented in this Section, potential land use and planning impacts of the Project are less-than-significant.

4.1.1 INTRODUCTION

Land use refers to occupation and employment of properties for various purposes such as commerce, industry, open space, community services, infrastructure, and residential uses. Local land use plans, policies, and development regulations control the types, configurations, and intensities of land uses within the community. Changes in land use patterns resulting from new development can affect overall characteristics of an area, and may result in physical impacts to the environment. The Land Use and Planning Section of the EIR focuses on the Project's consistency with applicable land use plans, policies and regulations, and its potential incompatibilities with land use districts and existing and proposed vicinity development. Other potential impacts such as noise, traffic, and air quality impacts, which may occur due to changes in land use and development proposed by the Project, are addressed in their respective sections of this EIR.

4.1.2 SETTING

The physical setting and regulatory land use context of the Project are presented below.

4.1.2.1 Location

The "s"-shaped, approximately 56.2-acre Project site is located in central Riverside County in the City of Moreno Valley. More specifically, the subject site is located in the northwesterly portion of the City of Moreno Valley, approximately one mile east of the I-215/Cactus Avenue Interchange. The Project site is generally bounded by Cactus Avenue to the south, Frederick Street to the west, and Graham Street to the east. The northernmost boundary of the Project site is located approximately 650 feet north of Brodiaea Avenue, mid-way between Brodiaea Avenue and Alessandro Boulevard. Please refer also to Section 3.0, Figure 3.2-1, "Project Location."

4.1.2.2 Existing Land Uses

Following are descriptions of existing uses and physical characteristics of the subject site and vicinity properties. Where undeveloped properties exist in the Project vicinity, the governing General Plan Land Use designation(s) is/are noted, indicating potential future development scenarios for these currently vacant properties. Existing land uses are depicted at Figure 4.1-1. Land use designations of the Project site and vicinity properties are also indicated and discussed subsequently at Sections 4.1.2.3 "General Plan Land Use," and Section 4.1.2.4, "Zoning."

Project Site Land Use

The majority of the Project site is currently vacant, consisting of largely flat, disced land.[1] The area north of the existing Harbor Freight warehouse facility is improved and fenced, and is currently in use as an equipment/vehicle storage area. Pre-existing surface improvements within the Project site will be demolished as part of the Project site preparation activities.

Vicinity Land Uses

Properties to the east of the Project site, between Graham Street and Heacock Street, are currently developed with warehouse/distribution facilities and other light industrial or business park uses as part of the adjacent Centerpointe industrial development.

[1] As of July 2012, the Applicant has secured separate and independent entitlement for a portion of the Project site (approximately 16.55 acres; that property generally defined as APNs 297-170-075 and -076). these entitlements allow for development of approximately 400,000 square feet of distribution warehouse uses within APNs 297-170-075 and -076. The entitlements and proposed uses are consistent with existing General Plan Land Use and Zoning designations for the subject property and are not affected by, nor do they affect analysis of the Project under consideration here. That is, these entitlements may be implemented independently of the Project in question, in which case, the Project as proposed would not be implemented. Alternatively, the Project would be implemented instead of the existing entitlements.

1 Warehouse/Business Park (Business Park/Light Industrial, or BP/LI)
2 Administrative Offices (BP/LI)
3 Commercial (Commercial)
4 Residential (High-Density Residential: Max. 20 dwelling units/acre)
5 Residential (Medium-Density Residential: Max. 5 dwelling units/acre)
6 Serrano Elementary School (Public Facilities)
7 Residential (Medium-Density Residential: Max. 5 or 15 dwelling units/acre)
8 Credit Union (BP/LI)
9 Administrative Offices (Office)

Note: Moreno Valley General Plan Land Use Designations are shown (in parentheses).

N
NOT TO SCALE

Source: Google Earth; Applied Planning, Inc.

applied planning inc

Figure 4.1-1
Existing Land Uses and General Plan Land Use Designations

At the corner of Frederick Avenue and Brodiaea Avenue, are the existing administrative facilities of the Riverside County Waste Management Department. Beyond these buildings, to the west of Frederick Street, parcels between Cactus Avenue and Resource Way are currently under construction with large industrial buildings similar to those proposed by the Project.[2] Properties between Resource Way and Alessandro Boulevard are developed with business park and office facilities, including the Moreno Valley City Hall.

Properties to the north of the Project site are currently vacant, but are General Plan-designated for Commercial land uses. To the north of Alessandro Boulevard, existing uses include commercial and residential uses.

Southerly of the Project site, across Cactus Avenue, is the March Air Reserve Base (MARB). MARB properties are currently undeveloped and are designated for "Business Park" uses under the MARB General Plan.

Southeasterly of the Project site, across Cactus Avenue, is the March Lifecare Campus Specific Plan (MLCSP). In late 2009, the MLCSP was approved for development of a sustainable and integrated health care campus on approximately 196 acres of the former March Air Force Base, now under the jurisdiction of the March Joint Powers Authority (JPA).[3] The MLCSP area is located generally southwesterly of the intersection of Cactus Avenue at Heacock Avenue, extending approximately 3,000 feet westerly from Heacock Street; and approximately 4,000 feet southerly of Cactus Avenue. At its nearest point, the northwesterly limit of the MLCSP is located approximately 1,000 feet southeasterly of the Project site.

[2] At the time of Draft EIR preparation, a 522,722 square feet warehouse/distribution center on 25.96 acres located at 22750 Cactus Avenue was being marketed by Lee and Associates-Ontario as the "Centerpointe Distribution Center." The building is described as "under construction," with completion estimated for "late 3rd quarter 2012."

[3] The March JPA is the federally-recognized reuse authority for the former active duty base. The JPA also serves as the land use and airport authority for the former base.

4.1.2.3 General Plan Land Use

Overview

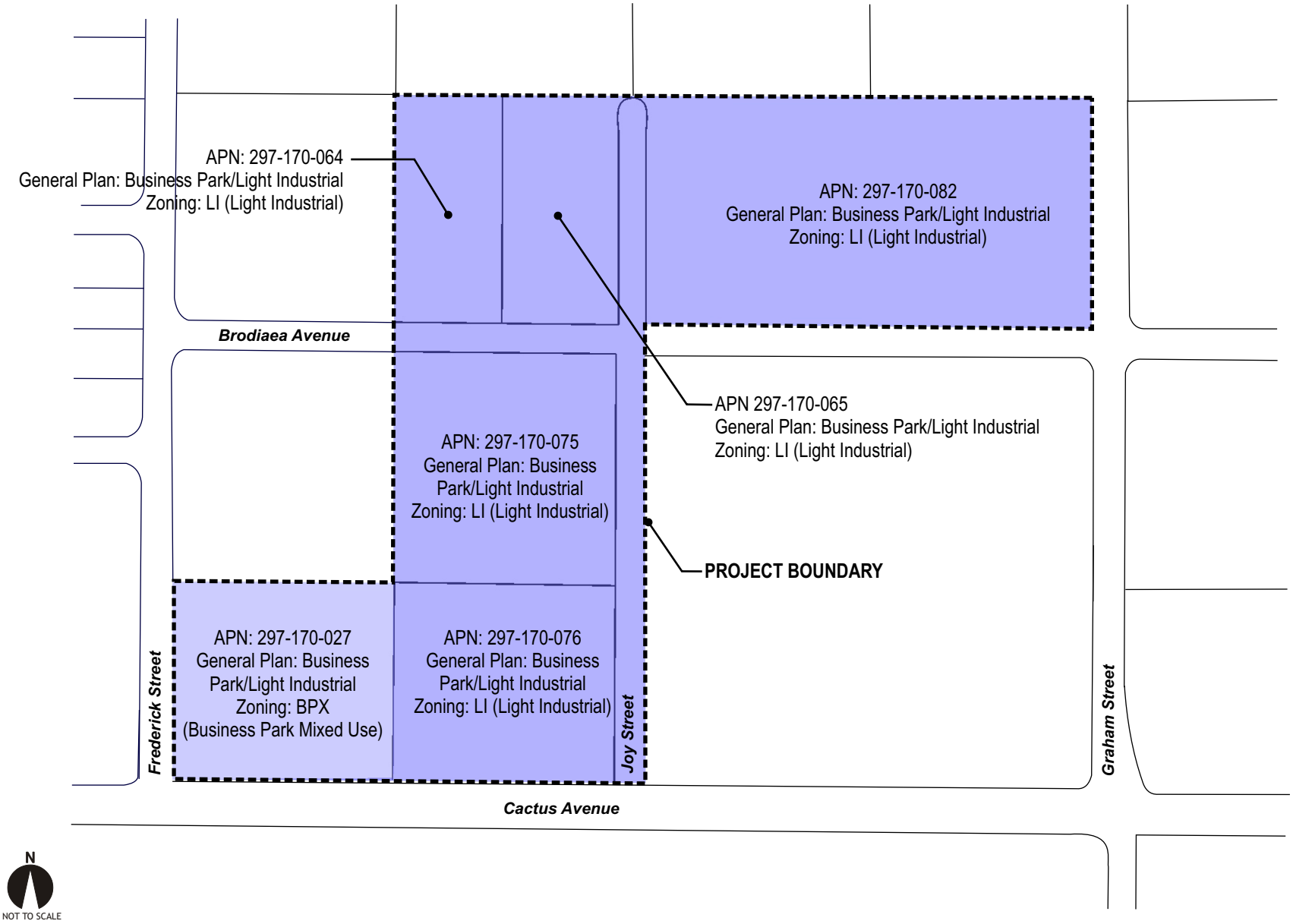
The current City of Moreno Valley General Plan was adopted in July 2006. The General Plan's Community Development Element addresses land use throughout the City, and sets the City's context in relation to adjacent areas of influence, such as the March Air Reserve Base and Lake Perris State Recreation area to the south; the San Jacinto Wildlife Area to the southeast; the Badlands and Norton Younglove Reserve to the northeast; and the Box Springs Mountain Regional Park to the northwest.

General Plan Land Use Designations

The General Plan's Community Development Element establishes General Plan Land Use designations within the City. The General Plan Land Use designations for the Project site and vicinity properties are indicated at Figure 4.1-1, "Existing Land Uses and General Plan Designations" and 4.1-2, "Project Site General Plan and Zoning Designations."

Project Site

As indicated at Figure 4.1-2, the Project Site General Plan Land Use designation is "Business Park/Light Industrial." Permitted uses and applicable development standards within the Business Park/Light Industrial General Plan Land Use are further defined by the governing Zoning District overlay (either Light Industrial or Business Park/Business Park Mixed Use). General Plan Policy 2.5.1 (below) outlines the purpose and application of the Business Park/Light Industrial Land Use designation.



Source: Applied Planning, Inc.

Figure 4.1-2
Project Site Existing General Plan and Zoning Designations

Policy 2.5.1

The primary purpose of areas designated [as] Business Park/Industrial [General Plan Land Uses] is to provide for manufacturing, research and development, warehousing and distribution, as well as office and support commercial activities. The zoning regulations shall identify the particular uses permitted on each parcel of land. Development intensity should not exceed a Floor Area Ratio of 1.00 and the average floor area ratio should be significantly less. [4]

Vicinity General Plan Land Use

As previously indicated at Figure 4.1-1, surrounding properties are designated for a variety of uses, including: Commercial (C); Business Park/Light Industrial (BP); and Office (O). The locations of these land uses relative to the Project site are summarized below. Stated purposes of these Land Use designations, as presented at General Plan Chapter 9, Goals and Objectives, are also identified.

- **Business Park (BP).** Properties located easterly adjacent to the Project site, across Graham Street are designated under the General Plan for Business Park/Light Industrial uses. Additionally, properties to the west of the Project site, across Frederick Street and directly north of Cactus Avenue, are also designated as Business Park/Light Industrial uses. Please refer to the previously discussed Business Park/Light Industrial land use primary purpose established by General Plan Policy 2.5.1.

- **Commercial (C).** Properties located northerly adjacent to the Project site are General Plan-designated as Commercial land uses. To the north of the Project site, across Alessandro Boulevard, properties are designated as Commercial and mixed Residential uses. General Plan Policy 2.4.1 states:

  > [t]he primary purpose of areas designated Commercial is to provide property for business purposes, including, but not limited

[4] City of Moreno Valley General Plan, Chapter 9, Goals and Objectives, Page 9-7.

> to, retail stores, restaurants, banks, hotels, professional offices, personal services and repair services. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include compatible noncommercial uses. Commercial development intensity should not exceed a Floor Area Ratio of 1.00 and the average floor area ratio should be significantly less.[5]

- **Office (O).** Properties located westerly of the Project site, at the corner of Frederick Street and Alessandro Boulevard, are designated under the General Plan for Office uses. Additionally, a single parcel at the northwest corner of Frederick Street and Brodiaea Avenue is designated as Office uses. General Plan Policy 2.4.7 states:

> [t]he primary purpose of areas designated Office is to provide for office uses, including, administrative, professional, legal, medical and financial offices. The zoning regulations shall identify the particular uses permitted on each parcel of land, which could include limited non-office uses that support and are compatible with office uses. Development intensity should not exceed a Floor Area Ratio of 2.00 and the average intensity should be significantly less.[6]

Southerly of the Project site, across Cactus Avenue, is the March Air Reserve Base (MARB). MARB properties are currently undeveloped and are designated for "Business Park" uses under the MARB General Plan.

[5] City of Moreno Valley General Plan, Chapter 9, Goals and Objectives, Page 9-5.

[6] City of Moreno Valley General Plan, Chapter 9, Goals and Objectives, Page 9-6.

Southeasterly of the Project site, across Cactus Avenue, is the March Lifecare Campus Specific Plan (MLCSP). This area is designated as a Specific Plan (Medical Campus) (SP) Land Use, allowing for an array of medical, as well as related and supporting uses.

4.1.2.4 Zoning

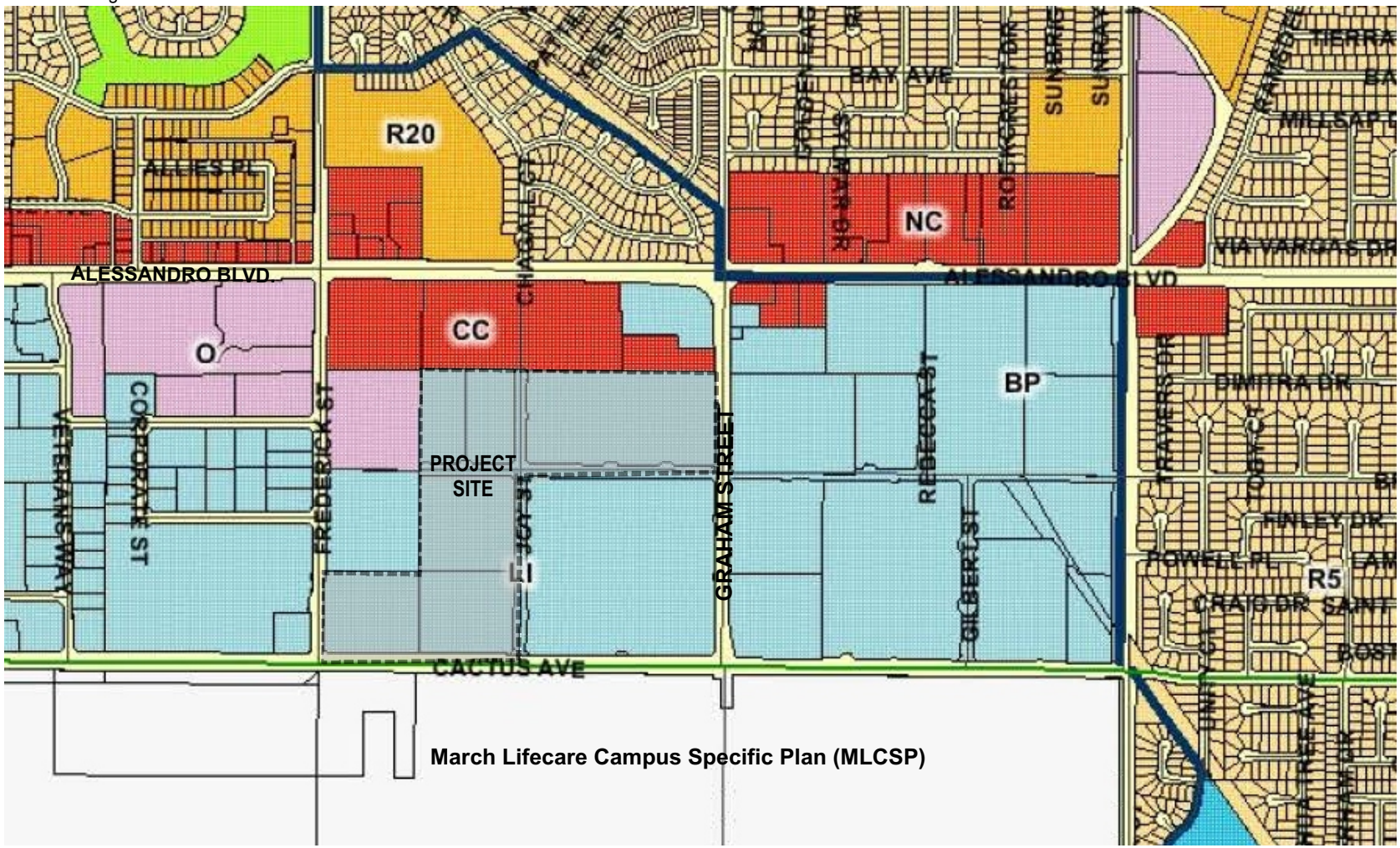
Zoning designations of the Project site are presented at Figures 4.1-2 while zoning designations for the vicinity properties are presented at Figure 4.1-3, "Existing Zoning Designations." The zoning designations are discussed, in detail, below.

Project Site – Light Industrial, Business Park Mixed Use Zoning Designations

As presented at Figure 4.1-2, five of the six existing parcels within the Project Site are currently zoned for Light Industrial (LI) uses. The lone parcel not designated for LI uses is located at the northeast corner of the Cactus Avenue/Frederick Street intersection, and has a zoning designation of "BPX," or Business Park Mixed Use. The Project proposes a zone change for this parcel, from BPX to LI. Other parcels within the Project Site would retain their existing LI zoning designations. The site's Light Industrial zoning designation is consistent with the underlying General Plan Land Use designation of Business Park/Light Industrial. The City's Municipal Zoning Code (Title 9) describes the LI Zone as follows:

> The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than fifty thousand (50,000) square feet in building area within the LI district. Please refer to the special site development standards in Section 9.05.040(B)(9).[7]

[7] Moreno Valley Municipal Code, Title 9, Planning and Zoning, Section 9.05.020 Industrial districts.



Source: Applied Planning, Inc.

Figure 4.1-3
Existing Zoning Designations

Adjacent Zoning Designations

As indicated at Figure 4.1-3, properties in the vicinity of the Project Site are zoned for a variety of uses, and reflect correlating underlying General Plan Land Use designations. Adjacent zoning designations are: Business Park (BP); Business Park-Mixed Use (BPX); Community Commercial (CC); Neighborhood Commercial (NC); Light Industrial (LI); Residential (R5, R20, RS10); and Office (O).

Location relative to the project site, and stated purposes of these land uses as presented at Moreno Valley Municipal Code, Title 9, Planning and Zoning, are as follows.

- **Business Park (BP)**. Properties located westerly adjacent to the Project site, at the northwest corner of Frederick Street and Resource Way, are zoned Business Park. "The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses." [8]

- **Business Park-Mixed Use (BPX)**. As previously discussed, one of the existing Project Site parcels is currently zoned as Business Park-Mixed Use. Additionally, several parcels located easterly adjacent to the Project site, across Graham Street, are zoned Business Park-Mixed Use. "The purpose of the Business Park-Mixed Use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses." [9]

- **Community Commercial (CC).** Properties located directly north of the Project site, on the south side of Alessandro Boulevard and between Frederick Street and Graham Street, are zoned Community Commercial. "The primary purpose of the

[8] Municipal Code, Section 9.05.020 Industrial districts.

[9] *Ibid*.

Community Commercial (CC) district is to provide for the general shopping needs of area residents and workers with a variety of business, retail, personal and related or similar services."[10]

- **Light Industrial (LI).** Several immediately-surrounding properties to the east and west of the Project Site are zoned as Light Industrial uses. Please refer to the previously discussed Light Industrial zoning designation as established by the City's Municipal Zoning Code (Title 9).

- **Office (O)**. Properties located westerly of the Project site, at the northeast corner of Frederick Street and Brodiaea Avenue, are zoned Office. "The primary purpose of the Office (O) district is to provide areas for the establishment of park-like, office-based working environments for general business, corporate, professional and administrative offices. It is the further intent of this district to provide setbacks, landscaping and architectural treatments that ensure the location of such uses is relatively compatible with residential development in the vicinity."[11]

Properties located northerly of the Project site, across Alessandro Boulevard, are zoned for a variety of uses as follows: Neighborhood Commercial (NC); and Residential (R5, R20, RS10). Please refer to Figure 4.1-3 for these locations relative to the Project Site.

Properties located to the south of Project Site and across Cactus Avenue, are zoned as "Specific Plan" under the March Lifecare Campus Specific Plan (MLCSP). Under this zoning designation, all development within the MLCSP area is required to conform to provisions and requirements of the March Lifecare Specific Plan as approved and administered by the March Joint Powers Authority.

[10] Municipal Code, Section 9.04.020 Commercial development districts.

[11] *Ibid*.

4.1.3 EXISTING POLICIES AND REGULATIONS

4.1.3.1 City of Moreno Valley General Plan

The City's General Plan provides direction and vision for long-term development of the City, as expressed in its seven elements: Community Development; Economic Development; Parks, Recreation and Open Space; Circulation; Safety; Conservation; and Housing. It is recognized that, to a certain extent, all Elements of the City's General Plan are interrelated, and all General Plan Elements (along with their associated goals and policies) are tied to land use considerations within the City. The following discussions focus on General Plan goals and policies directly applicable to the Project within the context of the potential environmental impacts addressed by this Draft EIR. Please refer also to the City General Plan for additional goals and policies related to land use decisions and development within the City. The Project does not propose nor require an amendment to the City General Plan. Project consistency with applicable provisions of the General Plan Community Development Element is summarized subsequently within this Section.

4.1.3.2 City of Moreno Valley Municipal Zoning Code

Zoning is generally considered the primary tool for implementing a general plan. In contrast to the long-term, broad-based outlook of the general plan, zoning is a site-specific device designed to control the locations, configurations, and development intensities of various land uses. To prevent incompatible land use relationships, the City's Municipal Zoning Code (Zoning Code) and associated Zoning Map designate different areas or zones for different types of land uses, and establish development standards for each zone. These development standards may specify requirements for lot sizes, lot coverages, building heights, setbacks, parking, landscaping, and other development parameters. State law (Government Code §65860) requires zoning to be consistent with the general plan.

As discussed previously within this Section, the City's Zoning Map indicates that five of the six existing parcels within the Project site are currently zoned for Light Industrial (LI). The parcel not designated "LI," currently has a zoning designation of Business

Park-Mixed Use (BPX). To allow for development of this parcel with the Project's proposed light industrial/distribution warehouse uses, a zone change is requested, re-designating this single parcel as Light Industrial (LI). See also: Table 4.1-1, "City of Moreno Valley General Plan Land Use-Goals, Objectives and Policies Consistency."

4.1.3.3 Southern California Association of Governments (SCAG)

Pursuant to Public Resource Code Section 21063(d), SCAG reviews the Environmental Impact Reports of projects of regional significance for consistency with regional plans per the *CEQA Guidelines*, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for preparation of the Regional Transportation Plan (RTP) and correlating Regional Transportation Improvement Program (RTIP) under California Government Code Sections 65080 and 65082.

Further, as the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by SCAG is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

4.1.3.4 Western Riverside Council of Governments (WRCOG)

The Western Riverside Council of Governments is a voluntary association representing member local governments of Western Riverside County, whose aim is to provide and facilitate cooperative planning, coordination, and technical assistance on issues of mutual concern that cross jurisdictional lines. In this manner, WRCOG assists in developing consensus on sub-regional and regional issues. The City of Moreno Valley is a member of WRCOG.

As one of its primary efforts, WRCOG has developed and administers Western Riverside County's Transportation Uniform Mitigation Fee or TUMF. The TUMF

program ensures that new development pays its fair share for the increased transportation demand that it creates. The Project will pay required TUMF. Further, WRCOG sub-regional plans support and facilitate implementation of correlating SCAG regional plans and programs.

4.1.4 SIGNIFICANCE THRESHOLDS

Appendix G of the *CEQA Guidelines*, as applied by the City of Moreno Valley, indicates a project will normally have a potentially significant effect related to land use if it would:

- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect;

- Conflict with any applicable habitat conservation plan or natural community conservation plan; or

- Physically divide an established community.

4.1.5 POTENTIAL IMPACTS

Based on the preceding threshold considerations, the following discussions address the Project's potential land use and planning impacts.

Potential Impact: ***Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.***

Impact Analysis: The following discussions address the Project's consistency with governing requirements of the City General Plan and City Zoning Ordinance. Project

consistency with applicable SCAG Regional Transportation Plan/Sustainable Communities Goals is also evaluated.

General Plan Consistency

The City of Moreno Valley General Plan Land Use Plan establishes land use designations for all properties within the City boundaries. General Plan Land Use designations control the character and intensities of City land uses. All proposed development projects are required to comply with applicable goals, policies, and standards articulated for each of the General Plan Land Use designations, or must provide for amendment of the General Plan to accommodate proposed uses differing from the adopted Land Use designation. The Project site is designated by the City's General Plan as Business Park/Light Industrial, which allows for the warehouse distribution uses proposed by the RPT Centerpointe West Project. As such, no revision or amendment to the Project site's General Plan Land Use designation is requested or required. Project consistency with provisions of the City General Plan, Community Development Element, Land Use, is summarized at Table 4.1-1.

Table 4.1-1
City of Moreno Valley General Plan Land Use
Goals, Objectives and Policies Consistency

GOALS/OBJECTIVES/POLICIES	APPLICABILITY/CONSISTENCY
Community Development Element Goal 2.1: A pattern of land uses, which organizes future growth, minimizes conflicts between land uses, and which promotes the rational utilization of presently underdeveloped and undeveloped parcels.	***Consistent.*** *The Project proposes development and improvement of vacant, underutilized property. The proposed uses are consistent with the existing General Plan land use designation for the Project site, and have been designed to minimize potential conflicts between land uses. In order to allow for the comprehensive development of warehouse distribution uses proposed by the Project, and establish consistency of proposed uses with the City Zoning Ordinance, a change of zone (from Business Park Mixed Use to Light Industrial, LI) is requested for approximately 7.6 acres of the Project site (APN 297-120-027). The remainder of the Project site (approximately 48.6 acres) is zoned LI and currently permits or conditionally permits uses proposed by the Project.*

Table 4.1-1
City of Moreno Valley General Plan Land Use
Goals, Objectives and Policies Consistency

GOALS/OBJECTIVES/POLICIES	APPLICABILITY/CONSISTENCY
Objective 2.5: Promote a mix of industrial uses which provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley with the establishment of industrial activities that have good access to the regional transportation system, accommodate the personal needs of workers and business visitors; and which meets the service needs of local businesses.	***Consistent.*** *The Project proposes new industrial development within the City, and will create additional job opportunities (temporary construction jobs and permanent warehouse staff and management positions). At buildout, the Project is anticipated to generate between 1,200 and 1,300 permanent jobs.[12] Employment opportunities created by the Project are anticipated to be filled from local employment pools. Regional access to the Project site is provided via the Interstate 215/Cactus Avenue interchange, located approximately one mile westerly of the Project site. Distribution warehouse services provided by the Project will support and serve local and regional businesses.*
Policy 2.5.1: The primary purpose of areas designated Business Park/Industrial is to provide for manufacturing, research and development, warehousing and distribution, as well as office and support commercial activities. The zoning regulations shall identify the particular uses permitted on each parcel of land. Development intensity should not exceed a Floor Area Ratio of 1.00 and the average floor area ratio should be significantly less.	***Consistent.*** *The Project's proposed uses are consistent with those noted in Policy 2.5.1. To allow for comprehensive development of the Project site with the proposed light industrial/distribution warehouse uses, a zone change from "Business Park" to "Light Industrial" is requested for approximately 7.6 acres of the Project site (APN 297-120-027). The remainder of the Project site (approximately 48.6 acres) is zoned LI and currently permits or conditionally permits uses proposed by the Project. The Project's overall floor area ratio [1.281 million square feet of development divided by 56.2 acres (approximately 2.448 million square feet) of land] averages 0.52, which is considerably lower than the City's maximum FAR.*
Policy 2.5.2: Locate manufacturing and industrial uses to avoid adverse impacts on surrounding land uses.	***Consistent.*** *As demonstrated in this Draft EIR, potentially adverse impacts to surrounding land uses are avoided or reduced through Project design and operational programs; application of EIR mitigation measures; compliance with Project Conditions of Approval; and mandated regulatory compliance. Further, the Project is appropriately located within an area that is designated and planned for, or is already developed with, similar compatible uses. The Project will be designed, implemented, and operated consistent with the applicable provisions of the General Plan, Zoning Ordinance, and City Municipal Code.*

[12] Based on approximately one job per 1,030 square feet of development, and an estimated total Project building area of 1,281,000 square feet. (*See:* Riverside County General Plan Appendix E, Buildout Assumptions and Methodology, Page 6, Light Industrial employment multiplier.)

Table 4.1-1
City of Moreno Valley General Plan Land Use
Goals, Objectives and Policies Consistency

GOALS/OBJECTIVES/POLICIES	APPLICABILITY/CONSISTENCY
Policy 2.5.3: Screen manufacturing and industrial uses where necessary to reduce glare, noise, dust, vibrations and unsightly views.	***Consistent.*** *The Project proposes contemporary industrial designs, and evidences enhanced performance standards required of uses proposed within the City's Light Industrial zoning district. Further, the Project will be designed and implemented consistent with City design standards presented at Municipal Code Section 9.05.040, "Industrial site development standards."*
Policy 2.5.4: Design industrial developments to discourage access through residential areas.	***Consistent.*** *Access to the Project site through residential neighborhoods is not required, nor is it proposed. As noted previously, the Project is provided regional access via the I-215/Cactus Avenue interchange. Connecting access to the Project area is provided by Cactus Avenue, a designated major arterial and truck route.*

Source: City of Moreno Valley General Plan, Community Development Element.

Zoning Consistency

Existing and Proposed Zoning Designations: General Plan Consistency

The Project site in total approximates 56.2 acres and is designated for Business Park/Light Industrial uses by the City of Moreno Valley General Plan Land Use Map. As noted previously, the City's General Plan "Business Park/Light Industrial" allows for either business park or light industrial uses, as determined by the overlying Zoning designation. Within the Project site, approximately 48.6 acres (or five of the six existing parcels within the Project area) are currently zoned for Light Industrial (LI) uses. The lone parcel not designated for LI uses is located at the northeast corner of the Cactus Avenue/Frederick Street intersection, and has a zoning designation of "BPX," or Business Park Mixed Use. The Project proposes a zone change for this parcel, from BPX to LI. Other parcels within the Project Site would retain their existing LI zoning designations. Existing and proposed zoning designations for the Project site as well as development proposed the Project are consistent with the underlying General Plan Land Use designation. Accordingly, amendment to the site's current General Plan Land Use designation is not required, nor is it proposed.

Industrial Zone District Intent and Purpose: Project Consistency

The Moreno Valley Municipal Code, Section 9.05.010, states:

> The primary purpose of industrial [zone] districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional, and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

Project consistency with the intent and purpose of the City's industrial zoning district is summarized below.

- **Sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley**

As noted previously in this Section, the Project will create additional local employment opportunities. At buildout, the Project is estimated to provide approximately 1,200 to 1,300 additional full-time jobs. Warehouse/logistics jobs such as those created by the Project tend to provide defined skill ladders with relatively high base pay scales. Further, these jobs are increasingly technologically dependent, allowing for on-the-job training, and upward mobility within the warehouse logistics economic sector. On this basis, the Project is considered consistent with the intent of the industrial district to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley.

- **Specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional, and open space uses located elsewhere in the community**

The City's General Plan has established a pattern of planned business park/light industrial uses along the northerly Cactus Avenue frontage in the Project vicinity. More specifically, Business Park/Light Industrial Land Uses (including the Project site) are designated on the City General Plan Land Use Map along the northerly frontage of Cactus Avenue extending from Interstate 215, and continuing to Heacock Street, a distance of approximately 2.1 miles to the east. The Project site's frontage along Cactus Avenue represents an approximately one-quarter mile component of the almost continuous 2.1 mile "edge" of Business Park/Light Industrial land uses along Cactus Avenue.

Five of the six parcels comprising the Project site, or approximately 48.6 acres of the 56.2 acre Project site, are currently zoned for development of Light Industrial uses. The Project proposes a change of zone from Business Park to Light Industrial (LI) for that portion of the Project site (approximately 7.6 acres) not currently designated LI. The requested LI zone designation for the subject property would allow for proposed interim use of the subject property as a truck parking area, and would allow for its ultimate development with the type and scale of industrial uses proposed by the Applicant.

Potential adverse impacts to off-site land uses are reduced through compliance with applicable performance standards, including those affecting the design of the Project, requirements stipulated by the EIR mitigation measures, regulatory requirements of the City and Responsible Agencies, and City Conditions of Approval. The Project is not proximate to, and would not discernibly affect, designated Open Space areas.

Please refer also to specific environmental topical discussions presented in this EIR, and EIR Section 1.0, Table 1.10-1, Summary of Impacts and Mitigation Measures.

- **Good access to the regional transportation system**

The Project site is provided proximate access to Interstate 215 (I-215) via the I-215/Cactus Avenue interchange, facilitating regional access to and from the Project site. This major access route supports regional transportation needs of the Project distribution warehouse operations.

- **Accommodates the personal needs of workers and business visitors; meets the service needs of local businesses**

The Project provides appropriate support services and facilities for workers and visitors. Distribution warehouse services provided by the Project will support and serve local and regional businesses.

Consistency with Southern California Association of Governments (SCAG) Plans and Policies

Table 4.1-2 cites applicable SCAG Regional Transportation Plan/Sustainable Communities Strategy Goals, and summarizes Project consistency with each. As indicated at Table 4.1-2, the Project is considered to be consistent with, and supports applicable SCAG Regional Transportation Plan/Sustainable Communities Strategy Goals. Related to the summary discussions presented at Table 4.1-2, Table 4.1-3 presents regional and City of Moreno Valley growth forecasts adopted by SCAG as part of the 2012 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) program.

Table 4.1-2
SCAG Regional Transportation Plan/
Sustainable Communities Strategy Goals Consistency

Goal/ Principle	Policy	Statement of Consistency
Regional Transportation Plan Policies		
RTP/ SCS G1	Align the plan investments and policies with improving regional economic development and competitiveness.	**Consistent:** The Project does not have control over the RPT/SCS Plans or Policies addressing regional economic development and competitiveness. Notwithstanding, the Project proposes new light industrial/distribution warehouse uses that will increase the City and region's economic base while expanding area employment opportunities. In this manner the Project supports and is consistent with RTP/SCS Goal 1 to "[a]lign the plan investments and policies with improving regional economic development and competitiveness."
RTP/ SCS G2	Maximize mobility and accessibility for all people and goods in the region.	**Consistent:** Distribution warehouse uses proposed by the Project will facilitate movement of goods throughout the region. The Project's location proximate to local major roadways (Cactus Avenue/Heacock Street) and regional transportation routes (Interstate 215) ensure this is accomplished in an efficient manner. Moreover, the Project will create an estimated 1,200 to 1,300 new jobs within a "jobs poor/housing rich area." In this manner, the Project locates new jobs near existing housing, thereby reducing areawide vehicle miles traveled while facilitating local access to employment centers. In this manner the Project supports and is consistent with RTP/SCS Goal 2 to "[m]aximize mobility and accessibility for all people and goods in the region."

Table 4.1-2
SCAG Regional Transportation Plan/
Sustainable Communities Strategy Goals Consistency

RTP/ SCS G3	Ensure travel safety and reliability for all people and goods in the region.	**Consistent:** As noted above, the Project will facilitate local and regional movements of goods and people. The Project will construct and/or participate on a fair share basis in all improvements necessary to ensure safe and reliable travel within the local and regional transportation systems. In combination, these measures provide and promote safe and reliable transport of goods and people within the region. In this manner the Project supports and is consistent with RTP/SCS Goal 3 to [e]nsure travel safety and reliability for all people and goods in the region."
RTP/ SCS G4	Preserve and ensure a sustainable regional transportation system.	**Consistent:** The Project will construct and/or fund localized transportation system improvements as required by the City of Moreno Valley, and will also pay requisite Transportation Uniform Mitigation Fees (TUMF) directed toward preservation and improvement of the regional transportation system. In this manner, the Project supports and is consistent with RTP/SCS Goal 4 to "[p]reserve and ensure a sustainable regional transportation system."
RTP/ SCS G5	Maximize the productivity of our transportation system.	**Consistent:** Location of the Project proximate to serving local and regional transportation promotes transportation system efficiencies and reduces vehicle miles traveled (VMT). Moreover, distribution warehouse uses proposed by the Project generally promote efficient use of available transportation facilities and resources by consolidating products for shipment to customers, reducing transportation demands and costs, and allowing for the positioning of products and services close to major markets and customers. In this manner, the Project supports and is consistent with RTP/SCS Goal 5 to "[m]aximize the productivity of our transportation system."

Table 4.1-2
SCAG Regional Transportation Plan/
Sustainable Communities Strategy Goals Consistency

RTP/ SCS G6	Protect the environment and health for our residents by improving air quality and encouraging active transportation (non-motorized transportation, such as bicycling and walking).	**Consistent:** As noted in the previous discussions, the Project uses and their location proximate to local and regional transportation corridors act to reduce VMT, and in so doing will reduce regional mobile source air pollutants. Bicycle facilities will be provided for employees consistent with or exceeding City of Moreno Valley code requirements. Sidewalks and pedestrian facilities will be provided consistent with or exceeding City of Moreno Valley requirements. Moreover, the Project will be designed, constructed, and operated to meet or exceed Title 24 energy efficiency requirements, generally promoting Project sustainability and reducing the Project's potential environmental effects. In this manner the Project supports and is consistent with RTP/SCS Goal 6 to "[p]rotect the environment and health for our residents by improving air quality and encouraging active transportation (non-motorized transportation, such as bicycling and walking)."
RTP/ SCS G7	Actively encourage and create incentives for energy efficiency, where possible.	**Consistent:** The Project does not have control over the RPT/SCS Plans or Policies to actively encourage and create incentives for energy efficiency. Notwithstanding, as noted above, the Project will be designed, constructed, and operated to meet or exceed Title 24 requirements including efficient use of resources generally and energy specifically. Moreover, the distribution warehouse uses proposed by the Project and their location proximate to local and regional transportation facilities VMT, and promotes efficient use of resources (e.g., motor fuels). The Project will also be designed to accommodate installation of photo voltaic solar panels (or similar technologies) acting to reduce Project demands on the serving power grid(s). In this manner the Project supports and is consistent with RTP/SCS Goal 7 to "[a]ctively encourage and create incentives for energy efficiency, where possible."

Table 4.1-2
SCAG Regional Transportation Plan/
Sustainable Communities Strategy Goals Consistency

RTP/ SCS G8	Encourage land use and growth patterns that facilitate transit and non-motorized transportation.	**Consistent:** The Project does not have control over the RPT/SCS Plans or Policies to encourage land use and growth patterns that facilitate transit and non-motorized transportation. Notwithstanding, uses proposed by the Project are consistent with those allowed under the City's General Plan and as such the Project uses are consistent with anticipated land use and growth patterns. Moreover, the Project does not propose uses or operations that would otherwise conflict with or obstruct local or regional plans or programs that facilitate transit and non-motorized transportation. In this manner, the Project supports and is consistent with RTP/SCS Goal 8 to "[e]ncourage land use and growth patterns that facilitate transit and non-motorized transportation."
RTP/ SCS G9	Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.	**Consistent:** The Project does not have control over the RPT/SCS Plans or Policies to maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies. Notwithstanding, the Project does not propose uses or operations that would conflict with or otherwise obstruct plans or programs that ensure or enhance the security of the regional transportation system. Moreover, the Project will construct and fund local improvements, and pay requisite TUMF that collectively improve the local and regional transportation systems, tangentially promoting security of the transportation system. The Project will continue coordination with local and regional transportation entities, and will comply with any applicable system monitoring and recovery planning actions.

Source: SCAG 2012 RTP/SCS

Table 4.1-3
SCAG Adopted Growth Forecasts

Year	Population	Households	Employment	Employment/ Household Ratio
City of Moreno Valley				
2020	213,700	60,000	48,000	0.80
2035	255,200	72,800	64,400	0.88
SCAG Region				
2020	19,663,200	6,458,000	8,414,000	1.30
2035	22,091,000	7,325,000	9,441,000	1.29

Source: SCAG 2012 RTP/SCS

On the basis of the preceding discussions, the Project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project.

Level of Significance: Less-Than-Significant.

Mitigation Measures: No mitigation is required.

Potential Impact: ***Conflict with any applicable habitat conservation plan or natural community conservation plan.***

Impact Analysis: The Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). As discussed previously within the Project Initial Study (IS), the Project will implement mitigation that ensures compliance with applicable provisions and requirements of the MSHCP. As set forth in the City's General Plan EIR, the Project will be required to pay applicable MSHCP Development Mitigation Fees. The Project is not subject to requirements of any other applicable conservation plan or natural community conservation plan. With implementation of proposed Mitigation Measures BR-1 and BR-2, the potential for the

Project to conflict with any applicable habitat conservation plan or natural community conservation plan is less-than-significant.

Level of Significance: Less-Than-Significant.

Mitigation Measures: No mitigation is required.

Potential Impact: ***Physically divide an established community.***

Impact Analysis: As noted previously, the Project site is located within, and continues the business park/light industrial land uses that exist or are proposed along the northerly Cactus Avenue frontage, consistent with land use and development patterns reflected in the Moreno Valley General Plan Land Use Map (please refer to previous Figure 4.1-2). More specifically, General Plan Business Park/Light Industrial Land Use designations exist along the northerly edge of Cactus Avenue extending from the I-215/Cactus Avenue interchange westerly to Heacock Street, a distance of approximately 2.1 miles. The Project site's frontage along Cactus Avenue represents an approximately one-quarter mile component of these Business Park/Light Industrial land uses.

The Project's proposed light industrial/warehouse distribution uses are compatible with, and similar to, anticipated development in the Project vicinity. More specifically, distribution warehouse land uses have been approved as part of the Centerpointe development, abutting the Project site to the east. The westerly limits of the project site are defined by Frederick Street. Properties westerly of Frederick Street are vacant or are developed with light industrial/business park uses. Northerly of the Project site, land uses are vacant or are developed with compatible office or commercial uses. Cactus Avenue defines the southerly limits of the Project site and physically separates the Project MARB land uses farther to the south. The Project does not propose nor require elements that would physically divide an established community.

As discussed above, the Project will establish land uses that are compatible based with existing development and City General Plan land use designations. The Project's potential to adversely affect vicinity properties is further reduced by site plan design(s) and required perimeter landscape/hardscape features. Abutting roadways physically separate the Project site from southerly and westerly adjacent land uses. The Project site will be further defined and separated from adjacent land uses by landscaping and edge treatment concepts that will be implemented consistent with City Landscape Standards and Municipal Zoning Code Chapter 9.05 requirements and standards.

As supported by the preceding discussion, the Project's potential to physically divide an established community is determined to be less-than-significant.

Level of Significance: Less-Than-Significant.

Mitigation Measures: No mitigation is required.

4.2 TRAFFIC AND CIRCULATION

4.2 TRAFFIC AND CIRCULATION

Abstract

This Section addresses the Project's potential to increase traffic and congestion on roadways within the traffic impact study area (Study Area). Site access and circulation are also evaluated. More specifically, this Section evaluates traffic and conditions under Opening Year (2017) and Opening Year Cumulative conditions, and determines whether the Project will result in or cause any of the following impacts.

- *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.*

- *Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.*

- *A substantial increase in hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).*

- *Result in inadequate emergency access.*

In consideration of the potential impacts summarized above, the Project Traffic Impact Analysis (TIA) identifies specific improvements (e.g., traffic signals, roadway widening) that, upon construction, would successfully mitigate traffic impacts affecting the Study Area. Consistent

with the methodology established by the Lead Agency, the Project TIA evaluates potential traffic impacts under Existing (2012), Opening Year (2017) and Opening Year Cumulative Conditions. The Project will construct all circulation system improvements necessary to mitigate its specific impacts, and ensure efficient and safe access within the Study Area.

Cumulative Intersection and Roadway Segment Impacts and Mitigation

As discussed herein, area-serving traffic improvements are funded by fees collected and allocated under established programs [the Traffic Uniform Mitigation Fee (TUMF) Program; City of Moreno Valley Development Impact Fee (DIF) Program; and Project-related fair-share participation] which collectively provide for construction of necessary traffic improvements within the Study Area. To mitigate incremental contributions to cumulative traffic impacts affecting off-site roadways and intersections within the Study Area, the Project Applicant will pay requisite fees toward the construction of necessary improvements. Notwithstanding, payment of traffic impact fees does not ensure timely completion of those traffic improvements necessary to mitigate potentially significant cumulative traffic impacts affecting the Study Area. Moreover, neither the City nor the Project Applicant may autonomously or independently construct off-site or extra-jurisdictional traffic improvements, such as would be necessary to mitigate impacts to California Department of Transportation (Caltrans) facilities within the Study Area.

In these instances, while Project-specific traffic impacts would not be individually significant, there are no feasible means to mitigate these impacts, and the Project's contributions to cumulative impacts would therefore be considered cumulatively considerable. ***On this basis, pending completion of required improvements, the Project's incremental contributions to Opening Year Cumulative traffic impacts at the following intersections are cumulatively considerable, significant and unavoidable*** *(jurisdictional control of affected facilities is indicated parenthetically)****:***

- ***I-215 Southbound Ramps at Cactus Avenue (Caltrans);***
- ***I-215 Northbound Ramps at Cactus Avenue (Caltrans);***
- ***Elsworth Street at Cactus Avenue (City of Moreno Valley);***
- ***Frederick Street at Cactus Avenue (City of Moreno Valley); and***
- ***Graham Street at Cactus Avenue (City of Moreno Valley).***

Similarly, pending completion of the required improvements, the Project's contributions to Opening Year Cumulative traffic impacts at the following roadway segments are cumulatively considerable, significant and unavoidable:

- ***Cactus Avenue, I-215 Northbound Ramps to Commerce Center Drive (Caltrans);***
- ***Cactus Avenue, Commerce Center Drive to Elsworth Street (City of Moreno Valley);***
- ***Cactus Avenue, Elsworth Street to Veterans Way (City of Moreno Valley);***
- ***Cactus Avenue, Veterans Way to Frederick Street (City of Moreno Valley);***
- ***Cactus Avenue, Frederick Street to Driveway 3 (City of Moreno Valley);***
- ***Cactus Avenue, Driveway 3 to Driveway 4 (City of Moreno Valley); and***
- ***Cactus Avenue, Driveway 4 to Graham Street (City of Moreno Valley).***

Cumulative Freeway Ramp Impacts and Mitigation

As also discussed in this Section, under Opening Year Cumulative Conditions, certain freeway ramp queues within the Study Area are projected to operate under deficient conditions, with or without the Project. The Project would contribute additional traffic to these already deficient conditions. Mitigation of freeway facility impacts is under extra-jurisdictional control (all freeway ramps within the Study Area are under Caltrans jurisdiction), and is a regional/state responsibility beyond the control and scope of the Project, thus there are no feasible means for the Project to mitigate these impacts. ***As such, pending completion of planned improvements to I-215, the Project's contributions to Opening Year Cumulative freeway ramp queues at the following locations are cumulatively considerable, significant and unavoidable:***

- ***I-215 Southbound Ramps at Cactus Avenue, Westbound Left-turn (evening peak hour period);***
- ***I-215 Northbound Ramps at Cactus Avenue, Northbound Left-turn (morning and evening peak hour periods); and***
- ***I-215 Northbound Ramps at Cactus Avenue, Westbound Through Lane (morning peak hour only).***

All other potential traffic/circulation impacts of the Project were found to be less-than-significant. Please refer also to the Project Traffic Impact Analysis (Project TIA) presented at EIR Appendix B.

4.2.1 INTRODUCTION

The detailed evaluation of potential Project-related traffic and circulation impacts is documented in the *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) dated August 6, 2012 (Project TIA). The TIA and supporting data are presented at EIR Appendix B. The traffic issues related to the Project have been evaluated within the TIA in the context of the California Environmental Quality Act (CEQA) and as directed by the City of Moreno Valley, the Lead Agency responsible for preparation of the TIA.

4.2.2 STUDY AREA AND METHODOLOGY

The Scope of Work and methodology for the Project TIA was developed based on discussions with the City of Moreno Valley, as well as a review of the City's guidelines for the preparation of traffic impact studies, the *City of Moreno Valley Transportation Engineering Division Traffic Impact Analysis Preparation Guide* (August 2007). Pursuant to the TIA Scope of Work and City requirements, the TIA analyzes the Project's potential traffic impacts under the following scenarios:

- Existing (2012) conditions;
- Opening Year (2017) conditions, considering the Project plus the addition of traffic due to ambient growth; and
- Opening Year (2017) Cumulative conditions, which considers the Project plus the addition of traffic from both ambient growth and cumulative development projects.

In order to determine the Project's contribution to traffic impacts, a "No-Project" forecast is compared to "With-Project" conditions under each of the above scenarios.

4.2.2.1 Study Area Intersections

The Study Area scope includes the following twenty intersections, which were selected based on the City's TIA analysis methodology that requires the analysis of intersections at which the proposed Project would add 50 or more peak hour trips, as well as input

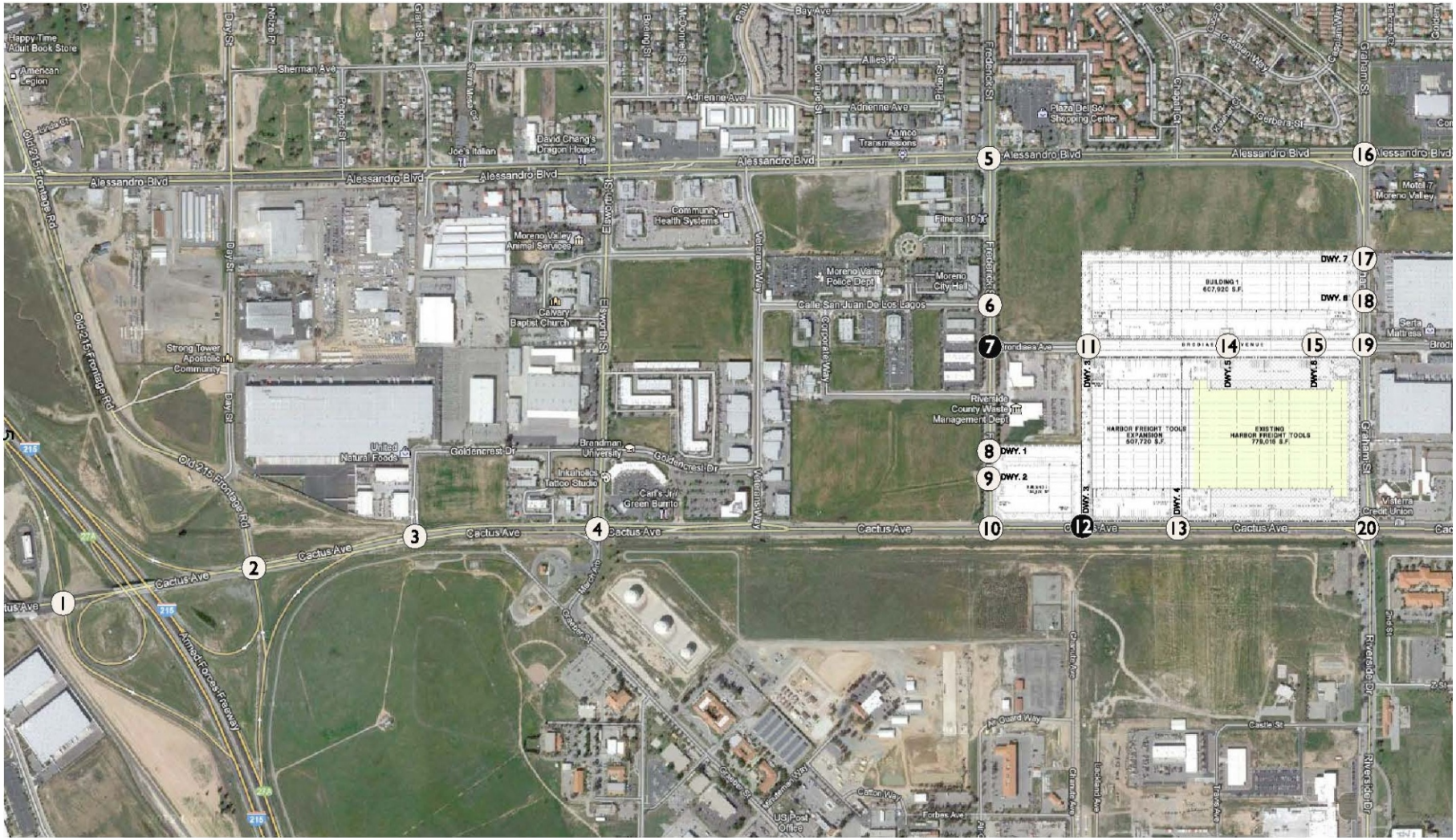
from the City of Moreno Valley Traffic Engineering Division. The TIA's Study Area key intersections are identified in Table 4.2-1, and illustrated in the following Figure 4.2-1.

Table 4.2-1
Study Area Intersections

ID	Description	Existing Traffic Control
1	I-215 Southbound Ramps at Cactus Avenue	Traffic Signal
2	I-215 Northbound Ramps at Cactus Avenue	Traffic Signal
3	Commerce Center Drive at Cactus Avenue	Traffic Signal
4	Elsworth Street at Cactus Avenue	Traffic Signal
5	Frederick Street at Alessandro Boulevard	Traffic Signal
6	Frederick Street at Calle San Juan de los Lagos	Traffic Signal
7	Frederick Street at Brodiaea Avenue	Cross-Street Stops
8	Frederick Street at Driveway 1 (future intersection)	Not Applicable
9	Frederick Street at Driveway 2 (future intersection)	Not Applicable
10	Frederick Street at Cactus Avenue	Traffic Signal
11	Joy Street/Driveway 3 at Brodiaea Avenue	Cross-Street Stops
12	Driveway 3 at Cactus Avenue (future intersection)	Not Applicable
13	Joy Street/Driveway 4 at Cactus Avenue	Traffic Signal
14	Driveway 5 at Brodiaea Avenue	Cross-Street Stops
15	Driveway 6 at Brodiaea Avenue	Cross-Street Stops
16	Graham Street at Alessandro Boulevard	Traffic Signal
17	Graham Street at Driveway 7	Cross-Street Stops
18	Graham Street at Driveway 8	Cross-Street Stops
19	Graham Street at Brodiaea Avenue	Traffic Signal
20	Graham Street at Cactus Avenue	Traffic Signal

Source: *Harbor Freight Expansion Project Traffic Impact Analysis (*Urban Crossroads, Inc.) August 6, 2012.

Each of the Study Area intersection locations was analyzed to assess weekday morning and evening peak hour performance (7:00 a.m. to 9:00 a.m., and 4:00 p.m. to 6:00 p.m., respectively).



LEGEND:

19 = INTERSECTION ANALYSIS LOCATION

7 = RIGHT-IN / RIGHT-OUT ACCESS ONLY

N

NOT TO SCALE

Source: Urban Crossroads, Inc.

applied planning inc

Figure 4.2-1
Study Area Intersections

4.2.2.2 Roadway Segments

In addition to intersections, the Project TIA analyzed potential Project impacts for 37 roadway segments within the Study Area. These roadway segments, which include locations where the Project is anticipated to contribute 50 or more peak-hour trips, are identified in Table 4.2-2. The locations of these roadway segments can be identified on Figure 4.2-1.

Table 4.2-2
Study Area Roadway Segments

ID	Street	Segment
1	Alessandro Boulevard	West of Frederick Street
2		East of Frederick Street
3		West of Graham Street
4		East of Graham Street
5	Calle San Juan de los Lagos	West of Frederick Street
6	Brodiaea Avenue	East of Frederick Street
7		Driveway 3 to Driveway 5
8		Driveway 5 to Driveway 6
9		Driveway 6 to Graham Street
10		East of Graham Street
11	Cactus Avenue	West of I-215 Freeway
12		I-215 Southbound Ramps to I-215 Northbound Ramps
13		I-215 Northbound Ramps to Commerce Center Drive
14		Commerce Center Drive to Elsworth Street
15		Elsworth Street to Veterans Way
16	Cactus Avenue	Veterans Way to Frederick Street
17		Frederick Street to Driveway 3
18		Driveway 3 to Driveway 4
19		Driveway 4 to Graham Street
20		East of Graham Street

Table 4.2-2
Study Area Roadway Segments

21	Frontage Road	North of Cactus Avenue
22	Commerce Center Drive	North of Cactus Avenue
23	Elsworth Street	North of Cactus Avenue
24		South of Cactus Avenue
25	Frederick Street	North of Alessandro Boulevard
26		Alessandro Boulevard to Calle San Juan de los Lagos
27		Calle San Juan de los Lagos to Brodiaea Avenue
28		South of Brodiaea Avenue
29		North of Driveway 1
30		Driveway 1 to Driveway 2
31		Driveway 2 to Cactus Avenue
32	Graham Street	North of Alessandro Boulevard
33		Alessandro Boulevard to Driveway 7
34		Driveway 7 to Driveway 8
35		Driveway 8 to Brodiaea Avenue
36		Brodiaea Avenue to Cactus Avenue
37		South of Cactus Avenue

Source: *Harbor Freight Expansion Project Traffic Impact Analysis (*Urban Crossroads, Inc.) August 6, 2012.

4.2.2.3 Freeway Mainline Segments

Consistent with Caltrans traffic study guidelines, the TIA provides analysis of four freeway "mainline" segments, located on either side of the northbound and southbound Cactus Avenue interchange with I-215, where the Project is anticipated to contribute more than 100 two-way peak hour trips. The Study Area freeway mainline segments analyzed include northbound and southbound direction segments, which are identified in Table 4.2-3. All freeway mainline segments are under Caltrans jurisdiction.

Table 4.2-3
Study Area Freeway Mainline Segments

ID	Freeway, Direction	Segment
1	I-215 Freeway, Southbound	North of Cactus Avenue
2	I-215 Freeway, Southbound	South of Cactus Avenue
3	I-215 Freeway, Northbound	North of Cactus Avenue
4	I-215 Freeway, Northbound	South of Cactus Avenue

Source: *Harbor Freight Expansion Project Traffic Impact Analysis (*Urban Crossroads, Inc.) August 6, 2012.

4.2.2.4 Freeway Merge/Diverge Ramp Junctions

An analysis of freeway "merge/diverge" ramp junction locations is also included in the Project TIA for six I-215 Freeway ramp junctions for both the northbound and southbound directions of flow. Study Area freeway merge/diverge ramp junctions are listed in Table 4.2-4. All Study Area freeway merge/diverge ramp junctions are under Caltrans jurisdiction.

Table 4.2-4
Study Area Freeway Merge/Diverge Ramp Junctions

ID	Freeway, Direction	Ramp Junction
1	I-215 Freeway, Southbound	Off-ramp at Cactus Avenue (Diverge)
2	I-215 Freeway, Southbound	Loop off-ramp at Cactus Avenue (Diverge)
3	I-215 Freeway, Southbound	On-ramp at Cactus Avenue (Merge)
4	I-215 Freeway, Northbound	Off-ramp at Cactus Avenue (Diverge)
5	I-215 Freeway, Northbound	Loop on-ramp at Cactus Avenue (Merge)
6	I-215 Freeway, Northbound	On-ramp at Cactus Avenue (Merge)

Source: *Harbor Freight Expansion Project Traffic Impact Analysis (*Urban Crossroads, Inc.) August 6, 2012.

4.2.3 LEVEL OF SERVICE (LOS) CRITERIA

"Level of service" is a term which denotes any number of combinations of traffic operating conditions that may occur on a given travel lane or at a given intersection when it is subjected to various traffic volumes. Level of Service (LOS) is a measure of "quality of flow." LOS classifications of A through F correlate to traffic congestion from best to worst, respectively. In general, Level A represents free-flow conditions with no congestion. Conversely, Level F represents severe congestion with stop-and-go conditions, and is considered to be unsatisfactory. The following discussions present LOS criteria and their applications for various transportation network elements within the Study Area.

4.2.3.1 Intersection LOS Criteria

For intersections, average total delay per vehicle (usually expressed in seconds) is used to define levels of service. As abstracted from the *Highway Capacity Manual 2000 (HCM),* Chapter 16 (Signalized Intersections) LOS definitions for signalized intersections are provided in Table 4.2-5. Corresponding LOS definitions for unsignalized (i.e., stop-sign controlled) intersections as presented in the HCM, Chapter 17 (Unsignalized Intersections) are summarized in Table 4.2-6.

Table 4.2-5
Level of Service Thresholds for Signalized Intersections

Level of Service (LOS)	Description	Average Control Delay Per Vehicle (seconds/vehicle)
A	Operations with very low delay occurring with favorable progression and/or short cycle length.	0 to 10.00
B	Operations with low delay occurring with good progression and/or short cycle lengths.	10.01 to 20.00
C	Operations with average delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures begin to appear.	20.01 to 35.00
D	Operations with longer delays due to a combination of unfavorable progression, long cycle lengths, or high V/C ratios. Many vehicles stop and individual cycle failures are noticeable.	35.01 to 55.00

Table 4.2-5
Level of Service Thresholds for Signalized Intersections

Level of Service (LOS)	Description	Average Control Delay Per Vehicle (seconds/vehicle)
E	Operations with high delay values indicating poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent occurrences. This is considered to be the limit of acceptable delay.	55.01 to 80.00
F	Operation with delays unacceptable to most drivers occurring due to oversaturation, poor progression, or very long cycle lengths.	≥ 80.01

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.

Table 4.2-6
Level of Service Thresholds for Unsignalized Intersections

Level of Service (LOS)	Description	Average Control Delay Per Vehicle (seconds/vehicle)
A	Little or no delays.	0 to 10.00
B	Short traffic delays.	10.01 to 15.00
C	Average traffic delays.	15.01 to 25.00
D	Long traffic delays.	25.01 to 35.00
E	Very long traffic delays.	35.01 to 50.00
F	Extreme traffic delays with intersection capacity exceeded.	≥ 50.01

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.

4.2.3.2 Roadway Segment LOS Criteria

In order to assess roadway segment capacity in the Study Area, the Project TIA utilized the City of Moreno Valley TIA Guidelines to determine the LOS capacities for each type of roadway analyzed. These capacity guidelines are provided in Table 4.2-7. It should be noted, however, that these estimates are considered "rule of thumb" guidelines used for planning purposes, and are affected by such factors as intersection spacing and controls, roadway grades, design geometrics, sight distance, vehicle mix, and pedestrian or bicycle traffic. When the roadway segment capacity analysis indicates a deficiency, a review of the more detailed peak hour intersection analysis and

progressions analysis is undertaken. As such, roadway segment widening is typically only recommended if the peak hour intersection analysis indicates the need for additional through lanes.

Table 4.2-7
Roadway Segment Capacity LOS Thresholds[1]

Facility Type	Level of Service Capacity				
	A	B	C	D	E
Six Lane Divided Arterial	33,900	39,400	45,000	50,600	56,300
Four Lane Divided Arterial	22,500	26,300	30,000	33,800	37,500
Four Lane Undivided Arterial	15,000	17,500	20,000	22,500	25,000
Two Lane Industrial Collector	7,500	8,800	10,000	11,300	12,500
Two Lane Undivided Residential	N/A	N/A	N/A	N/A	2,000

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.

Note:

1 These maximum roadway capacities have been extracted from the City of Moreno Valley Transportation Division's TIA Preparation Guidelines (August 2007). These roadway capacities are "rule of thumb" estimates for planning purposes. The LOS E service volumes are estimated maximum daily capacity for respective roadway classifications. Capacity is affected by such factors as intersections (spacing, configuration and control features); degree of access control; roadway grades; design geometrics (horizontal and vertical alignment standards); sight distance; vehicle mix (truck and bus traffic); and pedestrian/bicycle traffic.

4.2.3.3 Freeway Ramp Progression (Queuing) Criteria

The Study Area includes segments of the I-215 Freeway and associated freeway on- and off-ramps. Consistent with Caltrans requirements, potential queuing impacts have been evaluated for the I-215 freeway ramps at Cactus Avenue. Storage (queuing) length recommendations at the ramps have been based upon the 95th percentile queue resulting from the analysis. The 95th-percentile queue is defined to be the queue length (in vehicles) that has only a five percent probability of being exceeded during the analysis time period. It is a useful parameter for determining the appropriate length of queuing lanes, but it is not typical of what an average driver would experience. The queue length reported is for the lane with the highest queue in the evaluated lane group.

4.2.3.4 Freeway Mainline Segment LOS Criteria

For the purposes of the Project TIA, the freeway system in the Study Area, from north and south of Cactus Avenue, has been broken into segments defined by the freeway-to-arterial interchange locations. The identified freeway segments were then evaluated based upon peak-hour directional volumes. The freeway segment analysis has been accomplished consistent with methodology requirements as described in Chapter 23 of the Highway Capacity Manual. Caltrans employs vehicle density performance standards to calculate freeway segment LOS. Vehicle density is expressed in terms of passenger cars per mile per lane. Table 4.2-8 presents applicable freeway segment LOS standards correlating to various vehicle density ranges.

Table 4.2-8
Freeway Mainline Level of Service Thresholds

Level of Service (LOS)	Description	Density Range (pc/mi/ln)[1]
A	Free-flow operations in which vehicles are relatively unimpeded in their ability to maneuver within the traffic stream. Effects of incidents are easily absorbed.	0.0 to 11.00
B	Relative free-flow operations in which vehicle maneuvers within the traffic stream are slightly restricted. Effects of minor incidents are easily absorbed.	11.1 to 18.0
C	Travel is still at relative free-flow speeds, but freedom to maneuver within the traffic stream is noticeably restricted. Minor incidents may be absorbed, but local deterioration in service will be substantial. Queues begin to form behind significant blockages.	18.1 to 26.0
D	Speeds begin to decline slightly and flows and densities begin to increase more quickly. Freedom to maneuver is noticeably limited. Minor incidents can be expected to create queuing as the traffic stream has little space to absorb disruptions.	26.1 to 35.0
E	Operation at capacity. Vehicles are closely spaced with little room to maneuver. Any disruption in the traffic stream can establish a disruption wave that propagates throughout the upstream traffic flow. Any incident can be expected to produce a serious disruption in traffic flow and extensive queuing.	35.1 to 45.0
F	Breakdown in vehicle flow.	≥ 45.0

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.
Note:

[1] pc/mi/ln = passenger cars per mile per lane.

The Riverside County Transportation Commission (RCTC) has plans in place for the widening of I-215 through the Study Area; however, a schedule for these improvements has not yet been determined. Final design and construction are expected to take a minimum of five years, and as such, the Project TIA has not included these improvements in its basic freeway segment analysis.

4.2.3.5 Freeway Merge/Diverge Ramp Junction LOS Criteria

The Project TIA also evaluated six freeway merge/diverge ramp junctions within the Study Area. The TIA merge/diverge analysis is based on the HCM Ramps and Ramp Junctions analysis method. Merge/diverge LOS criteria are expressed in terms of passenger cars per mile per lane. Table 4.2-9 provides the merge/diverge level of service standards correlating to various vehicle density ranges.

Table 4.2-9
Freeway Merge and Diverge Level of Service Thresholds

Level of Service (LOS)	Density Range (pc/mi/ln)[1]
A	0.0 to 11.00
B	11.1 to 18.0
C	18.1 to 26.0
D	26.1 to 35.0
E	35.1 to 45.0
F	> 45.0

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.
Note:

[1] pc/mi/ln = passenger cars per mile per lane.

4.2.3.6 Traffic Signal Warrant Criteria

The term "signal warrants" refers to the list of established parameters to justify or ascertain the potential need for installation of a traffic signal at an otherwise unsignalized intersection. The Project TIA employed the signal warrant criteria presented in the latest edition of the Federal Highway Administration's (FHWA) Manual on Uniform Traffic Control Devices (MUTCD), as amended by the 2012 California MUTCD (CA MUTCD). Pursuant to the City of Moreno Valley's Guidelines for the Preparation of Traffic Studies, peak hour traffic criteria has been utilized for

warrant analysis of existing conditions, and the Caltrans planning-level average daily traffic criteria has been utilized for warrant analysis of future conditions.

4.2.4 EXISTING TRAFFIC CONDITIONS

This section notes the basis for existing traffic volumes presented in the TIA and reflected in subsequent analyses; describes the existing Study Area circulation network within the context of the City General Plan Circulation Element (Circulation Element); reviews existing operational conditions for transportation elements within the Study Area and notes existing deficiencies; and describes other transportation modes that exist within, or are available to, the Study Area.

Existing peak hour traffic volumes within the Study Area were determined by field traffic counts conducted during March 2011, November 2011, and June 2012. Morning (AM) peak traffic conditions are represented by traffic counts conducted for the two hour period between 7:00 and 9:00 AM. Similarly, evening (PM) peak hour traffic conditions are represented by traffic counts conducted for the two hour period from 4:00 to 6:00 PM. The TIA traffic count data is considered representative of typical weekday peak hour traffic conditions in the Study Area. Please refer to TIA Appendix 3.1 for detailed traffic count information.

The traffic counts collected for the Project TIA include the vehicle classifications as shown below, per City of Moreno Valley TIA Guidelines:

- Passenger Cars;
- 2-Axle Trucks;
- 3-Axle Trucks; and
- 4-or-More Axle Trucks.

To represent the impact large trucks, buses, and recreational vehicles have on traffic flow, all trucks were converted into Passenger Car Equivalents (PCEs). By their size alone, these vehicles occupy the same space as two or more passenger cars. In addition,

the time it takes for them to accelerate and slow is also much longer than for passenger cars, and varies depending on the type of vehicle and number of axles. For the purpose of this analysis, a PCE factor of 1.5 has been applied to two-axle trucks; 2.0 for three-axle trucks and 3.0 for four-or-more-axle trucks to estimate each turning movement.

4.2.4.1 Existing Intersection Levels of Service

As noted previously within this Section the Study Area includes a total of twenty (20) intersections (please refer also to Figure 4.2-1 and Table 4.2-1). Of these intersections, seventeen (17) currently exist; while the remaining three intersections are driveways that are proposed as part of the Project.

As seen in Table 4.2-10, analysis of existing Study Area intersections indicates that all intersections currently operate under acceptable LOS conditions with the exception of Elsworth Street at Cactus Avenue. Please refer also to detailed level of service calculation worksheets, included as part of the Project TIA, EIR Appendix B.

Table 4.2-10
Intersection Analysis for Existing (2012) Conditions

Intersection		Traffic Control[1]	Delay[2] (seconds)		LOS	
			AM	PM	AM	PM
1	I-215 Southbound Ramps at Cactus Avenue	TS	13.6	25.1	B	C
2	I-215 Northbound Ramps at Cactus Avenue	TS	11.4	4.6	B	A
3	Commerce Center Drive at Cactus Avenue	TS	3.1	3.2	A	A
4	Elsworth Street at Cactus Avenue	TS	51.1	77.0	D	E
5	Frederick Street at Alessandro Boulevard	TS	30.1	37.4	C	D
6	Frederick Street at Calle San Juan de los Lagos	TS	11.0	12.9	B	B
7	Frederick Street at Brodiaea Avenue	CSS	9.2	9.5	A	A
8	Frederick Street at Driveway 1	*Future Intersection*				
9	Frederick Street at Driveway 2	*Future Intersection*				
10	Frederick Street at Cactus Avenue	TS	18.1	16.3	B	B
11	Joy Street/Driveway 3 at Brodiaea Avenue	TS	8.5	9.3	A	A
12	Driveway 3 at Cactus Avenue	*Future Intersection*				
13	Joy Street/Driveway 4 at Cactus Avenue	TS	3.3	8.2	A	A
14	Driveway 5 at Brodiaea Avenue	CSS	0.0	0.0	A	A
15	Driveway 6 at Brodiaea Avenue	CSS	10.1	10.0	B	A
16	Graham Street at Alessandro Boulevard	TS	30.3	37.4	C	D

Table 4.2-10
Intersection Analysis for Existing (2012) Conditions

Intersection		Traffic Control[1]	Delay[2] (seconds)		LOS	
			AM	PM	AM	PM
17	Graham Street at Driveway 7	CSS	0.0	0.0	A	A
18	Graham Street at Driveway 8	CSS	8.9	9.6	A	A
19	Graham Street at Brodiaea Avenue	TS	23.9	24.1	C	C
20	Graham Street at Cactus Avenue	TS	30.4	36.1	C	D

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.

Notes:
[1] TS = traffic signal; CSS = cross-street stop.
[2] Per the 2000 Highway Capacity Manual, overall average intersection delay and level of service are shown for intersections with a traffic signal or all-way stop control. For intersections with cross-street stop control, the delay and LOS for the worst individual movement (or movements sharing a single lane) are shown. I-215 ramp locations have been analyzed using *Synchro* software.

4.2.4.2 Existing Roadway Segment Levels of Service

Existing roadway segment daily traffic volumes were assessed under existing (2012) conditions, and volume to capacity ratios (V/C) were calculated based on the existing capacity of roadways in the Study Area, as seen in Table 4.2-11. The corresponding LOS for each existing Study Area roadway segment is also provided in this Table.

Table 4.2-11
Roadway Segment Analysis for Existing (2012) Conditions

ID	Roadway	Segment	Roadway Section	LOS Capacity[2]	Existing (2012)	V/C	LOS	Threshold
1	Alessandro Boulevard	West of Frederick Street	6D	56,300	27,800	0.49	A	D
2		East of Frederick Street	5D	46,900	29,000	0.62	B	D
3		West of Graham Street	5D	46,900	29,400	0.63	B	D
4		East of Graham Street	5D	46,900	29,900	0.64	B	D
5	Calle San Juan de los Lagos	West of Frederick Street	2D	12,500	2,000	0.16	A	C
6	Brodiaea Avenue	East of Frederick Street	2D	12,500	700	0.06	A	C
7		Driveway 3 to Driveway 5	2D	12,500	1,200	0.10	A	C
8		Driveway 5 to Driveway 6	2D	12,500	1,200	0.10	A	C
9		Driveway 6 to Graham Street	2D	12,500	1,200	0.10	A	C
10		East of Graham Street	2D	12,500	1,200	0.10	A	C

Table 4.2-11
Roadway Segment Analysis for Existing (2012) Conditions

ID	Roadway	Segment	Roadway Section	LOS Capacity[2]	Existing (2012)	V/C	LOS	Threshold
11	Cactus Avenue	West of I-215 Freeway	4D	37,500	6,500	0.17	A	D
12		I-215 Southbound Ramps to I-215 Northbound Ramps	4D	37,500	20,300	0.54	A	D
13		I-215 Northbound Ramps to Commerce Center Drive	4D	37,500	34,500	0.92	E	D
14		Commerce Center Drive to Elsworth Street	4D	37,500	33,900	0.90	D	D
15		Elsworth Street to Veterans Way	5D	46,900	29,800	0.64	B	D
16		Veterans Way to Frederick Street	4D	37,500	32,900	0.88	D	D
17		Frederick Street to Driveway 3	5D	46,900	36,300	0.77	C	D
18		Driveway 3 to Driveway 4	5D	46,900	35,700	0.76	C	D
19		Driveway 4 to Graham Street	5D	46,900	35,100	0.75	C	D
20		East of Graham Street	5D	46,900	28,700	0.61	B	D
21	Frontage Road	North of Cactus Avenue	2U	12,500	2,200	0.18	A	D
22	Commerce Center Drive	North of Cactus Avenue	2D	12,500	600	0.05	A	D
23	Elsworth Street	North of Cactus Avenue	4D	37,500	6,600	0.18	A	D
24		South of Cactus Avenue	4U	25,000	8,900	0.36	A	D
25	Frederick Street	North of Alessandro Boulevard	4D	37,500	17,100	0.46	A	C
26		Alessandro Boulevard to Calle San Juan de los Lagos	4D	37,500	11,300	0.30	A	D
27		Calle San Juan de los Lagos to Brodiaea Avenue	4D	37,500	8,300	0.22	A	D
28		South of Brodiaea Avenue	4D	37,500	7,800	0.21	A	D
29		North of Driveway 1	4D	37,500	8,100	0.22	A	D
30		Driveway 1 to Driveway 2	4D	37,500	8,100	0.22	A	D
31		Driveway 2 to Cactus Avenue	4D	37,500	8,100	0.22	A	D
32	Graham Street	North of Alessandro Boulevard	4D	37,500	7,300	0.19	A	D
33		Alessandro Boulevard to Driveway 7	4D	37,500	8,400	0.22	A	D
34		Driveway 7 to Driveway 8	4D	37,500	7,200	0.19	A	D
35		Driveway 8 to Brodiaea Avenue	4D	37,500	7,200	0.19	A	D
36		Brodiaea Avenue to Cactus Avenue	4D	37,500	6,200	0.17	A	D
37		South of Cactus Avenue	6D	56,300	9,200	0.16	A	D

Source: *Harbor Freight Expansion Project Traffic Impact Analysis (*Urban Crossroads, Inc.) August 6, 2012.
Notes:
[1] Per City of Moreno Valley LOS Standards, City of Moreno Valley General Plan Circulation Element.
[2] These maximum roadway capacities have been extracted from the City of Moreno Valley Transportation Division's Traffic Impact Analysis Preparation Guidelines (August 2007).

As seen in Table 4.2-11, with the exception of one location, Study Area roadway segments currently operate at acceptable levels of service based on the City's planning level daily roadway capacity thresholds. The segment of Cactus Avenue between the I-215 northbound ramps and Commerce Center Drive is currently operating at an unacceptable LOS E, based on daily roadway segment capacities. However, as seen in the preceding Table 4.2-10, the adjacent intersections on either side of the deficient roadway segment are currently operating at an acceptable LOS. As noted previously, daily roadway capacity guidelines are "rule of thumb" estimates for planning purposes, and the more detailed peak hour intersection analysis explicitly accounts for factors that affect roadway capacity. As such, roadway widening for this segment does not appear necessary.

4.2.4.3 Existing Traffic Signal Warrants

Traffic signal warrant analyses were performed at each of the unsignalized intersections within the Study Area, including:

- Intersection 7, Frederick Street at Brodiaea Avenue;
- Intersection 8, Frederick Street at Driveway 1 (future intersection);
- Intersection 9, Frederick Street at Driveway 2 (future intersection);
- Intersection 11, Driveway 3 at Brodiaea Avenue;
- Intersection 12, Driveway 3 at Cactus Avenue (future intersection);
- Intersection 14, Driveway 5 at Brodiaea Avenue
- Intersection 15, Driveway 6 at Brodiaea Avenue
- Intersection 17, Graham Street at Driveway 7; and
- Intersection 18, Graham Street at Driveway 8.

The traffic signal warrant analysis for existing conditions indicated that no signals were warranted at any of the Study Area's currently unsignalized intersections.

4.2.4.4 Existing Ramp Progression (Queuing) Conditions

In order to assess vehicle queues for the on- and off-ramps and along the arterial adjacent to I-215 that could affect peak hour operations at the ramp-to-arterial intersections, a progression analysis was performed for the southbound and northbound ramps at the I-215/Cactus Avenue interchange. As seen in the following Table 4.2-12, there are currently no queuing issues during either the morning or evening peak hour periods.

Table 4.2-12
Peak Hour Stacking Length Summary for I-215 at Cactus Avenue
Existing (2012) Conditions

Intersection	Movement[1]	Stacking Distance (Feet)	95th Percentile Stacking Distance Required (feet)		Acceptable?[2]	
			AM	PM	AM	PM
I-215 SB Ramps at Cactus Avenue	SB-R	1,115	5	0	Yes	Yes
	EB-T	675	48	97	Yes	Yes
	EB-R	675	20	35	Yes	Yes
	WB-L	1,022	313	622[3]	Yes	Yes
	WB-T	1,182	32	6	Yes	Yes
I-215 NB Ramps at Cactus Avenue	NB-L	145	139	44	Yes	Yes
	NB-T	1,650	58	31	Yes	Yes
	SB-L	115	13	62	Yes	Yes
	SB-T	560	16	0	Yes	Yes
	EB-L	190	15	8	Yes	Yes
	EB-T	1,182	115	84	Yes	Yes
	WB-T	1,120	305	183	Yes	Yes

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.

Notes:
[1] SB = southbound; EB = eastbound; NB = northbound; WB = westbound; T = through; R = right-turn; L = left-turn.
[2] Stacking distance is acceptable if the required stacking distance is less than or equal to the stacking distance provided. An additional 15 feet of stacking distance which is assumed to be provided in the transition for turn pockets is reflected in the stacking distance shown in this Table, where applicable.
[3] 95th percentile volume exceeds capacity, queue may be longer. Queue shown is maximum after two cycles.

4.2.4.5 Existing Freeway Segment Operations

As seen in Table 4.2-13, each of the I-215 segments within the Study Area were found to operate at acceptable levels of service (i.e., LOS C or better) during the peak hours for Existing (2012) baseline conditions.

Table 4.2-13
Freeway Segment Analysis for Existing (2012) Conditions

Direction	Mainline Segment	Volume		Lanes[1]	Density[2]		LOS	
		AM	PM		AM	PM	AM	PM
I-215 Southbound	North of Cactus Avenue	2,824	3,580	4	12.0	15.3	B	B
	South of Cactus Avenue	2,651	3,639	3	15.0	20.6	B	C
I-215 Northbound	North of Cactus Avenue	3,172	3,153	4	13.5	13.4	B	B
	South of Cactus Avenue	3,704	2,857	3	21.1	16.2	C	B

Source: *Harbor Freight Expansion Project Traffic Impact Analysis (*Urban Crossroads, Inc.) August 6, 2012.
Notes:
[1] Number of lanes in the specified direction is based on existing conditions.
[2] Density is measured by passenger cars per mile per lane (pc/mi/ln).

4.2.4.6 Existing Freeway Merge/Diverge Ramp Junction Operations

Freeeway ramps within the Study Area were also evaluated for existing (2012) baseline conditions. As seen in Table 4.2-14, each of the I-215 ramp merge and diverge areas at Cactus Avenue currently operate at level of service "C" or better during the peak hours under existing (2012) traffic conditions.

Table 4.2-14
Freeway Ramp Junction Merge/Diverge Analysis for Existing (2012) Conditions

Direction	Ramp or Segment[1]	Lanes[1]	AM Peak Hour		PM Peak Hour	
			Density[2]	LOS	Density[2]	LOS
I-215 Southbound	Off-Ramp at Cactus Avenue	4	13.2	B	15.8	B
	Loop Off-Ramp at Cactus Avenue – Upstream	4	18.0	B	22.4	C
	Loop Off-Ramp at Cactus Avenue – Downstream	4	18.0	B	22.4	C
	On-Ramp at Cactus Avenue	3	16.2	B	21.4	C
I-215 Northbound	On-Ramp at Cactus Avenue	3	22.7	C	23.3	C
	Loop On-Ramp at Cactus Avenue – Downstream	3	15.3	B	14..0	B
	Loop On-Ramp at Cactus Avenue – Upstream	3	15.3	B	14.0	B
	Off-Ramp at Cactus Avenue	3	26.1	C	20.3	C

Source: *Harbor Freight Expansion Project Traffic Impact Analysis (*Urban Crossroads, Inc.) August 6, 2012.
Notes:
[1] Merge/Diverge analysis has been conducted twice where nearby ramps exist both upstream and downstream.
[2] Density is measured by passenger cars per mile per lane (pc/mi/ln).

4.2.4.7 Other Transportation Modes

Other transportation modes available within the Study Area include bus services, rail transit services, and pedestrian and bicycle facilities. These transportation modes are summarized below.

Transit Service

Riverside Transit Agency (RTA) provides regional fixed bus route service to Western Riverside County. Within the City of Moreno Valley, RTA buses operate along multiple fixed-routes, linking the City with Riverside County destinations including: the Cities of Riverside, Woodcrest, Mead Valley, Perris, Hemet and Sun City. RTA Route 11 currently exists along Cactus Avenue, and Route 20 provides service along Alessandro Boulevard. There are currently bus stops on all four legs of the intersection of Frederick Street and Alessandro Boulevard, serving both Routes 11 and 20. The Route 11 bus route travels south along Frederick where there is a stop on the southbound leg of Frederick Street at Brodiaea Avenue. The Route 20 bus route travels easterly toward the intersection of Graham Street and Alessandro Boulevard where there are two stops, one each, on the eastbound and westbound legs. There is also one Route 11 bus stop in the westbound direction on Cactus Avenue just west of Alessandro Boulevard.

Other public transportation services generally available within the area include common carriers: Greyhound Bus Lines, AMTRAK rail service, and Metrolink commuter rail service. At present, these transportation providers do not have service routes or facilities located proximate to the Project, nor will the Project discernibly affect operations of these service providers.

Pedestrian and Bicycle Facilities

Due to the limited residential and commercial development within and adjacent to the Study Area, pedestrian and bicycle routes and activity are minimal at present. Sidewalks are planned or in place within the Project's Frederick Street, Cactus Avenue, Brodiaea Avenue, and Graham Street frontages.

The proposed City of Moreno Valley Bikeway Plan (included in the Project TIA, Draft EIR Appendix B), identifies the following future bikeways that are planned within the vicinity of the Study Area:

- A Class III bikeway facility is proposed along Graham Street north of Cactus Avenue.
- A Class II bikeway facility is proposed along Cactus Avenue between the I-215 Northbound Ramps/Frontage Road and east past Graham Street to Heacock Street.

4.2.5 CITY TRAFFIC AND CIRCULATION OBJECTIVES, POLICIES AND PROGRAMS

The intent of City's General Plan Circulation Element is to provide for safe, convenient, and efficient transportation systems within the City. This Element reflects anticipated transportation patterns and demands based on the buildout of General Plan land uses, as well as localized effects resulting from anticipated development within the surrounding region. Applicable policies and objectives, as excerpted from the City of Moreno Valley General Plan, are presented at Table 4.2-15, along with a summary of Project consistency and/or supporting actions.

Table 4.2-15
City of Moreno Valley General Plan Consistency

Objective/Policy	Applicability/Consistency
Objective 2.5 Promote a mix of industrial uses which provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley with the establishment of industrial activities that have good access to the regional transportation system, accommodate the personal needs of workers and business visitors, and which meets the service needs of local businesses.	***Consistent.*** *The proposed Project supports this policy through the introduction of new business uses and the provision of local employment opportunities at a location with ready access to I-215.*

Table 4.2-15
City of Moreno Valley General Plan Consistency

Objective/Policy	Applicability/Consistency
Policy 5.1.2 Plan the circulation system to reduce conflicts between vehicular, pedestrian and bicycle traffic.	***Consistent.*** *The final design of the Project site plan, including review of Project access improvements, will be subject to the review and approval of the City Engineer to ensure the safety of bicyclists and pedestrians in the Project vicinity.*
Objective 5.3 Maintain Level of Service C on roadway links, wherever possible, and LOS D in the vicinity of SR-60 and high employment centers.	***Consistent.*** *As discussed subsequently within this Section, the Project's evaluation of performance on roadway segments and intersections has used these standards to determine the significance of potential impacts.*
Policy 5.3.4 For planning purposes, utilize LOS standards shown on [General Plan] Table 5-1 to determine recommended roadway widths.	***Consistent.*** *Roadway improvements to be constructed by the Project will be completed in compliance with the City of Moreno Valley's standards for width and configuration.*
Policy 5.3.5 Ensure that new development pays a fair share of costs to provide local and regional transportation improvements and to mitigate cumulative traffic impacts. For this purpose, require new developments to participate in the Transportation Uniform Mitigation Fee Program (TUMF), the Development Impact Fee Program (DIF), and any other applicable transportation fee programs and benefit assessment districts.	***Consistent.*** *As discussed subsequently within this Section, the Project will participate in the City's DIF and TUMF Programs, as well as any other applicable transportation fee programs and benefit assessment districts that are in place prior to Project development.*
Policy 5.3.6 Where new developments would increase traffic flows beyond LOS C (or LOS D, where applicable), require appropriate and feasible mitigation measures as a condition of approval. Such measures may include extra right-of-way and improvements to accommodate left-turn and right-turn lanes at intersections, or other improvements.	***Consistent.*** *As discussed subsequently within this Section, Project mitigation measures identify all improvements required due to Project-related traffic impacts, including cumulative impacts, at Study Area roadway segments and intersections.*
Objective 5.4 Maximize efficiency of the regional circulation system through close coordination with state and regional agencies and implementation of regional transportation policies.	***Consistent.*** *Project-related improvements are subject to the City's coordination with Caltrans and the Riverside Transit Agency (RTA) at a minimum and will be implemented in a manner that maximizes transportation efficiencies wherever feasible.*
Policy 5.4.1 Coordinate with Caltrans and the Riverside County Transportation Commission (RCTC) to identify and protect ultimate rights-of-way, including those for freeways, regional arterial projects, transit, bikeways and interchange expansion.	***Consistent.*** *Caltrans rights-of-way will not be affected by this Project. Future improvements of Caltrans facilities that are required to accommodate regional growth will be coordinated as part of the City's ongoing cooperation with Caltrans and the RCTC. Additionally, the Project will be developed consistent with the City's Bikeway Master Plan where it is applicable.*

Source: City of Moreno Valley General Plan, Circulation Element.

Objectives and Policies-Level of Service (LOS) Standards

The City of Moreno Valley General Plan Objective 5.3 provides that target LOS C should be maintained along City roads (including intersections) wherever possible, but acknowledges that LOS D is the appropriate threshold for roadways to freeways and/or on-off freeway on-off ramps, or roadways adjacent to employment generating land uses.[1] In this regard, roadways in the vicinity of the Project site are situated "adjacent to employment generating land uses," and LOS D is appropriately employed in evaluating roadway operational conditions. Figure 4.2-2 illustrates the City's General Plan LOS standards for roadways within the Study Area.

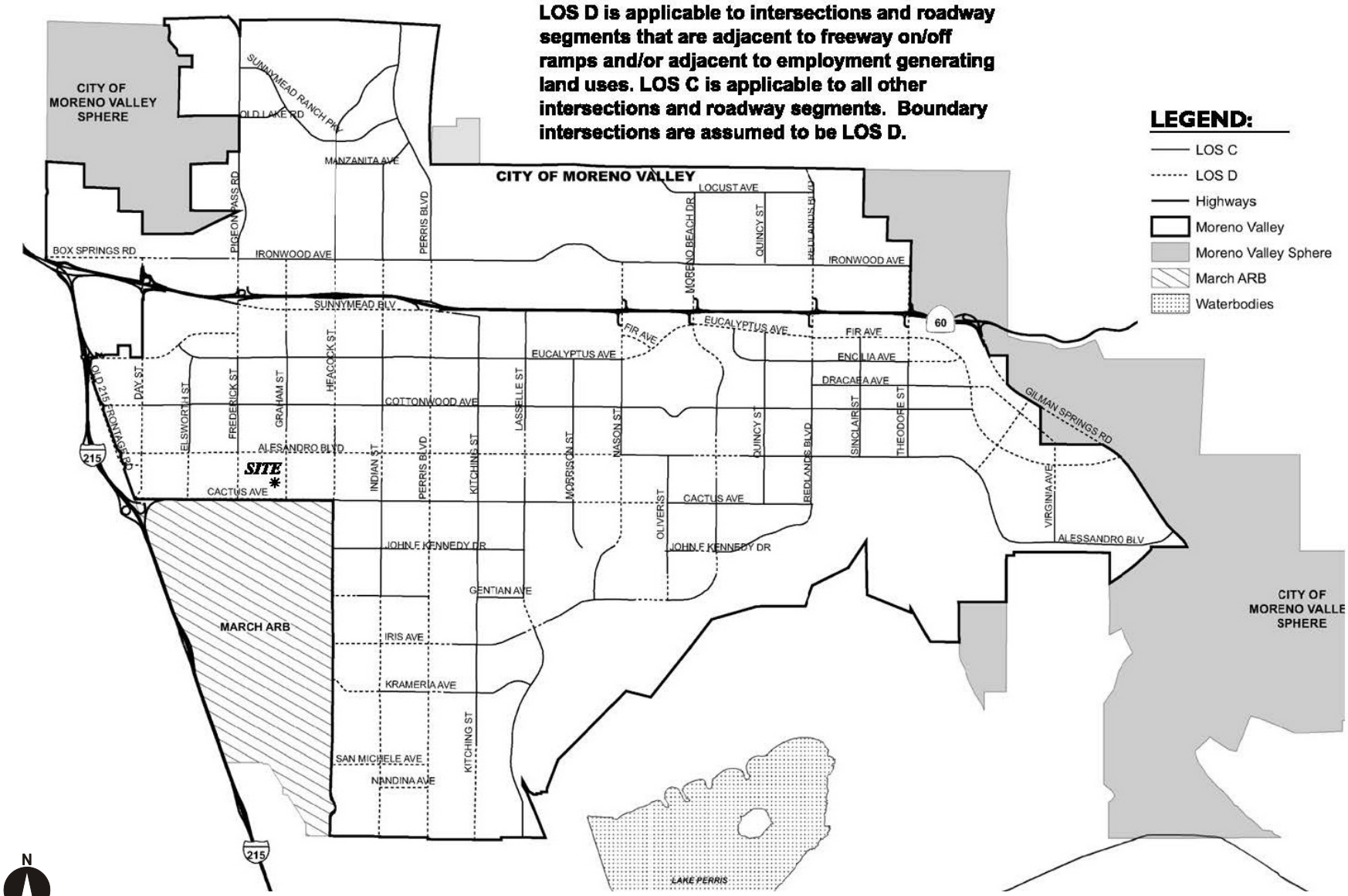
Local and Regional Funding Mechanisms

Transportation improvements throughout Riverside County are funded through a combination of direct project mitigation, fair share contributions and development impact fee programs. Identification and timing of needed improvements is generally determined through local jurisdictions based upon a variety of factors. Relevant pre-existing transportation impact fee programs are discussed below.

Transportation Uniform Mitigation Fee (TUMF) Program

The TUMF program is administered by Western Riverside Council of Governments (WRCOG) based upon a regional Nexus Study completed in early 2003 and updated in 2009 to address major changes in right of way acquisition and improvement cost factors. TUMF identifies a network of backbone and local roadways that are needed to accommodate growth through 2035. This regional program was put into place to ensure that development pays its fair share and that funding is in place for construction of facilities needed to maintain the requisite level of service and critical to mobility in the region. TUMF is a truly regional mitigation fee program, and is imposed and implemented in every jurisdiction in Western Riverside County except the City of Beaumont. TUMF fees are imposed on new residential, industrial, and commercial development through application of the TUMF fee ordinance and fees are collected at the building or occupancy permit stage.

[1] City of Moreno Valley General Plan, Page 9-18 and Figure 9-2.



Source: Urban Crossroads, Inc.

Figure 4.2-2
City of Moreno Valley LOS Standards

Current TUMF rates are detailed in the Project TIA (Draft EIR Appendix B). For industrial uses, the fee is $1.73 per square foot with an adjustment (applicable to the proposed project) to the baseline square footage for high cube buildings. In addition, an annual inflation adjustment is considered each year in January. In this way, TUMF fees are adjusted upwards on a regular basis to ensure that the development impact fees collected keep pace with construction and labor costs, etc. The Project will be subject to the TUMF fee program and the Project Applicant is required to pay the requisite TUMF fees at the current rate in effect pursuant to the TUMF Ordinance.

The facilities planned through the TUMF program are intended to be constructed when operational deficiencies are identified and funds are available. WRCOG has a successful track record funding and overseeing the construction of improvements funded through the TUMF program. In total, the TUMF program is anticipated to generate nearly $5 billion in transportation projects for Western Riverside County. The Project's payment of TUMF fees would be sufficient to mitigate its impacts to TUMF-funded facilities.

City of Moreno Valley Development Impact Fee (DIF) Program

The City of Moreno Valley has created its own local Development Impact Fee (DIF) program to impose and collect fees from new development for the purpose of funding roadways and intersections necessary to accommodate City growth as identified in the City's General Plan Circulation Element. The City's DIF program includes facilities that are not part of or which may exceed improvements identified and covered by the TUMF program. As a result, the pairing of the regional and local fee programs provides a more comprehensive funding and implementation plan to ensure an adequate and interconnected transportation system. Under the City's DIF program, the City may grant to developers a credit against specific components of fees when those developers construct certain facilities and landscaped medians identified in the list of improvements funded by the DIF program. The use of DIF fees for planned improvements is overseen by the City's Public Works Department. Periodic traffic counts, review of traffic accidents, and a review of traffic trends throughout the City are also periodically performed by City staff and consultants. The City uses this data to determine the timing of implementing the improvements listed in its facilities list.

4.2.6 STANDARDS OF SIGNIFICANCE

4.2.6.1 Intersections

City of Moreno Valley and Caltrans significance thresholds for intersection operations are summarized below.

City Intersections – If the addition of Project traffic causes a City intersection to degrade from acceptable operations (i.e., LOS C or D, depending on location) to an unacceptable LOS, a potentially significant impact would occur. If an intersection is operating at an unacceptable LOS prior to the addition of Project traffic, and Project traffic results in a measureable increase in intersection delays, a potentially significant impact would occur.

Caltrans Intersections – For freeway ramp-to-arterial intersections and other Caltrans maintained facilities, the published Caltrans traffic study guidelines (December 2002) states the following:

> "Caltrans endeavors to maintain a target LOS at the transition between LOS "C" and LOS "D" on State highway facilities, however, Caltrans acknowledges that this may not be always feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS."

Caltrans has worked with the County of Riverside and local jurisdictions such as the City of Moreno Valley to establish a local threshold for freeway-to-arterial interchange intersections. Consistent with City's stated threshold, LOS D is considered to be the limit of acceptable traffic operations during the peak hour at the freeway-to-arterial interchange intersections maintained by Caltrans. If the addition of Project traffic causes a Caltrans intersection to degrade to LOS E or worse, a potentially significant impact would occur. If an intersection is operating LOS E or worse prior to the addition of Project traffic, and Project traffic results in a measureable increase in intersection delays, a potentially significant impact would occur.

4.2.6.2 Roadway Segments

As presented in the City of Moreno Valley *Transportation Engineering Division Traffic Impact Analysis (TIA) Preparation Guide* (August 2007), the daily roadway segment capacities for each type of roadway (summarized in the preceding Table 4.2-7) are "rule of thumb" estimates for planning purposes and are affected by such factors as intersections (spacing, configuration and control features), degree of access control, roadway grades, design geometrics (horizontal and vertical alignment standards), sight distance, vehicle mix (truck and bus traffic) and pedestrian bicycle traffic. As such, where the ADT-based roadway segment analysis indicates a deficiency (unacceptable LOS), a review of the more detailed peak hour intersection analysis and progression analysis are undertaken. The more detailed peak hour intersection analysis explicitly accounts for factors that affect roadway capacity. Therefore, roadway widening is typically only recommended if the peak hour intersection analysis indicates the need for additional through lanes.

4.2.6.3 Traffic Signal Warrants

If after the addition of Project traffic, an unsignalized intersection meets the peak hour traffic signal warrant, a potentially significant impact would occur.

4.2.6.4 Freeway Ramp Progression (Queuing)

For freeway ramps, queued vehicles should not exceed the available stacking distance as measured from the intersection stop line back to the gore point (i.e., where the ramp meets the mainline). The queue reported in this analysis reflects the 95th percentile queue length, that is, the queue length that could be anticipated 95 percent of the time during peak travel hours.[2] If the calculated 95th percentile queue exceeds the available stacking distance, vehicles could spill back onto the freeway, and ramp queuing impacts would be considered potentially significant. If ramp queues already exceed the 95th percentile criteria, any additional Project traffic would be considered potentially significant.

[2] The 95th percentile queue is not typically observed, as the 95th percentile queue is statistically expected to be exceeded only five percent of the time. However, in an effort to provide the most conservative results, the 95th percentile queue has been reported in this analysis.

4.2.6.5 Freeway Segment Capacity

In an effort to more directly link land use, transportation and air quality and promote reasonable growth, the County of Riverside adopted a Congestion Management Plan (CMP) (December 14, 2011). The Riverside County Transportation Commission (RCTC) monitors the CMP roadway network system to minimize LOS deficiencies. Within the project study area, the I-215 Freeway is recognized as a key transportation facility within the CMP system. RCTC has adopted LOS E as the minimum standard for intersections and segments along the CMP System of Highways and Roadways. Therefore, LOS E is considered to be the standard for acceptable traffic operations on the I-215 Freeway mainline segments within the Study Area. If the addition of Project traffic causes a freeway segment to degrade from acceptable operations (LOS E or better) to LOS F or worse, a potentially significant impact would occur. If a freeway segment is operating at LOS F or worse prior to the addition of Project traffic, any additional Project traffic would result in a potentially significant impact.

4.2.6.6 Freeway Merge/Diverge Lane Operations

Similar to standards for freeway segment operations, LOS standards for freeway merge/diverge lanes in the Study Area are established by the Riverside County Transportation Commission (RCTC). The Riverside County CMP identifies LOS E as the minimum acceptable Study Area freeway merge/diverge lane operating condition. Traffic impacts that would degrade Study Area freeway segments and freeway merge/diverge lane operating conditions below LOS E would therefore be considered potentially significant. If freeway merge/diverge lane operating conditions are at LOS F or worse prior to the addition of Project traffic, any additional Project traffic would result in a potentially significant impact.

4.2.6.7 Access and Circulation and Parking

Access, circulation, and/or parking impacts would be considered significant if access to the site or design of the proposed internal circulation system would result in unsafe conditions or otherwise adversely affect other properties or adjacent roadways; or if

proposed parking is insufficient, thereby resulting in off-site parking, land use, or circulation system impacts.

4.2.7 EXISTING (2012), OPENING YEAR (2017) AND OPENING YEAR CUMULATIVE TRAFFIC CONDITIONS

4.2.7.1 Overview

The following discussions summarize traffic conditions within the Study Area reflecting implementation of the Project under Existing (2012), Opening Year (2017), and Opening Year Cumulative (2017) conditions. For each of the considered scenarios, potentially significant traffic impacts (deficient conditions) are identified. Topics evaluated under each analysis scenario include:

- Intersection Operations;
- Roadway Segment Capacity;
- Traffic Signal Warrants;
- Freeway Ramp Progression (Queuing);
- Freeway Segment Capacity; and
- Freeway Merge/Diverge Ramp Junction Operations.

Opening Year, and Horizon Year traffic conditions discussed here are restated subsequently under Section 4.2.8, "Potential Impacts and Mitigation Measures" within the context of applicable CEQA Guidelines Appendix G topical issues. Less-than-significant impacts are noted, mitigation measures are proposed for potentially significant impacts, and any impacts that cannot be mitigated to levels that are less-than-significant (significant impacts) are identified.

4.2.7.2 Ambient Traffic Growth and Opening Year Ambient Conditions

Opening Year background traffic estimates have been calculated employing an ambient growth factor. The ambient growth factor accounts for non-specific development within the Study Area, as well as anticipated growth in traffic volumes generated by projects

outside the Study Area. Based on direction of City of Moreno Valley staff, the standard annual growth factor used within the City is two percent (2.0%).

As noted previously, the City requires development TIAs to analyze a horizon year that is a minimum of five years from baseline existing (2012) conditions. Accordingly, the ambient growth factor of two percent per year was applied to existing Year 2012 traffic volumes, yielding a compounded growth factor of 10.4 percent to account for growth in existing volumes over the five intervening years until the Project Opening Year, 2017. Collectively, Opening Year traffic conditions resulting from ambient growth only is termed herein as the "Opening Year Ambient Condition."

It should also be noted that the development of the Project would result in the vacation of Joy Street from Cactus Avenue to just north of Brodiaea Avenue. To more accurately reflect future travel patterns with the Project, existing traffic flows along Joy Street have been reallocated to adjacent site driveways to account for the vacation of Joy Street for all "With-Project" traffic conditions. In addition, roadways adjacent to the Project site, including site access points and site-adjacent intersections, will be constructed to be consistent with the recommended roadways classifications and respective cross-sections presented within the City of Moreno Valley General Plan Circulation Element.

4.2.7.3 Opening Year Cumulative Projects

In addition to assumed ambient traffic growth described above, future traffic conditions within the Study Area will be affected by traffic generated by other known or probable projects. In this regard, a list of approved and pending related projects under the jurisdiction of the City of Moreno Valley, the March Joint Powers Authority, the County of Riverside, and the cities of Riverside and Perris was employed in developing the Opening Year cumulative traffic conditions.

The Project TIA and Draft EIR Section 5.1 (Cumulative Impacts Analysis) consider related projects that would generate traffic that could interact with traffic generated by the project. These related projects are summarized in Table 4.2-16.

Table 4.2-16
Cumulative Development Land Use Summary

ID	Project Name	Land Use[1]	Quantity	Units[2]
City of Moreno Valley				
1	PA 06-0152 & PA 06-0153 (First Park Nandina I & II)	High-Cube Warehouse	1,182.918	TSF
2	PA 06-0014 (Pierce Hardy Limited Partnership)[3]	Lumber Yard	67.000	TSF
3	PA 08-0072 (Overton Moore Properties)	High-Cube Warehouse	520.000	TSF
4	PA 04-0063 (Centerpointe Buildings 8 and 9)	General Light Industrial	361.384	TSF
5	PA 07-0035; PA 07-0039 (Moreno Valley Industrial Park)	General Light Industrial	204.657	TSF
		High-Cube Warehouse	409.920	TSF
6	PA 07-0079 (Indian Business Park)	High-Cube Warehouse	1,560.046	TSF
7	PA 08-0047-0052 (Komar Cactus Plaza)[4]	Hotel	110	RMS
		Fast Food w/Drive Thru	8.000	TSF
		Commercial	42.400	TSF
8	First Inland Logistics Center	High-Cube Warehouse	400.130	TSF
9	TM 33607	Condo/Townhomes	54	DU
10	PA 08-0093 (Centerpointe Business Park II)	General Light Industrial	99.988	TSF
11	PA 06-0021; PA 06-0022; PA 06-0048; PA 06-0049 (Komar Investments)	Warehousing	2,057.400	TSF
12	PA 06-0017 (Ivan Devries)	Industrial Park	569.200	TSF
13	PA 09-0004 (Vogel)	High-Cube Warehouse	1,616.133	TSF
14	TM 34748	SFDR	135	DU
15	PA 08-0079-0081 (Winco Foods)	Discount Supermarket	95.440	TSF
		Specialty Retail	14.800	TSF
16	PA 09-0031	Gas Station	12	VFP
17	First Park Nandina III	High-Cube Warehouse	691.960	TSF
18	March Business Center	General Light Industrial	16.732	TSF
		Warehousing	87.429	TSF
		High-Cube Warehouse	1,380.246	TSF
19	TM 33810	SFDR	16	DU
20	TM 34151	SFDR	37	DU
21	TM 32716	SFDR	57	DU
22	TM 32917	Condo/Townhomes	227	DU
23	TM 33417	Condo/Townhomes	10	DU
24	TM 34988	Condo/Townhomes	251	DU
25	TM 34216	Condo/Townhomes	40	DU
26	TM 34681	Condo/Townhomes	49	DU

Table 4.2-16
Cumulative Development Land Use Summary

ID	Project Name	Land Use[1]	Quantity	Units[2]
March Joint Powers Authority				
27	March Lifecare Campus Specific Plan[3]	Medical Offices	190.000	TSF
		Commercial Retail	210.000	TSF
		Research and Education	200.000	TSF
		Hospital	50	Beds
		Institutional Residential	660	Beds
28	Alessandro Metrolink Station	Light Trail Transit Station	300	SP
29	Airport Master Plan	Airport Use	559.000	TSF
30	Meridian Business Park North	Industrial Park	5,985.000	TSF
County of Riverside				
31	SP 341/ PP 21552 (Majestic Freeway Business Center)	High-Cube Warehouse	6,200.000	TSF
32	PP 20699 (Oleander Business Park)	Warehousing	1,206.710	TSF
33	Ramona Metrolink Station	Light Rail Transit Station	300	SP
34	PP 22925 (Amstar/Kaliber Development)	Office	258.102	TSF
		Warehousing	409.312	TSF
		General Light Industrial	42.222	TSF
		Retail	10.000	TSF
City of Riverside				
35	P07-1028 (Alessandro Business Park)	General Light Industrial	652.018	TSF
City of Perris				
36	P 05-0113 (IDI)	High-Cube Warehouse	1,750.000	TSF
37	P 05-0192 (Oakmont I)	High-Cube Warehouse	697.600	TSF
38	P 05-0477	High-Cube Warehouse	462.692	TSF
39	Rados Distribution Center	High-Cube Warehouse	1,200.000	TSF
40	Investment Development Services (IDS) II	High-Cube Warehouse	350.000	TSF
41	P 07-09-0018	Warehousing	170.000	TSF
42	P-07-07-0029 (Oakmont II)	High-Cube Warehouse	1,600.000	TSF
43	TR 32707	SFDR	137	DU
44	TR 34716	SFDR	318	DU
45	P 07-0493 (Ridge I)	High-Cube Warehouse	700.000	AC
46	Ridge II	High-Cube Warehouse	2,000.000	TSF

Table 4.2-16
Cumulative Development Land Use Summary

ID	Project Name	Land Use[1]	Quantity	Units[2]
City of Perris (cont'd)				
47	Harvest Landing Specific Plan	SFDR	717	TSF
		Condo/Townhomes	1,139	TSF
		Sports Park	16.700	TSF
		Business Park	1,233.401	TSF
		Shopping Center	73.181	TSF
	Perris Marketplace	Shopping Center	450.000	TSF
48	P 06-0411	Manufacturing	2.000	TSF
49	Jordan Distribution	High-Cube Warehouse	378.000	TSF
50	Aiere	High-Cube Warehouse	642.000	TSF
51	P 08-11-0005; P 08-11-0006	High-Cube Warehouse	454.088	TSF
52	Stratford Ranch Specific Plan	High-Cube Warehouse	1,725.411	TSF

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.
Notes:
1 SFDR = Single Family Detached Residential
2 DU = Dwelling Units; TSF = thousand square feet; SP = spaces; VFP = vehicle fueling positions; AC = acre.
3 Source: March Lifecare Campus Specific Plan Traffic Impact Analysis (Mountain Pacific, Inc.) May 2009 (revised).
4 Source: Cactus Avenue and Commerce Center Drive Commercial Center TIA (Urban Crossroads, Inc.) December 9, 2008 (revised).

The related projects listed in Table 4.2-16 have been included as part of the cumulative background setting, and, for the purposes of this analysis, are assumed to be occupied and operational by Project opening in 2017. In total, these projects are expected to generate 156,443 net daily trips (PCE) on a typical weekday, with approximately 13,825 of these trips forecast to occur during the morning peak hour, and 15,368 during the evening peak hour. A map of the approved and pending projects is included in EIR Section 5.1 (Cumulative Impact Analysis). Additional detail regarding trip generation characteristics of these related projects is also presented in the Project TIA (EIR Appendix B). Collectively, Opening Year traffic conditions resulting from ambient growth and including traffic generated by other known or probable related projects is termed herein as the "Opening Year Cumulative Condition."

4.2.7.4 Project Trip Generation

The Project's trip generation rates are based upon data collected by the Institute of Transportation Engineers (ITE) and presented in ITE's most recent edition of *Trip*

Generation, (8th Edition, 2008) and the City of Fontana Truck Trip Generation Study (August 2003) for purposes of determining vehicle-mix. The high-cube warehousing land use utilizes the Truck Terminal (LU 030) vehicle-mix from the Fontana study, consistent with other high-cube warehousing projects within the City limits.

Passenger Car Equivalents (PCE) factors have been applied to the trip generation rates for heavy trucks (large 2-axles, 3-axles, 4+-axles). As directed by the City of Moreno Valley and consistent with standard traffic engineering practice in Southern California, PCE factors have been utilized due to the expected heavy truck component for the proposed Project uses. PCE factors allow the typical "real-world" mix of vehicle types to be represented as a single, standardized unit, such as the passenger car, for the purposes of capacity and level of service analyses. PCE factors are applied to large truck types, such as large two-axles, three-axles, and four-or-more-axles. A PCE factor of 1.5 has been applied to large two-axle trucks, a factor of 2.0 for three-axle trucks and a factor of 3.0 for four-or-more-axle trucks. These PCE factors are consistent with the values recommended by the Riverside County Transportation Commission (RCTC) and are accepted factors in the County of Riverside and City of Moreno Valley. Trip generation rates used to estimate Project traffic are shown in Table 4.2-17, and a summary of the Project's trip generation is shown in Table 4.2-18.

Table 4.2-17
Project Trip Generation Rates[1]

Land Use	AM Peak Hour			PM Peak Hour			Daily
	Inbound	Outbound	Total	Inbound	Outbound	Total	
High-Cube Warehouse[2] (ITE Land Use Code 152, trips per thousand square feet)							
Total Vehicles (100%)	0.059	0.032	0.090	0.033	0.067	0.100	1.440
Passenger Cars (46.0%)	0.027	0.014	0.041	0.015	0.031	0.046	0.662
2-axle Trucks (PCE 1.5, 6.1%)	0.005	0.003	0.008	0.003	0.006	0.009	0.132
3-axle Trucks (PCE 2.0, 13.9%)	0.016	0.009	0.025	0.009	0.019	0.028	0.400
4+axle Trucks (PCE 3.0, 34.0%)	0.060	0.032	0.092	0.034	0.068	0.102	1.469

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.
Notes:
[1] Trip generation source: Institute of Transportation Engineers (ITE), *Trip Generation Manual*, Eighth Edition (2008).
[2] Vehicle mix source: City of Fontana Truck Trip Generation Study for LU 030, August 2003. PCE Rates are per County of San Bernardino Congestion Management Program, Appendix C.

Table 4.2-18
Project Trip Generation Summary

Project Description	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Harbor Freight Expansion (507.720 thousand square feet)							
Passenger Cars	14	7	21	8	16	23	336
Truck Trips:							
2-axle	3	1	4	2	3	5	67
3-axle	8	4	13	5	9	14	203
4+axle	30	16	47	17	35	52	746
Net Truck Trips (PCE)	41	22	63	23	47	71	1,016
Harbor Freight Expansion Subtotal (PCE)	**55**	**30**	**85**	**31**	**63**	**94**	**1,352**
Building 1 (607.920 thousand square feet)							
Passenger Cars	**16**	**9**	**25**	**9**	**19**	**28**	**403**
Truck Trips:							
2-axle	**3**	**2**	**5**	**2**	**4**	**6**	**80**
3-axle	**10**	**5**	**15**	**6**	**11**	**17**	**243**
4+axle	**36**	**20**	**56**	**20**	**42**	**62**	**893**
Net Truck Trips (PCE)	**49**	**27**	**76**	**28**	**57**	**84**	**1,216**
Building 1 Subtotal (PCE)	**66**	**35**	**101**	**37**	**75**	**112**	**1,619**
Building 2 (164.270 thousand square feet)							
Passenger Cars	**4**	**2**	**7**	**2**	**5**	**8**	**109**
Truck Trips							
2-axle	**1**	**0**	**1**	**0**	**1**	**2**	**22**
3-axle	**3**	**1**	**4**	**2**	**3**	**5**	**66**
4+axle	**10**	**5**	**15**	**6**	**11**	**17**	**241**
Net Truck Trips (PCE)	**13**	**7**	**21**	**8**	**15**	**23**	**329**
Building 2 Subtotal (PCE)	**18**	**10**	**27**	**10**	**20**	**30**	**437**
TOTAL TRIPS (PCE)	**138**	**75**	**213**	**78**	**159**	**237**	**3,409**

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.
Notes:
[1] Subtotals and Total Trips = passenger cars plus net truck trips (PCE).

As seen in Table 4.2-18, the Project is anticipated to generate a net total of approximately 3,409 PCE trip-ends per day with 213 trips (PCE) in the morning peak hour period, and 237 trips (PCE) during the evening peak hour period.

4.2.7.5 Project Trip Generation Comparison

As discussed in greater detail in Draft EIR Section 4.1, "Land Use and Planning," a zone change would be required in order to develop Building 2 (as proposed by the Project) as a high-cube warehouse/distribution facility. Because the 7.59-acre parcel for this building is currently zoned for business park/mixed uses, the City requested a trip generation comparison that could be used to determine whether the Project would generate fewer trips than would be anticipated with the current zoning. As seen in Table 4.2-19, the transition of this parcel to a high-cube warehouse use would result in more than 1,000 fewer trips (PCE) than would occur under development of this parcel as a business park/mixed-use project. On this basis, it was determined that a long-term, horizon year impact analysis would not be required for the Project.

Table 4.2-19
Trip Generation Comparison (Existing Zoning vs. Project)

Project Description	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Business Park/Mixed Use (BPX) development (115.717 thousand square feet)[1]							
Passenger Cars	139	27	165	35	115	149	1,477
BPX Development Subtotal	**139**	**27**	**165**	**35**	**115**	**149**	**1,477**
High-Cube Warehouse Use (Building 2 only, 164.270 thousand square feet)							
Passenger Cars	4	2	7	2	5	8	109
Truck Trips:							
2-axle	1	0	1	0	1	2	22
3-axle	3	1	4	2	3	5	66
4+axle	10	5	15	6	11	17	241
Net Truck Trips (PCE)	13	7	21	8	15	23	329
Building 2 Subtotal (PCE)	**18**	**10**	**27**	**10**	**20**	**30**	**437**
VARIANCE (PCE)	**(121)**	**(17)**	**(138)**	**(25)**	**(94)**	**(119)**	**(1,039)**

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.
Notes:
[1] Square footage based on 7.59-acre site and FAR (floor-to-area-ratio) of 0.35.
[2] Subtotals and Total Trips = passenger cars plus net truck trips (PCE).

4.2.7.6 Project Trip Distribution and Assignment

Trip distribution identifies the directional orientation of Project-related traffic on the transportation network, and is influenced by nearby land uses, network features, and existing travel patterns. The Project trip generation, as described above, was applied to projected distribution patterns in order to develop circulation assignments for new Project-related trips. Please refer to the Project TIA, EIR Appendix B, for further details regarding distribution and assignment of Project traffic to the local roadway network.

4.2.7.7 Existing (2012) With-Project Traffic Analysis

The Existing (2012) With-Project Traffic analysis scenario presents circulation system conditions that would occur if the Project were implemented under Existing (2012) conditions. Although the Project would not be physically constructed against conditions as they currently exist in 2012 (and potential impacts have not been addressed prior to Opening Year conditions), the Existing With-Project analysis provides an indication of the incremental effects of the Project in the context of current traffic conditions, and without the addition of assumed future cumulative traffic growth reflected under the Opening Year (2017) ambient and cumulative analysis scenarios.

Intersection Operations Analysis Summary

With the exception of projected deficiencies at the intersection of Elsworth Street and Cactus Avenue, all Study Area intersection would operate at acceptable levels of service under Existing With-Project conditions. Existing deficiencies and deficiencies projected to occur under Existing With-Project conditions are summarized in Table 4.2-20.

Table 4.2-20
Intersection Deficiencies
Existing and Existing With-Project Conditions

Intersection[1]	Traffic Control[2]	Existing (2012)				Existing (2012) With-Project			
		Delay (secs.)		LOS		Delay (secs.)		LOS	
		AM	PM	AM	PM	AM	PM	AM	PM
Elsworth Street at Cactus Avenue	TS	51.1	77.0	D	E	59.2	>80.0	E	F

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.

Notes:

[1] Shading indicates deficiencies. All other Study Area intersections will operate acceptably under Existing and Existing With-Project conditions. Please refer also to Project TIA Tables 3-1 and 5-1.

[2] TS = Traffic Signal.

As seen in 4.2-20, unacceptable LOS conditions currently occur in the evening peak hour period under Existing conditions, and the addition of Project-related traffic would add to this existing deficiency, while also resulting in unacceptable LOS conditions in the morning peak hour period.

Roadway Segment Capacity Analysis Summary

Under Existing and Existing With-Project conditions, all but three Study Area roadway segments would operate acceptably. Existing deficiencies and deficiencies projected to occur under Existing With-Project conditions are summarized in Table 4.2-21.

Table 4.2-21
Roadway Segment Deficiencies
Existing and Existing With-Project Conditions

Roadway	Segment[1]	Roadway Section[2]	LOS Capacity	Existing (2012)			Existing (2012) With-Project		
				Volume	V/C	LOS	Volume	V/C	LOS
Cactus Avenue	I-215 Northbound Ramps to Commerce Center Drive	4D	37,500	34,500	0.92	E	37,200	0.99	E
	Commerce Center Drive to Elsworth Street	4D	37,500	33,900	0.90	D	36,600	0.98	E
	Veterans Way to Frederick Street	4D	37,500	32,900	0.88	D	35,600	0.95	E

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.

Notes:

[1] Shading indicates deficiencies. All other Study Area Roadway Segments will operate acceptably under Existing With-Project conditions. Please refer also to Project TIA Tables 3-2 and 5-2.

[2] 4D = Four lane, divided roadway.

As noted previously within this Section, the City of Moreno Valley roadway segment capacity levels are approximate only, and are used at the General Plan level to assist in determining the number of through lanes needed to meet future traffic demand. Because the adjacent Study Area intersections at each of these deficient roadway segments are anticipated to operate acceptably in the Existing (2012) With-Project condition, no roadway segment widening would be recommended.

Traffic Signal Warrants Analysis Summary

Under both Existing (2012) and Existing With-Project conditions, there are no traffic signals that appear to be warranted within the Study Area. On this basis, no impacts related to traffic signal warrants have been identified for the Existing With-Project scenario.

Freeway Ramp Progression (Queuing) Analysis Summary

The addition of Project-related traffic did not result in freeway ramp progression (queuing) deficiencies when compared to the Existing, No-Project condition. Additional detail is provided in the Project TIA, Table 5.3 (please refer to Draft EIR Appendix B).

Freeway Segment Analysis Summary

No potential freeway segment impacts were identified with the addition of Project-related traffic under Existing, No-Project conditions. Additional detail is provided in the Project TIA, Table 5.4 (please refer to Draft EIR Appendix B).

Freeway Merge/Diverge Ramp Junction Analysis Summary

The addition of Project-related traffic did not result in freeway merge/diverge ramp junction deficiencies when compared to the Existing, No-Project condition. Additional detail is provided in the Project TIA, Table 5.5 (please refer to Draft EIR Appendix B).

4.2.7.8 Opening Year (2017) No-Project and With-Project Traffic Analysis

Opening Year traffic volumes and levels of service reflect conditions which could be expected based on Project completion and opening in the year 2017. The "No-Project" Opening Year condition reflects current (2012) traffic volumes, plus additional background traffic that would be generated by generalized ambient growth within the region. Based on discussions with the City of Moreno Valley, a traffic growth factor of two percent (2.0%) per year was used for non-specific ambient traffic growth. This factor was compounded over five years for a total ambient growth factor of 10.4 percent.

Intersection Operations Analysis Summary

With the exception of projected deficiencies at the intersection of Elsworth Street and Cactus Avenue, all Study Area intersections would operate at acceptable levels of service under Opening Year conditions. Deficiencies projected to occur under Opening Year conditions are summarized in Table 4.2-22.

Table 4.2-22
Intersection Deficiencies
Opening Year No-Project and With-Project Conditions

Intersection[1]	Traffic Control[2]	No-Project (2017)				With-Project (2017)			
		Delay (secs.)		LOS		Delay (secs.)		LOS	
		AM	PM	AM	PM	AM	PM	AM	PM
Elsworth Street at Cactus Avenue	TS	67.4	>80.0	E	F	>80.0	>80.0	F	F

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.

Notes:

[1] Shading indicates deficiencies. All other Study Area intersections will operate acceptably under Opening Year No-Project and With-Project conditions. Please refer also to Project TIA Table 6-1.

[2] TS = Traffic Signal.

The deficiencies identified in Table 4.2-22 (unacceptable LOS conditions in the morning and evening peak hour periods) are considered potentially significant.

Roadway Segment Capacity Analysis Summary

Under Opening Year No-Project and With-Project conditions, all but three Study Area roadway segments would operate acceptably. Deficiencies projected to occur under Opening Year conditions are summarized in Table 4.2-23.

Table 4.2-23
Roadway Segment Deficiencies
Opening Year No-Project and With-Project Conditions

Roadway	Segment[1]	Roadway Section[2]	LOS Capacity	No-Project (2017)			With-Project (2017)		
				Volume	V/C	LOS	Volume	V/C	LOS
Cactus Avenue	I-215 Northbound Ramps to Commerce Center Drive	4D	37,500	38,100	1.02	F	40,800	1.09	F
	Commerce Center Drive to Elsworth Street	4D	37,500	36,400	0.97	E	40,100	1.07	F
	Veterans Way to Frederick Street	4D	37,500	36,300	0.97	E	39,000	1.04	F

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.

Notes:

[1] Shading indicates deficiencies. All other Study Area Roadway Segments will operate acceptably under Opening Year No-Project and With-Project conditions. Please refer also to Project TIA Table 6-2.

[2] 4D = Four lane, divided roadway.

As noted previously within this Section, the City of Moreno Valley roadway segment capacity levels are approximate only, and are used at the General Plan level to assist in determining the number of through lanes needed to meet future traffic demand. Because the adjacent Study Area intersections at each of these deficient roadway segments are anticipated to operate acceptably in the Opening Year (2017) With-Project condition, no roadway segment widening is recommended. Roadway Segment impacts under Opening Year With-Project conditions are therefore considered less-than-significant.

Traffic Signal Warrants Analysis Summary

Under Opening Year No-Project and With-Project conditions, there are no traffic signals that appear to be warranted within the Study Area. Potential impacts related to traffic signal warrants are considered less-than-significant.

Freeway Ramp Progression (Queuing) Analysis Summary

Table 4.2-24 summarizes Ramp Progression (Queuing) Analysis deficiencies for Opening Year No-Project and With-Project conditions. For the locations and movements identified as not acceptable, the 95th percentile traffic queue would exceed the available stacking distance.

Table 4.2-24
Opening Year No-Project and With-Project Freeway Ramp Queuing Deficiencies

Location, Movement[1]	Stacking Distance Provided (feet)	No-Project (2017)				With-Project (2017)			
		95th Percentile Stacking Distance Required (feet)		Acceptable?		95th Percentile Stacking Distance Required (feet)		Acceptable?	
		AM	PM	AM	PM	AM	PM	AM	PM
I-215 Northbound Ramps at Cactus Avenue, NBL[2]	145	233	51	No	Yes	233	53	No	Yes

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.

Notes:

[1] Shading indicates deficiencies. All other Study Area freeway ramp queue locations will operate acceptably under Opening Year No-Project and With-Project conditions. Please refer also to Project TIA Table 6-1.

[2] NBL = Northbound left turn.

As seen in Table 4.2-24, although the 95th percentile queue may potentially be exceeded during the Opening Year morning peak hour period for the northbound left-turn movement, the Project would not measurably contribute to any potential queuing issues at this location. Further, the Project TIA indicates that it is not anticipated that these queues would spill back onto the I-215 since there appears to be sufficient storage available in the adjacent northbound through lane. On this basis, Project-related impacts are considered less-than-significant.

Freeway Segment Analysis Summary

Opening Year (2017) peak hour mainline volumes are provided in the Project TIA, Table 6-4 (please refer to Draft EIR Appendix B). This analysis assumes the existing mixed-flow lanes only, and does not account for planned HOV-lane improvements that may be constructed by Caltrans at a later date. The mainline freeway segments within the Study Area are anticipated to operate at acceptable levels of service under Opening

Year conditions, both in the No-Project condition and with the addition of Project-related traffic. Potential Opening Year freeway segment impacts are considered less-than-significant.

Freeway Merge/Diverge Ramp Junction Analysis Summary

All Study Area freeway merge/diverge ramp junctions would operate acceptably under Opening Year (2017) No-Project and With-Project conditions. Potential Opening Year freeway merge/diverge ramp junction impacts are thus considered less-than-significant. Additional detail is provided in the Project TIA, Table 6.5 (please refer to Draft EIR Appendix B).

4.2.7.9 Opening Year (2017) Cumulative No-Project and With-Project Traffic Analysis

Opening Year Cumulative traffic volumes and levels of service reflect conditions which could be expected based on Project completion and opening in the year 2017. The "No-Project" Opening Year condition reflects current (2012) traffic volumes, plus additional background traffic that would be generated by generalized ambient growth within the region (two percent per year, or 10.4 percent total, compounded over five years), and traffic that would be generated by known or probable related projects. A list of known or probable related projects to be considered in the analysis was also developed in consultation and coordination with the City and neighboring municipalities. Known or probable related projects contributing to Study Area traffic impacts are listed previously at Table 4.2-16.

Intersection Operations Analysis Summary

Deficiencies projected to occur under Opening Year Cumulative conditions are summarized in Table 4.2-25. As seen in this summary Table, there are a total of five Study Area intersection locations that will experience deficiencies during one or both of the peak hour periods for Opening Year Cumulative conditions without the Project.

Table 4.2-25
Intersection Deficiencies
Opening Year Cumulative No-Project and With-Project Conditions

Intersection[1]	Traffic Control[2]	No-Project (2017)				With-Project (2017)			
		Delay (secs.)		LOS		Delay (secs.)		LOS	
		AM	PM	AM	PM	AM	PM	AM	PM
I-215 Southbound Ramps at Cactus Avenue	TS	25.1	>80.0	C	F	33.5	>80.0	C	F
I-215 Northbound Ramps at Cactus Avenue	TS	>80.0	12.3	F	B	>80.0	14.1	F	B
Elsworth Street at Cactus Avenue	TS	>80.0	>80.0	F	F	>80.0	>80.0	F	F
Frederick Street at Cactus Avenue	TS	67.1	30.7	E	C	>80.0	38.0	F	D
Graham Street at Cactus Avenue	TS	53.0	>80.0	D	F	53.6	>80.0	D	F

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.

Notes:

[1] Shading indicates deficiencies. All other Study Area intersections will operate acceptably under Opening Year Cumulative No-Project and With-Project conditions. Please refer also to Project TIA Table 7-1.

[2] TS = Traffic Signal.

The addition of Project traffic would not result in unacceptable levels of service at additional Study Area intersections, but Project-related trips could exacerbate deficiencies that are anticipated to occur due to ambient growth and the addition of traffic from related projects. This is considered a potentially significant cumulative impact of the Project.

Roadway Segment Capacity Analysis Summary

Under Opening Year Cumulative No-Project and With-Project conditions, a total of nine Study Area roadway segments would operate unacceptably. Deficiencies projected to occur under Opening Year Cumulative conditions are summarized in Table 4.2-26.

Table 4.2-26
Roadway Segment Deficiencies
Opening Year Cumulative No-Project and With-Project Conditions

Roadway	Segment[1]	Roadway Section[2]	LOS Capacity	No-Project (2017)			With-Project (2017)		
				Volume	V/C	LOS	Volume	V/C	LOS
Cactus Avenue	I-215 Southbound Ramps to I-215 Northbound Ramps	4D	37,500	34,300	0.91	E	34,800	0.93	E
	I-215 Northbound Ramps to Commerce Center Drive	4D	37,500	54,100	1.44	F	56,800	1.51	F
	Commerce Center Drive to Elsworth Street	5D	46,900	51,000	1.36	F	54,800	1.46	F
	Elsworth Street to Veterans Way	4D	37,500	48,000	1.02	F	50,700	1.08	F
	Veterans Way to Frederick Street	5D	46,900	51,500	1.37	F	54,200	1.45	F
	Frederick Street to Driveway 3	5D	46,900	54,600	1.16	F	56,100	1.20	F
	Driveway 3 to Driveway 4	5D	46,900	54,600	1.16	F	56,000	1.19	F
	Driveway 4 to Graham Street	5D	46,900	53,900	1.15	F	54,800	1.17	F
	East of Graham Street	5D	46,900	42,700	0.91	E	42,900	0.91	E

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.

Notes:

[1] Shading indicates deficiencies. All other Study Area Roadway Segments will operate acceptably under Opening Year Cumulative No-Project and With-Project conditions. Please refer also to Project TIA Table 6-2.

[2] 4D = Four lane, divided roadway; 5D = Five lane, divided roadway.

As seen in Table 4.2-26, the addition of Project traffic would not result in unacceptable levels of service at additional Study Area roadway segments, but Project-related trips could exacerbate deficiencies that are anticipated to occur due to ambient growth and the addition of traffic from related projects. A peak hour assessment of intersections located on either side of each of these deficient roadway segments indicates that with the implementation of Mitigation Measures 4.2.1 through 4.2.6 (presented subsequently in Section 4.2.8), adjacent intersections would operate at acceptable levels of service. On this basis, no additional roadway segment widening is recommended. However, pending completion of the required improvements at Study Area intersections, the Project's contributions to Opening Year Cumulative traffic impacts at the deficient roadway segments identified in Table 4.2-26 are considered to be potential cumulative impacts.

Traffic Signal Warrants Analysis Summary

Under Opening Year Cumulative No-Project and With-Project conditions, there are no traffic signals that appear to be warranted within the Study Area. Potential cumulative impacts related to traffic signal warrants are considered less-than-significant.

Freeway Ramp Progression (Queuing) Analysis Summary

Table 4.2-27 summarizes Ramp Progression (Queuing) Analysis deficiencies for Opening Year No-Project and With-Project conditions. For the locations and movements identified as not acceptable, the 95th percentile traffic queue would exceed the available stacking distance.

Table 4.2-27
Opening Year Cumulative No-Project and With-Project
Freeway Ramp Queuing Deficiencies

Location, Movement[1]	Stacking Distance Provided (feet)	No-Project (2017)				With-Project (2017)			
		95th Percentile Stacking Distance Required (feet)		Acceptable?		95th Percentile Stacking Distance Required (feet)		Acceptable?	
		AM	PM	AM	PM	AM	PM	AM	PM
I-215 Southbound Ramps at Cactus Avenue, WBL	1,022	279[2]	1,383[2,3]	Yes	No	286	1,425[2,3]	Yes	No
I-215 Northbound Ramps at Cactus Avenue, NBL	145	830[3]	172[3]	No	No	868[3]	194[3]	No	No
I-215 Northbound Ramps at Cactus Avenue, WBT	1,120	1,067	684	Yes	Yes	1,160[3]	812[3]	No	Yes

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.

Notes:

[1] Shading indicates deficiencies. All other Study Area freeway ramp queuing locations will operate acceptably under Opening Year Cumulative No-Project and With-Project conditions. Please refer also to Project TIA Table 6-1.
WBL = Westbound left turn; NBL = northbound left turn; WBT = westbound through.

[2] Volume for 95th percentile queue is metered by upstream signal.

[3] 95th percentile volume exceeds capacity, queue may be longer. Queue shown is maximum after two cycles.

As seen in Table 4.2-27, both the westbound left-turn lane of the I-215 Southbound Ramps at Cactus Avenue and the northbound left-turn lane on the I-215 Northbound Ramps at Cactus Avenue, may experience queuing issues during peak hour periods.

The addition of Project-related traffic would exacerbate these deficiencies. Table 4.2-27 also identifies a Project-related deficiency that is anticipated to affect queues at the westbound through lane on the I-215 Northbound Ramps at Cactus Avenue. These are potentially significant cumulative Project impacts.

Freeway Segment Analysis Summary

Opening Year Cumulative (2017) peak hour mainline volumes are provided in the Project TIA, Table 7-4 (please refer to Draft EIR Appendix B). This analysis assumes the existing mixed-flow lanes only, and does not account for planned HOV-lane improvements that may be constructed by Caltrans at a later date. The mainline freeway segments within the Study Area are anticipated to operate at acceptable levels of service under Opening Year Cumulative conditions, both in the No-Project condition and with the addition of Project-related traffic. Potential Opening Year Cumulative freeway segment impacts are considered less-than-significant.

Freeway Merge/Diverge Ramp Junction Analysis Summary

All Study Area freeway merge/diverge ramp junctions would operate acceptably under Opening Year Cumulative (2017) No-Project and With-Project conditions. Potential Opening Year Cumulative freeway merge/diverge ramp junction impacts are thus considered less-than-significant. Additional detail is provided in the Project TIA, Table 7.5 (please refer to Draft EIR Appendix B).

4.2.8 POTENTIAL IMPACTS AND MITIGATION MEASURES

The following discussions focus on those topical traffic/circulation issues areas where it has been determined that the Project may result in potentially significant impacts, based on the analysis included within the EIR Initial Study (EIR Appendix A). As substantiated in the Initial Study, the Project will not result in potentially significant impacts related to a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. All other CEQA topics related to potential traffic/circulation impacts of the Project are discussed below. Please refer to also Initial Study Checklist Item XVI., "Transportation/Traffic."

Potential Impact: ***Would the Project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?***

Impact Analysis: The following discussions summarize the preceding Opening Year and Opening Year Cumulative analysis scenarios, and provide an assessment of the Project's potential to cause or contribute to conflict(s) with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the Study Area circulation system. These potential impacts are evaluated in terms of the Project's calculated effects related to Intersection Operations, Roadway Segment Capacity, Traffic Signal Warrants, Freeway Ramp Progression (Queuing), Freeway Segment Capacity, and Freeway Merge/Diverge Ramp Junction Operations. The Project does not propose elements or operations that would potentially conflict with an ordinance or policy establishing measures of effectiveness for the performance of pedestrian and bicycle paths, or mass transit. Please refer also to preceding Section 4.2.7 discussions, and to the detailed Project TIA, EIR Appendix B.

OPENING YEAR (2017) CONDITIONS

Potential Intersection Impacts

Under Opening Year With-Project conditions, the Project will contribute to LOS deficiencies at the intersection of Elsworth Street at Cactus Avenue in both the morning and evening peak hour periods. This is considered a potentially significant impact. All other Study Area intersections would operate acceptably, consistent with applicable performance standards.

Level of Significance: Potentially Significant.

Mitigation Measure:

4.2.1 Elsworth Street and Cactus Avenue Improvements:

Prior to issuance of the first Certificate of Occupancy, the Project Applicant shall construct the following improvement.

- *Remove the existing southbound crosswalk (i.e., the crosswalk on the western leg of the intersection) to provide additional "green time" to other approaches. This removal shall be accomplished in a manner consistent with applicable regulations, including but not limited to Chapter 3B of the 2012* California Manual on Uniform Traffic Control Devices *(MUTCD), and Section 21950.5 of the California Vehicle Code. The existing crosswalks on the north, east and south legs of the intersection shall be maintained.*

Level of Significance After Mitigation: Less-Than-Significant.

With application of Mitigation Measure 4.2.1, LOS conditions at the intersection of Elsworth Street at Cactus Avenue will comply with the City's intersection LOS performance standards, as seen in Table 4.2-28. Project impacts are therefore reduced to less-than-significant.

Table 4.2-28
Comparison of Intersection Operations With Mitigation
Opening Year (2017) Conditions[1]

Intersection	Traffic Control[2]	Unmitigated				Mitigated[3]			
		Delay (secs.)		LOS		Delay (secs.)		LOS	
		AM	PM	AM	PM	AM	PM	AM	PM
Elsworth Street at Cactus Avenue	TS	>80.0	>80.0	F	F	34.3	45.2	C	D

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.

Notes:

[1] Shading indicates deficiencies.

[2] TS = Traffic Signal. Per the 2000 Highway Capacity Manual, overall average intersection delay and level of service are shown for intersections with a traffic signal.

[3] Recommendation is to remove the existing southbound crosswalk (on west leg). No additional lane improvements are recommended.

Potential Roadway Segment Capacity Impacts

Under Opening Year (2017) conditions, the Project will contribute to LOS deficiencies at three segments of Cactus Avenue: I-215 Northbound Ramps to Commerce Center Drive; Commerce Center Drive to Elsworth Street; and Veterans Way to Frederick Street. However, because the adjacent Study Area intersections at each of these roadway segments are anticipated to operate acceptably in the Opening Year (2017) With-Project condition, no roadway segment widening is recommended. All Roadway Segment Impacts under Opening Year With-Project conditions are thus considered less-than-significant.

Level of Significance: Less-Than-Significant.

Mitigation Measures: No mitigation is required.

Potential Traffic Signal Warrant Impacts

The analysis presented previously at Section 4.2.7 indicates that under Opening Year No-Project and With-Project conditions, none of the currently unsignalized Study Area intersections would meet traffic signal warrants. Potential traffic signal warrant impacts are therefore considered less-than-significant.

Level of Significance: Less-Than-Significant.

Mitigation Measures: No mitigation is required.

Potential Freeway Ramp Progression (Queuing) Impacts

The analysis presented previously at Section 4.2.7 indicates that although the 95th percentile queue may potentially be exceeded during the Opening Year morning peak hour period for the northbound left-turn movement of the I-215 Northbound Ramps at Cactus Avenue in the morning peak hour period under Opening Year (2017) conditions, the Project would not contribute to any potential queuing issues at this location. Further, the Project TIA indicates that it is not anticipated that these queues would spill back onto the I-215 since there appears to be sufficient storage available in the adjacent

northbound through lane. On this basis, Project-related impacts are considered less-than-significant.

Level of Significance: Less-Than-Significant.

Mitigation Measure: No mitigation is required.

Potential Freeway Segment Capacity Impacts

The analysis presented previously at Section 4.2.7 indicates that under Opening Year No-Project and With-Project conditions, all Study Area freeway segments will operate within applicable performance standards. Potential freeway segment capacity impacts are therefore considered less-than-significant.

Level of Significance: Less-Than-Significant.

Mitigation Measures: No mitigation is required.

Potential Freeway Merge/Diverge Ramp Junction Impacts

The analysis presented previously at Section 4.2.7 indicates that under Opening Year No-Project and With-Project conditions, all Study Area freeway merge/diverge ramp junctions will operate within applicable performance standards. Potential freeway merge/diverge ramp junction impacts are therefore considered less-than-significant.

Level of Significance: Less-Than-Significant.

Mitigation Measures: No mitigation is required.

OPENING YEAR (2017) CUMULATIVE CONDITIONS

Potential Intersection Impacts

The analysis presented previously at Section 4.2.7 indicates that under Opening Year Cumulative With-Project conditions, the Project will continue to contribute to LOS deficiencies at the intersection of Elsworth Street at Cactus Avenue in both the morning and evening peak hour periods. In addition, four new Study Area intersection locations will experience deficiencies during one or both of the peak hour periods for Opening Year Cumulative conditions without the Project. The addition of Project traffic would exacerbate deficiencies that are anticipated to occur due to ambient growth and the addition of traffic from related projects. This is considered a potentially significant cumulative impact. All other Study Area intersections would operate acceptably, consistent with applicable performance standards.

Level of Significance: Potentially Significant.

Mitigation Measures:

4.2.2 I-215 Southbound Ramps at Cactus Avenue Improvement:

- *Construct a second westbound through lane.*

This improvement will be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of I-215 Southbound Ramps at Cactus Avenue.

4.2.3 I-215 Northbound Ramps at Cactus Avenue Improvements:

- *Construct a second northbound left-turn lane;*
- *Re-stripe the existing eastbound shared through/right-turn lane as the third through lane;*
- *Construct a dedicated eastbound right-turn lane;*
- *Construct a third westbound through lane; and*

- *Construct a dedicated westbound right-turn lane.*

These improvements will be funded through participating in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of I-215 Northbound Ramps at Cactus Avenue.

4.2.4 Elsworth Street at Cactus Avenue Improvement:

- *Construct a third eastbound through lane.*

This improvement will be funded through participation in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Elsworth Street at Cactus Avenue.

4.2.5 Frederick Street at Cactus Avenue Improvements:

- *Construct a third eastbound through lane; and*
- *Construct a third westbound through lane.*

These improvements will be funded through participating in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Frederick Street at Cactus Avenue.

4.2.6 Graham Street at Cactus Avenue Improvements:

- *Remove the existing southbound crosswalk (i.e., crosswalk on the west leg) to provide additional green time to other approaches; and*
- *Construct a third eastbound through lane.*

These improvements will be funded through participating in the TUMF and/or DIF program(s). The Project will pay required fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Graham Street at Cactus Avenue.

Level of Significance After Mitigation: ***Significant and Unavoidable.***

As seen in Table 4.2-29, with the implementation of the recommended improvements, LOS conditions at Study Area intersections will comply with the City's intersection LOS performance standards. However, because the improvements identified in Mitigation Measures 4.2.2 through 4.2.6 involve the construction of improvements that are either outside the jurisdiction of the City of Moreno Valley (e.g., widening of I-215 ramps) or beyond the control of the Project Applicant (e.g., widening of Cactus Avenue beyond the Project frontage), the successful completion of the required improvements for the Opening Year Cumulative condition cannot be ensured prior to the opening of the Project. ***As such, the Project's contributions to Opening Year Cumulative traffic impacts at the following intersections are cumulatively considerable, significant and unavoidable:***

- ***I-215 Southbound Ramps at Cactus Avenue;***
- ***I-215 Northbound Ramps at Cactus Avenue;***
- ***Elsworth Street at Cactus Avenue;***
- ***Frederick Street at Cactus Avenue; and***
- ***Graham Street at Cactus Avenue.***

Table 4.2-29
Comparison of Intersection Operations With Mitigation
Opening Year (2017) Cumulative Conditions[1]

Intersection	Traffic Control[2]	Unmitigated				Mitigated			
		Delay (secs.)		LOS		Delay (secs.)		LOS	
		AM	PM	AM	PM	AM	PM	AM	PM
I-215 Southbound Ramps at Cactus Avenue	TS	33.5	>80.0	C	F	14.1	29.3	B	C
I-215 Northbound Ramps at Cactus Avenue	TS	>80.0	12.3	F	B	25.8	16.3	C	B
Elsworth Street at Cactus Avenue[3]	TS	>80.0	>80.0	F	F	51.8	53.5	D	D
Frederick Street at Cactus Avenue	TS	>80.0	38.0	F	D	26.1	19.7	C	C
Graham Street at Cactus Avenue	TS	53.6	>80.0	D	F	50.4	39.9	D	D

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.
Notes:
[1] Shading indicates deficiencies.
[2] TS = Traffic Signal. Per the 2000 Highway Capacity Manual, overall average intersection delay and level of service are shown for intersections with a traffic signal.
[3] Improvements include removal of the existing southbound crosswalk (on west leg), as required under Mitigation Measure 4.2.1.

Potential Roadway Segment Capacity Impacts

As seen in Table 4.2-30, under Opening Year (2017) conditions, the Project will contribute to LOS deficiencies at the following segments of Cactus Avenue:

- Cactus Avenue, I-215 Southbound Ramps to I-215 Northbound Ramps;
- Cactus Avenue, I-215 Northbound Ramps to Commerce Center Drive;
- Cactus Avenue, Commerce Center Drive to Elsworth Street;
- Cactus Avenue, Elsworth Street to Veterans Way;
- Cactus Avenue, Veterans Way to Frederick Street;
- Cactus Avenue, Frederick Street to Driveway 3;
- Cactus Avenue, Driveway 3 to Driveway 4;
- Cactus Avenue, Driveway 4 to Graham Street; and
- Cactus Avenue, East of Graham Street.

The TIA notes that Cactus Avenue is in the process of being widened to a six-lane divided roadway, which is its ultimate General Plan configuration. Completion of this widening (to be constructed in conjunction with the development of parcels fronting on Cactus Avenue) will result in lowered volume-to-capacity ratios for each of the deficient segments identified above. However, even with the widening in place, the addition of traffic from the Project (in combination with traffic from ambient growth and related development projects) will exceed the City's LOS standards for roadway segments under the Opening Year Cumulative condition at seven Cactus Avenue roadway segments, as seen in Table 4.2-30.

Because the adjacent Study Area intersections at each of these roadway segments are anticipated to operate acceptably in the Opening Year (2017) With-Project condition with mitigation, no additional roadway segment widening (beyond the six lanes identified in the General Plan) is recommended. Nonetheless, because the successful completion of the widening is outside the control of the Project Applicant, the addition of Project-related traffic to roadway segments that are already deficient is considered a cumulatively significant and unavoidable impact.

Level of Significance: Potentially Significant.

Table 4.2-30
Comparison of Roadway Segment Operations With Mitigation
Opening Year (2017) Cumulative Conditions

Roadway	Segment[1]	Unmitigated				Mitigated			
		Roadway Section[2]	Volume	V/C	LOS	Roadway Section[2]	LOS Capacity	V/C	LOS
Cactus Avenue	I-215 Southbound Ramps to I-215 Northbound Ramps	4D	34,800	0.93	E	6D	56,300	0.62	B
	I-215 Northbound Ramps to Commerce Center Drive	4D	56,800	1.51	F	6D	56,300	1.01	F
	Commerce Center Drive to Elsworth Street	5D	54,800	1.46	F	6D	56,300	0.97	E
	Elsworth Street to Veterans Way	4D	50,700	1.08	F	6D	56,300	0.90	E
	Veterans Way to Frederick Street	5D	54,200	1.45	F	6D	56,300	0.96	E
	Frederick Street to Driveway 3	5D	56,100	1.20	F	6D	56,300	1.00	E
	Driveway 3 to Driveway 4	5D	56,000	1.19	F	6D	56,300	0.99	E
	Driveway 4 to Graham Street	5D	54,800	1.17	F	6D	56,300	0.97	E
	East of Graham Street	5D	42,900	0.91	E	6D	56,300	0.76	C

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.
Notes:
[1] Shading indicates deficiencies. All other Study Area Roadway Segments will operate acceptably under Opening Year Cumulative No-Project and With-Project conditions. Please refer also to Project TIA Table 6-2.
[2] 4D = Four lane, divided roadway; 5D = Five lane, divided roadway; 6D = Six lane, divided roadway.

Mitigation Measures: Please refer to Mitigation Measures 4.2.2 through 4.2.6.

Level of Significance After Mitigation: ***Pending completion of the required improvements identified in Mitigation Measures 4.2.2 through 4.2.6, the Project's contributions to Opening Year Cumulative traffic impacts at the following roadway segments are cumulatively considerable, significant and unavoidable:***

- ***Cactus Avenue, I-215 Northbound Ramps to Commerce Center Drive;***
- ***Cactus Avenue, Commerce Center Drive to Elsworth Street;***
- ***Cactus Avenue, Elsworth Street to Veterans Way;***
- ***Cactus Avenue, Veterans Way to Frederick Street;***
- ***Cactus Avenue, Frederick Street to Driveway 3;***
- ***Cactus Avenue, Driveway 3 to Driveway 4; and***
- ***Cactus Avenue, Driveway 4 to Graham Street.***

SUMMARY OF OPENING YEAR (2017) CUMULATIVE INTERSECTION IMPROVEMENTS

The Study Area intersection improvements identified in Table 4.2-31, when completed, will mitigate potential Project-related and cumulative traffic impacts within the Study Area roadways. The Project applicant will pay all requisite traffic impact fees (TUMF, DIF, and fair-share fees) toward the construction of improvements necessary to mitigate the Project's significant cumulative impacts and ensure maintenance of adequate operational conditions for Study Area roadways and intersections.

Non-residential TUMF and DIF collected by the City are established on a pro-rata, dollar per square foot basis, as discussed in greater detail in the Project TIA (Draft EIR Appendix B, Section 9.0, "Local and Regional Funding Mechanisms"). As noted in the Project TIA, the Project's estimated fee obligation totals $3,656,514. Calculation of the Project's fair share fee contributions is based on proportional traffic volumes at the affected facilities. A project's fair share contribution is determined based on the following equation, which is the ratio of project traffic to new traffic:

Project Fair Share % = Project Traffic / (Total Traffic – Existing Traffic)

Table 4.2-31 presents the percentage of the Project-specific traffic impact at the intersection of Graham Street at Cactus Avenue. Because the removal of the crosswalk is not covered by TUMF or DIF, the percentage of net traffic contributed by the Project would represent its fair share fee contribution toward required improvements.

Table 4.2-31

Summary of Intersection Improvements

Location	Total Recommended Improvements	Project Mitigation Improvements	Program Improvements[1]	Non-Program Improvements[2]	Project Fair Share %
Intersections					
I-215 Southbound Ramps at Cactus Avenue	Construct a second westbound through lane (Mitigation Measure 4.2.2).	None	1.EBR, 1.WBL (TUMF Interchange)	None	--
I-215 Northbound Ramps at Cactus Avenue	Construct a second northbound left-turn lane, a dedicated eastbound right-turn lane, a third westbound through lane, and a dedicated westbound right-turn lane; and re-stripe the existing eastbound shared through/right-turn lane as the third through lane (Mitigation Measure 4.2.3).	None	1.NBL, 1.EBT, 1.EBR, 1.WBT, 1.WBR (TUMF Interchange)	None	--
Elsworth Street at Cactus Avenue	Construct a third eastbound through lane (Mitigation Measure 4.2.4) and remove southbound crosswalk (Mitigation Measure 4.2.1).	Removal of southbound crosswalk	1.EBT (TUMF and/or DIF)	None	--
Frederick Street at Cactus Avenue	Construct a third eastbound through lane, and a third westbound through lane (Mitigation Measure 4.2.5).	None	1.WBT (TUMF); 1.EBT (TUMF and/or DIF)	None	--
Graham Street at Cactus Avenue	Remove the existing southbound crosswalk (i.e., crosswalk on the west leg) to provide additional green time to other approaches, and construct a third eastbound through lane (Mitigation Measure 4.2.6).	None	1.EBT (TUMF and/or DIF)	Removal of southbound crosswalk	4.4%

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.

Notes:

[1] Improvements included in TUMF Nexus (2006) or City of Moreno Valley DIF (2007) programs. Lane additions are shown as the number of lanes required and the direction of travel, for example, "1.WBT" indicates one additional westbound through lane.

[2] Program improvements constructed by Project may be eligible for fee credit. In-lieu fee payment is at discretion of City.

Potential Traffic Signal Warrant Impacts

The analysis presented previously at Section 4.2.7 indicates that under Opening Year No-Project and With-Project conditions, none of the currently unsignalized Study Area intersections would meet traffic signal warrants. Potential traffic signal warrant impacts are therefore considered less-than-significant.

Level of Significance: Less-Than-Significant.

Mitigation Measures: No mitigation is required.

Potential Freeway Ramp Progression (Queuing) Impacts

As seen in Table 4.2-32, although the 95th percentile queue may potentially be exceeded at three ramp locations under Opening Year Cumulative conditions, the implementation of planned improvements to I-215[3] will reduce queues at Study Area locations to acceptable levels.

However, because the planned I-215 improvements are both outside the jurisdiction of the City of Moreno Valley and beyond the control of the Project Applicant, the successful completion of the required improvements for the Opening Year Cumulative condition cannot be ensured prior to the opening of the Project.

Level of Significance: ***Pending completion of planned improvements to I-215, the Project's contributions to Opening Year Cumulative freeway ramp queues at the following locations are cumulatively considerable, significant and unavoidable:***

- ***I-215 Southbound Ramps at Cactus Avenue, Westbound Left-turn (evening peak hour period);***

[3] Improvements to I-215 are planned pursuant to the April 2008 Project Study Report (PSR) prepared by Caltrans for the I-215 North Project, which includes, but is not limited to the addition of northbound and southbound high-occupancy vehicle (HOV) lanes between Nuevo Road and Box Springs Road within the existing median.

- ***I-215 Northbound Ramps at Cactus Avenue, Northbound Left-turn (morning and evening peak hour periods); and***
- ***I-215 Northbound Ramps at Cactus Avenue, Westbound Through Lane (morning peak hour only.***

Mitigation Measures: No feasible mitigation has been identified.

Table 4.2-32
Comparison of Freeway Ramp Queuing With Improvements
Opening Year (2017) Cumulative Condition

Location, Movement[1]	Unimproved					With Improvements				
	Stacking Distance Provided (feet)	95th Percentile Stacking Distance Required (feet)		Acceptable?		Stacking Distance Provided (feet)	95th Percentile Stacking Distance Required (feet)		Acceptable?	
		AM	PM	AM	PM		AM	PM	AM	PM
I-215 Southbound Ramps at Cactus Avenue, WBL	1,022	286[2]	1,425[2,3]	Yes	No	1,022	280	501	Yes	Yes
I-215 Northbound Ramps at Cactus Avenue, NBL	145	868[3]	194[3]	No	No	515	307	84	Yes	Yes
I-215 Northbound Ramps at Cactus Avenue, WBT	1,120	1,160[3]	812[3]	No	Yes	1,120	661	567	Yes	Yes

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.

Notes:

[1] Shading indicates deficiencies. All other Study Area freeway ramp queuing locations will operate acceptably under Opening Year Cumulative No-Project and With-Project conditions. Please refer also to Project TIA Table 6-1.
WBL = Westbound left turn; NBL = northbound left turn; WBT = westbound through.

[2] Volume for 95th percentile queue is metered by upstream signal.

[3] 95th percentile volume exceeds capacity, queue may be longer. Queue shown is maximum after two cycles.

Potential Freeway Segment Capacity Impacts

The analysis presented previously at Section 4.2.7 indicates that under Opening Year No-Project and With-Project conditions, all Study Area freeway segments will operate within applicable performance standards. Potential freeway segment capacity impacts are therefore considered less-than-significant.

Level of Significance: Less-Than-Significant.

Mitigation Measures: No mitigation is required.

Potential Freeway Merge/Diverge Ramp Junction Impacts

The analysis presented previously at Section 4.2.7 indicates that under Opening Year No-Project and With-Project conditions, all Study Area freeway merge/diverge ramp junctions will operate within applicable performance standards. Potential freeway merge/diverge ramp junction impacts are therefore considered less-than-significant.

Level of Significance: Less-Than-Significant.

Mitigation Measures: No mitigation is required.

Potential Impact*: Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.*

Impact Analysis Overview: Within the Study Area, the I-215 is a designated Riverside County Congestion Management Program (CMP) facility. Under the County CMP, LOS E is established as the minimum acceptable LOS condition.[4]

[4] 2011 Riverside County Congestion Management Program (County CMP) (VRPA Technologies, Inc. for the Riverside County Transportation Commission) December 14, 2011; Page ES-1 *et al.*

Further, as provided for under the 2011 Riverside County Congestion Management Program:

> Deficient segments or intersections will be identified through the biennial traffic monitoring process. When a deficiency is identified as part of the CMP Update LOS evaluation process, further detailed analysis of LOS shall be conducted to determine whether an actual deficiency has occurred. The LOS analysis conducted as part of the CMP Update process is only considered to be a "screening" level analysis, therefore additional, more detailed assessment of a potential deficiency would be required before a deficiency is formally identified. Coordination with the affected local jurisdiction(s) will be made to insure that appropriate data, geometrics, counts and other related information is applied to calculate LOS. [5]

In light of the preceding, potential CMP facility impacts of the Project under Opening Year (2017) Ambient and Cumulative Conditions are considered less-than-significant. As discussed previously in this Section under the heading "Freeway Segment Analysis," in the Project Opening Year under both Ambient and Cumulative conditions, adequate LOS and operational efficiencies are maintained along I-215 freeway segments within the Study Area. In the Project Opening Year (2017), levels of service standards established by the Riverside County Congestion Management Agency are maintained. The potential for the Project to "exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways," is therefore less-than-significant.

Level of Significance: Less-Than-Significant.

Mitigation Measures: No mitigation is required.

[5] County CMP, Page ES-4 *et al.*

Potential Impact*: Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); and/or result in inadequate emergency access.*

Impact Analysis: To ensure appropriate design and implementation of all Project access improvements and to ensure that adequate emergency access has been provided, the final design of the Project site plan, to include locations and design of proposed driveways, shall be reviewed and approved by the City Traffic Engineer. Efficient and safe operations of the Project are provided by on-site and localized circulation and intersection improvements included as components of the Project, as seen in Figure 4.2-3. These improvements are reiterated below:

Frederick Street / Driveway 1

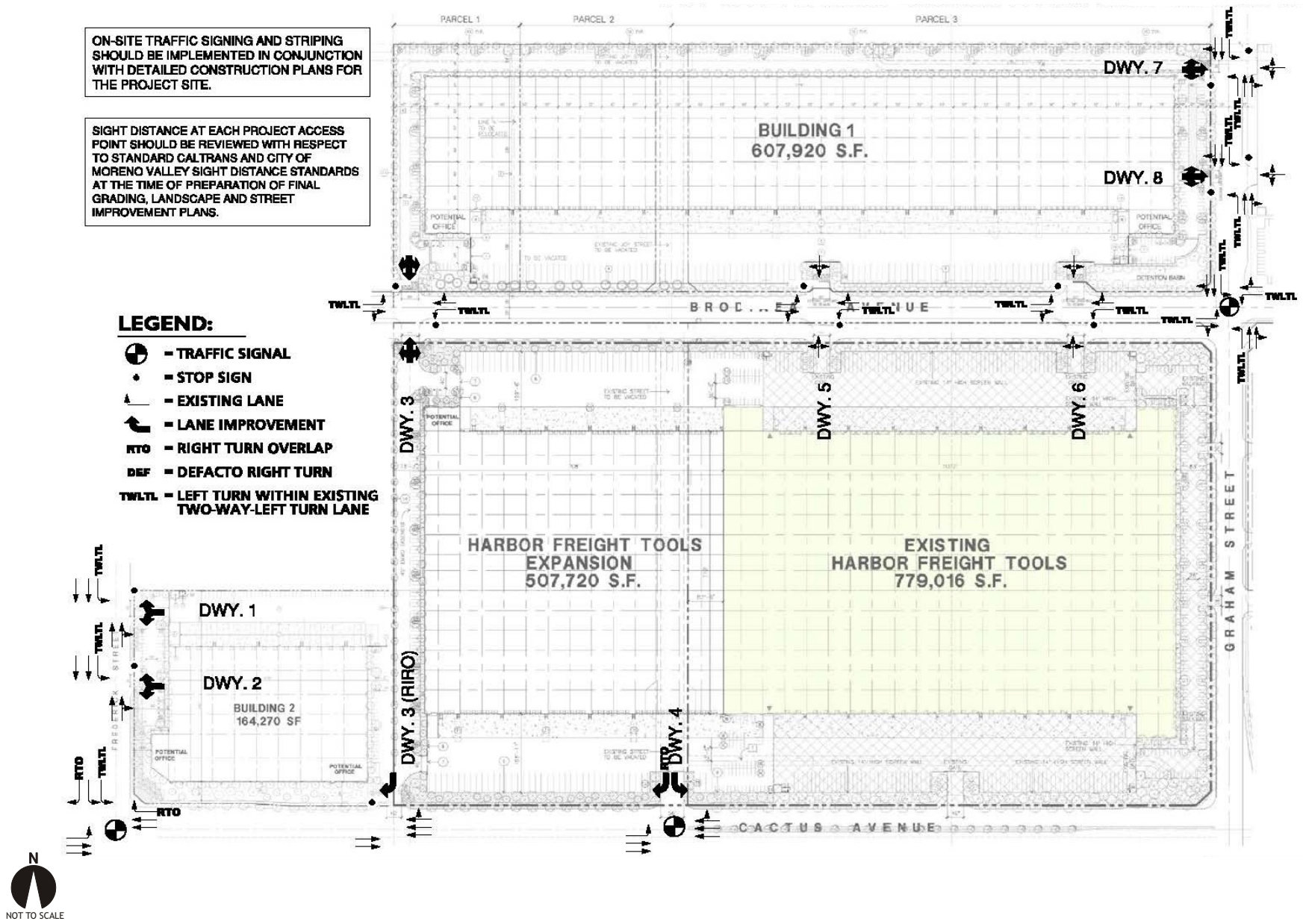
Install a stop control on the westbound approach and construct the intersection with the following geometrics:

- Northbound Approach: One through lane and one shared through/right-turn lane.
- Southbound Approach: One left-turn lane (to be accommodated within existing two-way-left-turn lane [TWLTL]) and two through lanes.
- Eastbound Approach: N/A
- Westbound Approach: One shared left/right-turn lane.

Frederick Street / Driveway 2

Install a stop control on the westbound approach and construct the intersection with the following geometrics:

- Northbound Approach: One through lane and one shared through/right-turn lane.
- Southbound Approach: One left-turn lane (to be accommodated within existing TWLTL) and two through lanes.
- Eastbound Approach: N/A
- Westbound Approach: One shared left/right-turn lane.



Source: Urban Crossroads, Inc.

Figure 4.2-3
Recommended Circulation Improvements

Frederick Street / Cactus Avenue

Construct the intersection with the following geometrics:

- Northbound Approach: N/A
- Southbound Approach: Two left-turn lanes (one lane to be accommodated within existing TWLTL) and one right-turn lane with overlap phasing.
- Eastbound Approach: One left-turn lane and two through lanes.
- Westbound Approach: Two through lanes and one right-turn lane with overlap phasing.

Driveway 3 / Brodiaea Avenue

Install stop controls on both the northbound and southbound approaches and construct the intersection with the following geometrics:

- Northbound Approach: One shared left/through/right-turn lane.
- Southbound Approach: One shared left/through/right-turn lane.
- Eastbound Approach: One left-turn lane (to be accommodated within existing TWLTL) and one shared through/right-turn lane.
- Westbound Approach: One left-turn lane (to be accommodated within existing TWLTL) and one shared through/right-turn lane.

Driveway 3 / Cactus Avenue

Install a stop control on the southbound approach and construct the intersection with the following geometrics:

- Northbound Approach: N/A
- Southbound Approach: One right-turn lane.
- Eastbound Approach: Two through lanes.
- Westbound Approach: Two through lanes and one shared through/right-turn lane.

Driveway 4 / Cactus Avenue

Maintain the existing traffic signal at Joy Street and construct the intersection with the following geometrics:

- Northbound Approach: N/A
- Southbound Approach: One left-turn lane and one right-turn lane with overlap phasing.
- Eastbound Approach: One left-turn lane and two through lanes.
- Westbound Approach: Two through lanes and one shared through/right-turn lane.

Driveway 5 / Brodiaea Avenue

Install stop controls on both the northbound and southbound approaches and construct the intersection with the following geometrics:

- Northbound Approach: One shared left/through/right-turn lane.
- Southbound Approach: One shared left/through/right-turn lane.
- Eastbound Approach: One left-turn lane (to be accommodated within existing TWLTL) and one shared through/right-turn lane.
- Westbound Approach: One left-turn lane (to be accommodated within existing TWLTL) and one shared through/right-turn lane.

Driveway 6 / Brodiaea Avenue

Install stop controls on both the northbound and southbound approaches and construct the intersection with the following geometrics:

- Northbound Approach: One shared left/through/right-turn lane.
- Southbound Approach: One shared left/through/right-turn lane.
- Eastbound Approach: One left-turn lane (to be accommodated within existing TWLTL) and one shared through/right-turn lane.
- Westbound Approach: One left-turn lane (to be accommodated within existing TWLTL) and one shared through/right-turn lane.

Graham Street / Driveway 7

Install stop controls on both the eastbound and westbound approaches and construct the intersection with the following geometrics:

- Northbound Approach: One left-turn lane (to be accommodated within existing TWLTL), one through lane, and one shared through/right-turn lane.
- Southbound Approach: One left-turn lane (to be accommodated within existing TWLTL), one through lane, and one shared through/right-turn lane.
- Eastbound Approach: One shared left/through/right-turn lane.
- Westbound Approach: One shared left/through/right-turn lane.

Graham Street / Driveway 8

Install stop controls on both the eastbound and westbound approaches and construct the intersection with the following geometrics:

- Northbound Approach: One left-turn lane (to be accommodated within existing TWLTL), one through lane, and one shared through/right-turn lane.
- Southbound Approach: One left-turn lane (to be accommodated within existing TWLTL), one through lane, and one shared through/right-turn lane.
- Eastbound Approach: One shared left/through/right-turn lane.
- Westbound Approach: One shared left-through-right turn lane.

Graham Street / Brodiaea Avenue

Construct the intersection with the following geometrics:

- Northbound Approach: One left-turn lane (to be accommodated within existing TWLTL), one through lane, and one shared through/right-turn lane.
- Southbound Approach: One left-turn lane (to be accommodated within existing TWLTL), one through lane, and one shared through/right-turn lane.

- Eastbound Approach: One left-turn lane (to be accommodated within existing TWLTL), one through lane, and one right-turn lane.
- Westbound Approach: One left-turn lane (to be accommodated within existing TWLTL), one through lane, and one right-turn lane.

The safety of bicyclists and pedestrians shall be taken into consideration during the final design of future intersections within the vicinity of the Project. Additionally, sight distance at each Project access point shall be reviewed with respect to standard Caltrans/City of Moreno Valley sight distance standards at the time of preparation of final grading, landscape and street improvement plans.

It is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours.

Additionally, as part of the City's design review process, the Project's plans will be submitted to the appropriate personnel within the Moreno Valley Fire and Police departments for review and approval prior to the issuance of building permits.

Based on the preceding discussion, the potential for the Project to result in hazards due to a design feature or incompatible uses, or to provide inadequate emergency access, is considered less-than-significant.

Level of Significance: Less-Than-Significant.

Mitigation Measures: No mitigation is required.

4.3 AIR QUALITY

4.3 AIR QUALITY

Abstract

This Section identifies and addresses potential air quality impacts that may result from construction and operations of the Project. More specifically, the air quality analysis evaluates the potential for the Project to result in the following impacts:

- *Conflict with or obstruct implementation of the applicable air quality plan;*
- *Violate any air quality standard or contribute substantially to an existing or projected air quality violation;*
- *Expose sensitive receptors to substantial pollutant concentrations;*
- *Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or State ambient air quality standard;*
- *Create objectionable odors affecting a substantial number of people;*
- *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or*
- *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.*

On the basis of the analysis presented here, even after application of all feasible operational mitigation, the RPT Centerpointe West Project would result in operational emissions of volatile organic compounds (VOC) and oxides of nitrogen (NOx) that exceed applicable South Coast Air Quality Management District (SCAQMD) regional thresholds. These are significant individual and cumulative air quality impacts. VOC and NOx emissions generated by the Project would also contribute considerably to cumulatively significant air quality impacts within the encompassing ozone and NOx non-attainment areas.

Other potential air quality impacts of the Project are either less-than-significant or can be reduced to levels that are less-than-significant with application of the mitigation measures described herein.

4.3.1 INTRODUCTION

This Section presents existing air quality conditions and identifies potential air quality impacts resulting from construction and operations of the Project. Local and regional climate, meteorology and air quality are discussed, as well as existing federal, state and regional air quality regulations. The information presented in this Section is summarized from *RPT Centerpointe West Project Air Quality Impact Analysis, City of Moreno Valley, California* (Urban Crossroads, Inc.) August 22, 2012 (Project Air Quality Impact Analysis); *RPT Centerpointe West Project Mobile Source Health Risk Assessment* (Urban Crossroads, Inc.) August 27, 2012 (Project HRA); and *RPT Centerpointe West Project Greenhouse Gas Analysis* (Urban Crossroads, Inc.) August 22, 2012 (Project GHG Analysis). Collectively, these are the Project Air Quality Reports, and are presented at EIR Appendix C.

4.3.2 AIR QUALITY FUNDAMENTALS

Air pollution comprises many substances generated from a variety of sources, both man-made and natural. Since the rapid industrialization of the twentieth century, almost every human endeavor, especially those relying on the burning of fossil fuels, creates air pollution. Most contaminants are actually wasted energy in the form of unburned fuels or by-products of the combustion process. Motor vehicles are by far the most significant source of air pollutants in urban areas, emitting photochemically

reactive hydrocarbons (unburned fuel), carbon monoxide, and oxides of nitrogen. These primary pollutants chemically react in the atmosphere with sunlight and the passage of time to form secondary pollutants such as ozone.

Although substantive air quality improvements have been made in California over the past twenty years, Southern California still experiences severe air pollution problems. As discussed in greater detail in the following paragraphs, oxidants and suspended particulates represent the major air quality problems within the South Coast Air Basin (Basin) encompassing the Project site.

Air pollutants are classified as either primary or secondary pollutants. Primary pollutants are generated daily and emitted directly from the source, whereas secondary pollutants are created over time and occur within the atmosphere as chemical and photochemical reactions take place. Examples of primary pollutants include carbon monoxide (CO), oxides of nitrogen (NO_2 and NO), sulfur dioxide (SO_2), particulate matter (PM_{10} and $PM_{2.5}$), and various hydrocarbons or reactive organic gases (ROG). Air pollutants from the Project, including CO, NOx, and ROG, are expected to originate primarily from motor vehicles during construction and operation, and fugitive dust during the construction phase. Examples of secondary pollutants include ozone (O_3), which is a product of the reaction between NOx and ROG in the presence of sunlight. Other secondary pollutants include photochemical aerosols. Secondary pollutants constitute a noteworthy air quality problem affecting the Basin.

To aid in the review of discussions presented subsequently in this Section, reoccurring terms, abbreviations, and acronyms are defined as follows: PPM - Parts per Million; $\mu g/m^3$ - Micrograms Per Cubic Meter; PM_{10} - Particulate Matter Less Than 10 Microns In Diameter; $PM_{2.5}$ - Particulate Matter Less Than 2.5 Microns In Diameter.

4.3.2.1 Criteria Air Pollutants

Criteria air pollutants are those air contaminants for which air quality standards currently exist. Currently, state and federal air quality standards exist for ozone, nitrogen dioxide (NO_2), sulfur dioxide (SO_2), carbon monoxide (CO), suspended

particulate matter (PM_{10} and $PM_{2.5}$), and lead. California has also set standards for visibility, sulfates, hydrogen sulfide, and vinyl chloride. Evaluated criteria air contaminants or their precursors typically also include reactive organic gases (ROG), oxides of nitrogen (NOx), sulfur oxides (SOx), and respirable particulate matter (PM_{10}, $PM_{2.5}$). Pollutant characteristics, mechanisms of pollutant origination and potential health effects of air pollutants are described below.

Carbon Monoxide

Carbon monoxide (CO) is a colorless, odorless, toxic gas formed by incomplete combustion of fossil fuels. CO levels tend to be highest during the winter months when the meteorological conditions favor the accumulation of the pollutants. Within the Basin, on-road motor vehicles are currently the primary source of CO. Other sources include aircraft, off-road vehicles, stationary equipment (e.g., fuel-fired furnaces, gas water heaters, fireplaces, gas stoves, gas dryers, charcoal grills), and landscape maintenance equipment such as lawnmowers and leaf blowers.

A consistent association between increased ambient CO levels and higher-than-average rates of hospital admissions for heart diseases (such as congestive heart failure) has been observed. Carbon Monoxide can cause decreased exercise capacity, and adversely affects conditions with an increased demand for oxygen supply (fetal development, chronic hypoxemia, anemia, and diseases involving the heart and blood vessels). Exposure to CO can cause impairment of time interval estimation and visual function.

Ozone

Ozone (O_3) is a photochemical oxidant formed when reactive organic gases (ROGs) and oxides of nitrogen (NOx), which are both byproducts of internal combustion engines, react in the presence of ultraviolet sunlight. Ozone creation can occur when primary pollutants such as oxides of nitrogen and reactive organic gases are emitted, then undergo chemical changes in the presence of sunlight.

Short-term exposure to ozone can cause a decline in pulmonary function in healthy individuals including breathing pattern changes, reduction of breathing capacity,

increased susceptibility to infections, inflammation of the lung tissue and immunological changes. Additionally, an increase in the frequency of asthma attacks, cough, chest discomfort and headache can result.

A correlation has been reported between elevated ambient ozone levels and increases in daily hospital admission rates and mortality as a result of long-term ozone exposure. A risk to public health implied by altered connective tissue metabolism and host defense in animals has also been reported.

Oxides of Nitrogen

Oxides of nitrogen (NOx) serve as integral participants in the process of photochemical smog production. During combustion, oxygen reacts with nitrogen to produce NOx. Two major forms of NOx are nitric oxide (NO) and nitrogen dioxide (NO_2). Natural causal sources or originators of NOx include lightning, soils, wildfires, stratospheric intrusion, and the oceans. Natural sources accounted for approximately seven percent of 1990 emissions of NOx for the United States (U.S. Environmental Protection Agency (EPA) 1997). Atmospheric deposition of NOx occurs when atmospheric or airborne nitrogen is transferred to water, vegetation, soil, or other materials. Acid deposition involves the deposition of nitrogen and/or sulfur acidic compounds that can harm natural resources and materials. The major source of NOx in the Basin is on-road vehicles. Stationary commercial and service source fuel combustion are other contributors.

Exposure to NOx may alter sensory responses or impair pulmonary function, and may increase incidence of acute respiratory disease including infections and respiratory symptoms in children. Difficulty in breathing in healthy individuals as well as bronchitic groups may also occur. NOx is also an ozone precursor. Health effects of ground-level ozone include: aggravated asthma; reduced lung capacity; increased respiratory illness susceptibility; increased respiratory and cardiovascular hospitalizations; and premature deaths.

Sulfur Dioxide

Sulfur dioxide (SO_2) is a colorless, pungent gas. At levels greater than 0.5 parts per million (ppm), SO_2 has a strong odor. Sulfuric acid is formed from sulfur dioxide, which is an aerosol particle component that affects acid deposition. Anthropogenic, or human-caused, sources include fossil-fuel combustion, mineral ore processing, and chemical manufacturing. Volcanic emissions are a natural source of sulfur dioxide. SO_2 is a precursor to sulfates and PM_{10}.

Health effects of SO_2 include higher frequencies of acute respiratory symptoms (including airway constriction in some asthmatics and reduction in breathing capacity leading to severe difficulties) and diminished ventilatory function in children. Very high levels of exposure can cause lung edema (fluid accumulation), lung tissue damage, and sloughing off of cells lining the respiratory tract.

Lead

Lead (Pb) is a solid heavy metal that can exist in air pollution as an aerosol particle component. An aerosol is a collection of solid, liquid, or mixed-phase particles suspended in the air. It was first regulated as an air pollutant in 1976. Leaded gasoline was first marketed in 1923 and was used in motor vehicles until around 1970. The exclusion of lead from gasoline helped to decrease emissions of lead in the United States from 219,000 to 4,000 short tons per year between 1970 and 1997. Lead-ore crushing, lead-ore smelting, and battery manufacturing are currently the largest sources of lead in the atmosphere in the United States. Other sources are from dust from soils contaminated with lead-based paint and solid waste disposal.

Lead adversely affects the development and function of the central nervous system, leading to learning disorders, distractibility, lower IQ and increased blood pressure. An increase in blood lead levels may impair or decrease hemoglobin synthesis. Lead poisoning can cause anemia, lethargy, seizures, and death.

Lead concentrations once exceeded the state and federal air quality standards by a wide margin, but have not exceeded state or federal air quality standards at any regular

monitoring station since 1982. Lead is no longer a gasoline additive, primarily accounting for reductions in airborne lead concentrations. Because airborne lead concentrations are currently nominal, and airborne lead is not a pollutant of concern within the Basin, lead is not discussed further in this Section.

Particulate Matter

Particulate matter is a generic term that defines a broad group of chemically and physically different particles (either liquid droplets or solids) that can exist over a wide range of sizes. Examples of atmospheric particles include those produced from combustion (diesel soot or fly ash), light produced (urban haze), sea spray produced (salt particles), and soil-like particles from re-suspended dust. Fugitive dust is defined as any solid particulate matter that becomes airborne, other than that emitted from an exhaust stack, directly or indirectly as a result of the activities of humans (SCAQMD Rule 403, Fugitive Dust).

Within air quality analyses, particulate matter is categorized by diameter: PM_{10} and $PM_{2.5}$. PM_{10} refers to particulate matter that is 10 microns or less in diameter (1 micron is one millionth of a meter, or one micrometer [μm]). $PM_{2.5}$ refers to particulate matter that is 2.5 microns or less in diameter. The size of particles can determine the residence time of the material in the atmosphere. $PM_{2.5}$ has a longer atmospheric lifetime than PM_{10} and, therefore, can be transported over longer distances.

Particulate matter originates from a variety of stationary and mobile sources. Stationary sources include: fuel combustion for electric utilities, residential space heating, and industrial processes; construction and demolition; metals, minerals, and petrochemicals; wood products processing; mills and elevators used in agriculture; erosion from tilled lands; waste disposal and recycling. Mobile or transportation-related sources include particulate matter from highway vehicles and non-road vehicles and fugitive dust from paved and unpaved roads.

A consistent correlation between elevated ambient PM_{10} levels and an increase in mortality rates, respiratory infections, number and severity of asthma attacks and the number of hospital admissions has been observed.

Diesel Particulate Matter (DPM) is a mixture of many exhaust particles and gases that is produced when an engine burns diesel fuel. Many compounds found in diesel exhaust are carcinogenic, including sixteen compounds that are classified as possibly carcinogenic by the International Agency for Research on Cancer. DPM includes the particle-phase constituents in diesel exhaust. Some short-term (acute) effects of diesel exhaust include eye, nose, throat and lung irritation, as well as coughs, headaches, light-headedness and nausea. Diesel exhaust is a major source of ambient particulate matter pollution, and numerous studies have linked elevated particle levels in the air to increased hospital admission, emergency room visits, asthma attacks, and premature deaths among those suffering from respiratory problems. DPM in the Basin poses the greatest cancer risk of all identified toxic air pollutants.

Reactive Organic Gases

Reactive organic gases (ROGs) are defined as any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions. It should be noted that there is no state or national ambient air quality standard for ROGs because they are not classified as criteria pollutants. They are regulated, however, because a reduction in ROG emissions reduces certain chemical reactions that contribute to the formulation of ozone. ROGs are also transformed into organic aerosols in the atmosphere, which contribute to higher PM_{10} and lower visibility. The major sources of ROGs in the Basin are on-road motor vehicles and solvent evaporation. ROGs are also an ozone precursor. Health effects of ground-level ozone include: aggravated asthma; reduced lung capacity; increased respiratory illness susceptibility; increased respiratory and cardiovascular hospitalizations; and premature deaths.

Benzene is an ROG and a known carcinogen. Typical sources of benzene emissions include: gasoline service stations (fuel evaporation), motor vehicle exhaust, tobacco

smoke, and oil and coal incineration. Benzene is also sometimes employed as a solvent for paints, inks, oils, waxes, plastic, and rubber. It is used in the extraction of oils from seeds and nuts. It is also used in the manufacture of detergents, explosives, dyestuffs, and pharmaceuticals. Short-term (acute) exposure of high doses from inhalation of benzene may cause dizziness, drowsiness, headaches, eye irritation, skin irritation, and respiratory tract irritation, and at higher levels, unconsciousness can occur. Long-term (chronic) occupational exposure of high doses by inhalation has caused blood disorders, including aplastic anemia and lower levels of red blood cells.

Volatile Organic Compounds

Volatile organic compounds (VOCs) are hydrocarbon compounds (any compound containing various combinations of hydrogen and carbon atoms) that exist in the ambient air. VOCs contribute to the formation of smog through atmospheric photochemical reactions and/or may be toxic. Compounds of carbon (also known as organic compounds) have different levels of reactivity; that is, they do not react at the same speed or do not form ozone to the same extent when exposed to photochemical processes. VOCs often have an odor, and some examples include gasoline, alcohol, and the solvents used in paints. Exceptions to the VOC designation include: carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate. VOCs are a criteria pollutant since they are a precursor to O3, which is a criteria pollutant.

Toxic Air Contaminants

Toxic Air Contaminants (TACs) refer to a diverse group of air pollutants that can affect human health, however there are no ambient air quality standards adopted for TACs. With relation to the Project, the primary TACs of concern includes Diesel Particulate Matter (DPM). In 1998 the California Air Resources Board (CARB) identified diesel engine particulate matter as a toxic air contaminant. The exhaust from diesel engines includes hundreds of different gaseous and particulate components, many of which are toxic. Therefore DPM can be used as a surrogate measure of exposure for the mixture of chemicals that make up diesel exhaust as a whole. For purposes of this Project, the primary source of DPM will result from idling diesel trucks at the Project site.

4.3.3 SETTING

4.3.3.1 Local and Regional Climate

The Project site is located in the Basin within the jurisdiction of SCAQMD. The SCAQMD was created by the 1977 Lewis-Presley Air Quality Management Act (Act), which merged four county air pollution control bodies into one regional district. Under the Act, the SCAQMD is responsible for bringing air quality in areas under its jurisdiction into conformity with federal and state air quality standards. The SCAQMD has jurisdiction over an area of approximately 10,743 square miles, consisting of the four-county Basin (Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino Counties), and the Riverside County portions of the Salton Sea Air Basin and Mojave Desert Air Basin.

The Basin is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. Neighboring air Basins include the Mojave Desert Air Basin and Salton Sea Air Basin.

The regional climate, as well as localized temperature, wind, humidity, precipitation, and amount of sunshine, significantly influence the air quality in the Basin. Annual average temperatures vary from the low to middle 60s (degrees Fahrenheit). Due to a decreased marine influence, the eastern portion of the Basin shows greater variability in average annual minimum and maximum temperatures. January is the coldest month throughout the Basin, with average minimum temperatures of 47°F in downtown Los Angeles and 36°F in San Bernardino. All portions of the Basin have recorded maximum temperatures above 100°F.

Although the climate of the Basin can be characterized as semi-arid, the air near the land surface is quite moist on most days because of the presence of a marine layer. This shallow layer of sea air is an important modifier of Basin climate. Humidity restricts visibility in the Basin, and the conversion of sulfur dioxide to sulfates is heightened in air with high relative humidity. The marine layer provides an environment for that conversion process, especially during the spring and summer months. The annual

average relative humidity within the Basin is 71 percent along the coast and 59 percent inland. Since the ocean effect is dominant, periods of heavy early morning fog are frequent and low stratus clouds are a characteristic feature. These effects diminish as distance from the coast increases.

More than 90 percent of the Basin's rainfall occurs from November through April. The annual average rainfall varies from approximately nine inches in the City of Riverside to fourteen inches in downtown Los Angeles. Monthly and yearly rainfall totals are extremely variable. Summer rainfall usually consists of widely scattered thunderstorms near the coast and slightly heavier shower activity in the eastern portion of the Basin with increased shower frequency near the coast.

Due to its generally clear weather, about three-quarters of available sunshine is received at ground level in the Basin. The remaining one-quarter is absorbed by clouds. The ultraviolet portion of this radiation is a key factor in photochemical reactions. On the shortest day of the year there are approximately 10 hours of possible sunshine, and on the longest day of the year there are approximately 14 1/2 hours of possible sunshine.

Wind also affects air pollution and air quality conditions within the Basin. The direction and speed of the wind determines the horizontal dispersion and transport of air pollutants. During the late autumn to early spring rainy season, the Basin is subjected to wind flows associated with storms traveling through the region from the northwest. This period also brings periods of strong, dry offshore winds (locally termed "Santa Anas") each year. During the dry season, which coincides with the months of maximum photochemical smog concentrations, the wind flow is bimodal, typified by a daytime onshore sea breeze and a nighttime offshore drainage wind. Summer wind flows are created by the pressure differences between the relatively cold ocean and the unevenly heated and cooled land surfaces that modify the general northwesterly wind circulation over southern California. Nighttime drainage begins with the radiational cooling of the mountain slopes. Heavy, cool air descends the slopes and flows through the mountain passes and canyons as it follows the lowering terrain toward the ocean. Another characteristic wind regime in the Basin is the "Catalina Eddy," a low level cyclonic

(counterclockwise) flow centered over Santa Catalina Island which results in an offshore flow to the southwest. On most spring and summer days, some indication of an eddy is apparent in coastal areas.

In the Basin, there are two distinct temperature inversion structures that control vertical mixing of air pollution. During the summer, warm high-pressure descending (subsiding) air is undercut by a shallow layer of cool marine air. The boundary between these two layers of air is a persistent marine subsidence/inversion. This boundary prevents vertical mixing which effectively acts as an impervious lid to pollutants over the entire Basin. The mixing height for the inversion structure is normally situated 1,000 to 1,500 feet above mean sea level.

A second inversion-type forms in conjunction with the drainage of cool air off the surrounding mountains at night followed by the seaward drift of this pool of cool air. The top of this layer forms a sharp boundary with the warmer air aloft and creates nocturnal radiation inversions. These inversions occur primarily in the winter, when nights are longer and onshore flow is weakest. They are typically only a few hundred feet above mean sea level. These inversions effectively trap pollutants, such as NOX and CO from vehicles, as the pool of cool air drifts seaward. Winter is therefore a period of high levels of primary pollutants along the coastline.

The distinctive climate of the Project area and the Basin is determined by its terrain and geographical location. The Basin is located in a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean in the southwest quadrant with high mountains forming the remainder of the perimeter.

Wind patterns across the south coastal region are characterized by westerly and southwesterly on-shore winds during the day and easterly or northeasterly breezes at night. Winds are characteristically light although the speed is somewhat greater during the dry summer months than during the rainy winter season.

Wind speed and direction data is not monitored by the California Air Resources Board (CARB) or SCAQMD for the Project area (Source Receptor Area (SRA) 24). This data was however obtained from the nearest site at the Redlands monitoring station (SRA 35), located approximately 8.4 miles north of the Project site. Prevailing winds move predominately from the northwest to the southeast with an average wind speed of 1.46 meters per second (m/s).

4.3.3.2 Existing Air Quality

Existing air quality is measured based upon ambient air quality standards. These standards are the levels of air quality that are considered safe, with an adequate margin of safety, to protect the public health and welfare. National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) currently in effect, as well health effects of each pollutant regulated under these standards are presented at Table 4.3-1.

Regional Air Quality

The determination of whether a region's air quality is in attainment with applicable federal and state standards is determined by comparing monitored contaminant levels in ambient air samples to the state and federal standards. The air quality in a region is considered to be in attainment by the state if the measured ambient air pollutant levels for O_3, CO, SO_2, NO_2, PM_{10}, and $PM_{2.5}$ are not equaled or exceeded at any time in any consecutive three-year period; and the federal standards (other than O_3, PM_{10}, $PM_{2.5}$, and those based on annual averages or arithmetic mean) are not exceeded more than once per year. The O_3 standard is attained when the fourth highest eight-hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM_{10}, the 24 hour standard is attained when 99 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Table 4.3-2 presents the Basin attainment designations.

Table 4.3-1
State and National Criteria Pollutant Standards, Effects, and Sources

Pollutant	Averaging Time	State Standard	National Standard	Health and Atmospheric Effects	Major Sources
Ozone	1 hour	0.090 ppm	---	High concentrations can directly affect lungs, causing irritation. Long-term exposure may cause damage to lung tissue.	Formed when reactive organic gases (ROG) and nitrogen oxides (NOx) react in the presence of sunlight. Major sources include on-road motor vehicles, solvent evaporation, and commercial/industrial mobile equipment.
	8 hours	0.070 ppm	0.075 ppm		
Carbon Monoxide	1 hour	20.0ppm	35.0 ppm	Classified as a chemical asphyxiant, carbon monoxide interferes with the transfer of fresh oxygen to the blood and deprives sensitive tissues of oxygen.	Internal combustion engines, primarily gasoline-powered motor vehicles.
	8 hours	9.0 ppm	9.0 ppm		
Nitrogen Dioxide	1 hour	0.180 ppm	---	Irritating to eyes and respiratory tract. Colors atmosphere reddish-brown.	Motor vehicles, petroleum refining operations, industrial sources, aircraft, ships, and railroads.
	Annual Avg.	0.030	0.053 ppm		
Sulfur Dioxide	1 hour	0.250 ppm	---	Irritates upper respiratory tract; injurious to lung tissue. Can yellow the leaves of plants, destructive to marble, iron, and steel. Limits visibility and reduces sunlight.	Fuel combustion, chemical plants, sulfur recovery plants, and metal processing.
	3 hours	---	0.50 ppm		
	24 hours	0.040 ppm	0.140 ppm		
	Annual Avg.	---	0.030 ppm		
Respirable Particulate Matter (PM_{10})	24 hours	50.0 µg/m3	150.0 µg/m3	May irritate eyes and respiratory tract, decreases in lung capacity, cancer and increased mortality. Produces haze and limits visibility.	Dust and fume-producing industrial and agricultural operations, combustion, atmospheric photochemical reactions, and natural activities (e.g., wind-raised dust and ocean sprays).
	Annual Avg.	20.0 µg/m3	---		
Fine Particulate Matter ($PM_{2.5}$)	24 hours	---	35.0 µg/m3	Increases respiratory disease, lung damage, cancer, and premature death. Reduces visibility and results in surface soiling.	Fuel combustion in motor vehicles, equipment, and industrial sources; residential and agricultural burning; Also, formed from photochemical reactions of other pollutants, including NOx, sulfur oxides, and organics.
	Annual Avg.	12.0 µg/m3	15.0 µg/m3		
Lead	Monthly Ave.	1.50 µg/m3	---	Disturbs gastrointestinal system, and causes anemia, kidney disease, and neuromuscular and neurological dysfunction.	Present source: lead smelters, battery manufacturing & recycling facilities. Past source: combustion of leaded gasoline.
	Quarterly	---	1.50 µg/m3		
Hydrogen Sulfide	1 hour	0.030 ppm	No National Standard	Nuisance odor (rotten egg smell), headache and breathing difficulties (higher concentrations)	Geothermal Power Plants, Petroleum Production and refining
Sulfates	24 hour	25.0 µg/m3	No National Standard	Breathing difficulties, aggravates asthma, reduced visibility	Produced by the reaction in the air of SO_2.
Visibility Reducing Particles	8 hour	Light extinction of 0.23/km; (visibility <10 miles)	No National Standard	Reduced visibility, reduced airport safety, lower real estate value, tourism discouraged.	See PM_{10}/$PM_{2.5}$.

Source: California Air Resources Board, 2008. *Ambient Air Quality Standards,* available at http://www.arb.ca.gov/research/aaqs/aaqs2.pdf
Standards last updated November 17, 2008; ppm = parts per million; µg/m3 = micrograms per cubic meter.

Table 4.3-2
Attainment Status of Criteria Pollutants in the South Coast Air Basin (Basin)

Criteria Pollutant	State Designation	Federal Designation
Ozone - 1 hour standard	Nonattainment	No Standard
Ozone - 8 hour standard	Nonattainment	Extreme Nonattainment[1]
PM_{10}	Nonattainment	Serious Nonattainment
$PM_{2.5}$	Nonattainment	Nonattainment
Carbon Monoxide	Attainment	Attainment/Maintenance
Nitrogen Dioxide	Nonattainment[2]	Attainment/Maintenance
Sulfur Dioxide	Attainment	Attainment
Lead	Attainment/Nonattainment[3]	Attainment/Nonattainment[3]
All others	Attainment/Unclassified	Attainment/Unclassified

Source: California Air Resources Board 2010 (http://www.arb.ca.gov/regact/2010/area10/area10.htm, http://www.arb.ca.gov/desig/feddesig.htm)

[1] The USEPA approved redesignation from Severe 17 to Extreme Nonattainment, effective June 4, 2010.

[2] The Basin was reclassified from attainment to nonattainment for nitrogen dioxide, effective March 25, 2010.

[3] Los Angeles County was reclassified from attainment to nonattainment for lead, effective March 25, 2010. The remainder of the Basin is in attainment of State and Federal Standards.

Local Air Quality

Local air quality characteristics and trends are reflected in area air quality monitoring data collected by the SCAQMD. Relative to the Project site, the nearest long-term air quality monitoring site for Ozone (O_3) and Inhalable Particulates (PM_{10}) is the SCAQMD Perris monitoring station (SRA 24), located approximately 8.5 miles south of the Project site. Data for Carbon Monoxide (CO), Nitrogen Dioxide (NO_2), and Ultra-Fine Particulates ($PM_{2.5}$) was obtained from the Metropolitan Riverside County 2 monitoring station (SRA 23). It should be noted that the Metropolitan Riverside County 2 monitoring station was utilized in lieu of the Perris monitoring station only in instances where data was not available from the Perris site.

The three years of data presented at Table 4.3-3 identifies the number of days standards were exceeded within the Study Area, and is considered representative of the local air quality at the Project site. Data for SO_2 has been omitted as attainment is regularly met in the Basin and few monitoring stations measure SO_2 concentrations.

Table 4.3-3
Project Area Air Quality Monitoring Summary 2008-2010

		Year		
Pollutant	**Standard**	**2008**	**2009**	**2010**
Ozone (O_3)[a]				
Maximum 1-Hour Concentration (ppm)		0.142	0.125	0.122
Maximum 8-Hour Concentration (ppm)		0.114	0.108	0.107
Number of Days Exceeding State 1-Hour Standard	> 0.09 ppm	65	53	42
Number of Days Exceeding State 8-Hour Standard	> 0.07 ppm	94	88	82
Number of Days Exceeding Federal 1-Hour Standard	> 0.12 ppm	4	1	0
Number of Days Exceeding Federal 8-Hour Standard	> 0.075 ppm	77	67	50
Number of Days Exceeding Health Advisory	≥ 0.15 ppm	0	0	0
Carbon Monoxide (CO)[b]				
Maximum 1-Hour Concentration (ppm)		7	3	3
Maximum 8-Hour Concentration (ppm)		2	1.8	1.7
Number of Days Exceeding State 1-Hour Standard	> 20 ppm	0	0	0
Number of Days Exceeding Federal/State 8-Hour Standard	> 9.0 ppm	0	0	0
Number of Days Exceeding Federal 1-Hour Standard	> 35 ppm	0	0	0
Nitrogen Dioxide (NO_2) [b]				
Maximum 1-Hour Concentration (ppm)		0.09	0.08	0.0608
Annual Arithmetic Mean Concentration (ppm)		0.0258	0.0200	0.0172
Number of Days Exceeding State 1-Hour Standard	> 0.18 ppm	0	0	0
Inhalable Particulates (PM_{10})[a]				
Maximum 24-Hour Concentration (μg/m³)		85	80	51
Number of Samples		45	58	61
Number of Samples Exceeding State Standard	> 50 μg/m³	12	9	1
Number of Samples Exceeding Federal Standard	> 150 μg/m³	0	0	0
Ultra-Fine Particulates ($PM_{2.5}$)[b]				
Maximum 24-Hour Concentration (μg/m³)		43.0	42.2	43.7
Annual Arithmetic Mean (μg/m³)		13.4	13.4	11.0
Number of Samples Exceeding Federal 24-Hour Standard	> 35 μg/m³	4	2	2

Source: South Coast AQMD (www.aqmd.gov)
[a] Perris Monitoring Station (SRA 24) data.
[b] Metropolitan Riverside County 2 (SRA 23/Magnolia) data.

4.3.4 GENERAL PLAN GOALS AND APPLICABLE REGULATIONS

4.3.4.1 Moreno Valley General Plan

The following discussions focus on General Plan goals and policies directly applicable to the Project within the context of the potential environmental impacts addressed by this Draft EIR. The Project's consistency with applicable Goals, Objectives and Policies from the General Plan are summarized at Table 4.3-4.

Table 4.3-4
City of Moreno Valley General Plan Consistency

Objective 6.6: Promote land use patterns that reduce daily automotive trips and reduce trip distance for work, shopping, school, and recreation.	***Consistent.*** *The Project site is located proximate to existing and proposed major roadways, acting to reduce vehicle trip lengths.*
Objective 6.7: Reduce mobile and stationary source air pollutant emissions.	***Consistent.*** *The Project site is located proximate to existing and proposed major roadways, acting to generally reduce vehicle trip lengths, thereby reducing mobile source emissions. The Project will further reduce mobile source emissions by creating local employment opportunities, reducing commuter vehicle miles traveled (VMT) within the region. Additionally, the Project will implement energy efficient designs and operational programs meeting or surpassing California Code of Regulations (CCR) Title 24 Building Standards, including but not limited to compliance with or betterment of, energy conservation requirements identified at CCR Title 24, Part 6, Energy Code. Energy efficient designs and programs implemented by the Project reduce resources consumption with correlating reductions in stationary-source emissions.*
Policy 6.7.5: Require grading activities to comply with South Coast Air Quality Management District's Rule 403 regarding the control of fugitive dust.	***Consistent.*** *The Project will be required to implement fugitive dust control measures consistent with SCAQMD Rule 403.*
Policy 6.7.6: Require building construction to comply with the energy conservation requirements of Title 24 of the California Administrative Code [California Code of Regulations].	***Consistent.*** *Pursuant to City and State Building Code requirements, **t**he Project will meet or surpass applicable CCR Title 24 energy conservation requirements.*

Source: City of Moreno Valley General Plan, Safety Element

4.3.4.2 Federal Regulations

The U.S. EPA is responsible for establishing and enforcing the National Ambient Air Quality Standards (NAAQS) for O_3, CO, NO_x, SO_2, PM_{10}, and lead. The U.S. EPA has jurisdiction over emissions sources that are under the authority of the federal government including aircraft, locomotives, and emissions sources outside state waters (Outer Continental Shelf). The U.S. EPA also establishes emission standards for vehicles sold in states other than California. Automobiles sold in California must meet the stricter emission requirements of the CARB.

The Federal Clean Air Act (CAA) was first enacted in 1955, and has been amended numerous times in subsequent years (1963, 1965, 1967, 1970, 1977, and 1990). The CAA establishes the federal air quality standards, the NAAQS, and specifies future dates for achieving compliance. The CAA also mandates that states submit and implement State Implementation Plans (SIPs) for local areas not meeting these standards. These plans must include pollution control measures that demonstrate how the standards will be met.

The 1990 amendments to the CAA identify specific emission reduction goals for areas not meeting the NAAQS (non-attainment areas). These emission reductions goals require a demonstration of reasonable further progress toward attainment and incorporate additional sanctions for failure to attain or to meet interim milestones. The sections of the CAA most directly applicable to the development of the Project site include Title I (Non-Attainment Provisions) and Title II (Mobile Source Provisions).

Title I provisions were established with the goal of attaining the NAAQS for criteria pollutants O_3, NO_2, SO_2, PM_{10}, CO, $PM_{2.5}$, and lead. The NAAQS were amended in July 1997 to include an additional standard for O_3 and to adopt a standard for $PM_{2.5}$. Table 4.3-1 (previously presented) provides the NAAQS for the Basin.

Mobile-source emissions are regulated in accordance with Title II provisions. These provisions require the use of cleaner burning gasoline and other cleaner burning fuels

such as methanol and natural gas. Automobile manufacturers are also required to reduce tailpipe emissions of hydrocarbons and nitrogen oxides (NO_x).[1]

4.3.4.3 California Regulations

The California Air Resources Board (CARB), which became part of the California EPA in 1991, is responsible for ensuring implementation of the California Clean Air Act (AB 2595). The California Clean Air Act (California CAA) responds to the Federal CAA, and regulates emissions from consumer products and motor vehicles. The California CAA mandates achievement of the maximum degree of emissions reductions possible from vehicular and other mobile sources in order to attain the state ambient air quality standards by the earliest practical date. The CARB established the California Ambient Air Quality Standards (CAAQS) for all pollutants for which the federal government has NAAQS and, in addition, establishes standards for sulfates, visibility, hydrogen sulfide, and vinyl chloride. However at this time, hydrogen sulfide and vinyl chloride are not measured at any monitoring stations in the Basin because they are not considered to be a regional air quality problem. Generally, the CAAQS are more stringent than the NAAQS. Air pollution control districts have been formally designated as attainment or non-attainment for each CAAQS.

Under the California CAA and State Implementation Plan, serious non-attainment areas are required to prepare air quality management plans that include specified emission reduction strategies in an effort to meet clean air goals. These plans are required to include:

- Application of Best Available Retrofit Control Technology to existing sources;
- Developing control programs for area sources (e.g., architectural coatings and solvents) and indirect sources (e.g., motor vehicle use generated by residential and commercial development);

[1] NO_x is a collective term that includes all forms of nitrogen oxides (NO, NO_2, NO_3) which are emitted as byproducts of the combustion process.

- A District permitting system designed to allow no net increase in emissions from any new or modified permitted sources of emissions;
- Implementing reasonably available transportation control measures and assuring a substantial reduction in growth rate of vehicle trips and miles traveled;
- Significant use of low emissions vehicles by fleet operators;
- Sufficient control strategies to achieve a five percent or more annual reduction in emissions or 15 percent or more in a period of three years for ROGs, NO_x, CO and PM_{10}. However, air Basins may use alternative emission reduction strategy that achieves a reduction of less than five percent per year under certain circumstances.

4.3.4.4 Air Quality Management Planning

Currently, the NAAQS and CAAQS are exceeded in most parts of the Basin. In response, the SCAQMD has adopted a series of Air Quality Management Plans (AQMPs) to meet the state and federal ambient air quality standards. AQMPs are updated regularly in order to more effectively reduce emissions, accommodate growth, and to minimize any negative fiscal impacts of air pollution control on the economy.

The current AQMP effective for the Basin and the Project was adopted by the SCAQMD Governing Board on June 1, 2007. In September 2007, the CARB Board adopted the SCAQMD 2007 AQMP as part of the SIP. The purpose of the 2007 AQMP for the Basin (and those portions of the Salton Sea Air Basin under the SCAQMD's jurisdiction) is to establish a comprehensive program that will lead these areas into compliance with federal and state air quality planning requirements for ozone and $PM_{2.5}$.

The SCAQMD is currently in the process of preparing a 2012 AQMP. The 2012 AQMP will incorporate the latest scientific and technological information and planning assumptions, including the 2012 Regional Transportation Plan/Sustainable Communities Strategy and updated emission inventory methodologies for various source categories. The development of the 2012 AQMP will face several challenges, including new and changing federal requirements, implementation of new technology

measures, and the continued development of economically sound, flexible compliance approaches.

4.3.4.5 Standard Conditions and Uniform Codes

All projects constructed in the Basin are subject to SCAQMD Standard Conditions and Uniform Codes. Compliance with these provisions is mandatory and as such, does not constitute mitigation under CEQA. Notwithstanding, in order to support their implementation and facilitate monitored compliance, certain SCAQMD Standard Conditions and Uniform Codes applicable to the Project are restated as mitigation measures within this EIR. SCAQMD Standard Conditions and Uniform Codes specific to air quality considerations for the Project are summarized below.

SCAQMD Rule 403

This rule sets requirements for dust control associated with grading and construction activities. In accordance with Rule 403, the SCAQMD requires that contractors implement Best Available Control Technology (BACT) for construction activities, and identifies a set of specific measures for projects less than 50 acres.

SCAQMD Rules 431.1 and 431.2

These rules require the use of low sulfur fuel for stationary construction equipment.

SCAQMD Rules 1108 and 1113

These rules set limitations on ROG content in asphalt and architectural coatings, respectively.

4.3.5 GLOBAL CLIMATE CHANGE

Global Climate Change (GCC) is simply defined as the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. GCC is currently one of the most controversial issues in the United States, and much debate exists within the scientific community whether or not global climate change is occurring naturally or as a result of human activity. Some data suggests that global climate change has occurred in the past over the course of thousands or millions

of years. These climate changes occurred naturally without human influence, as in the case of an ice age. However, many scientists believe that the climate shift presently taking place is occurring at a quicker rate and magnitude. Scientific evidence suggests that GCC is the result of increased concentrations of greenhouse gases (GHGs) in the earth's atmosphere, including carbon dioxide, methane, nitrous oxide, and fluorinated gases. This increased rate of climate change is thought to be the result of greenhouse gases resulting from human activity and industrialization over the past 200 years.

4.3.5.1 Greenhouse Gases (GHGs)

Overview

For the purposes of this analysis, GHGs comprised of emissions of carbon dioxide, methane, and nitrous oxide were evaluated. Although other GHGS such as fluorinated gases also contribute to global climate change, sources of fluorinated gases are not well defined and no accepted emissions factors or methodology exist to accurately calculate these gases. The potential for fluorinated gases to result from operation of the Project would result from any hydrochlorofluorocarbon (HCFC) emissions that might escape from Project air conditioning systems.

Greenhouse gases have varying global warming potential (GWP) values; GWP values represent the potential of a gas to trap heat in the atmosphere. Carbon dioxide is utilized as the reference gas for GWP, and thus has a GWP of 1. The atmospheric lifetime and GWP of selected greenhouse gases are presented at Table 4.3-5. GWP values range from 1 for carbon dioxide to 23,900 for sulfur hexafluoride. Following Table 4.3-5, sources and characteristics of GHGs are summarized.

Table 4.3-5
Global Warming Potentials and Atmospheric Lifetimes

Gas	Atmospheric Lifetime (years)	Global Warming Potential (100 year time horizon)
Carbon Dioxide	50 - 200	1
Methane	12 (+/-3)	21
Nitrous Oxide	120	310
Hydrofluorocarbon-23 (HFC-23)	264	11,700
HFC-134a	14.6	1,300
HFC-152a	1.5	140
Perfluorocarbon (PFC): Tetrafluoromethane (CF_4)	50,000	6,500
PFC: Hexafluoroethane (C_2F_6)	10,000	9,200
Sulfur Hexafluoride (SF_6)	3,200	23,900

Source: EPA, 2006.

Water Vapor: Water vapor (H_20) is the most abundant, important, and variable greenhouse gas in the atmosphere. Water vapor is not considered a pollutant; in the atmosphere, it maintains a climate necessary for life. Changes in its concentration are primarily considered to be a result of climate feedbacks related to the warming of the atmosphere rather than a direct result of industrialization. A climate feedback is an indirect, or secondary, change, either positive or negative, that occurs within the climate system in response to a forcing mechanism. The feedback loop in which water is involved is critically important to projecting future climate change.

As the temperature of the atmosphere rises, more water is evaporated from ground storage (rivers, oceans, reservoirs, soil). Because the air is warmer, the relative humidity can be higher (in essence, the air is able to 'hold' more water when it is warmer), leading to more water vapor in the atmosphere. As a GHG, the higher concentration of water vapor is then able to absorb more thermal indirect energy radiated from the Earth, thus further warming the atmosphere. The warmer atmosphere can then hold more water vapor and so on and so on. This is referred to as a "positive feedback loop." The extent to which this positive feedback loop will continue is unknown as there are also dynamics that hold the positive feedback loop in check. As an example, when

water vapor increases in the atmosphere, more of it will eventually also condense into clouds, which are more able to reflect incoming solar radiation, thereby reducing radiant and thermal heat gain.

There are no health effects from water vapor itself; however, when some pollutants come in contact with water vapor, they can dissolve, and water vapor then acts as a pollutant-carrying agent. The main source of water vapor is ocean evaporation (approximately 85 percent). Other sources include: evaporation from other water bodies, sublimation (change from solid to gas) of sea ice and snow, and transpiration from plants.

Carbon Dioxide: Carbon dioxide (CO_2) is an odorless and colorless GHG. Outdoor levels of carbon dioxide are not high enough to result in negative health effects. Carbon dioxide is emitted from natural and manmade sources. Natural sources include: the decomposition of dead organic matter; respiration of bacteria, plants, animals and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources include: the burning of coal, oil, natural gas, and wood. Carbon dioxide is naturally removed from the air by photosynthesis, dissolution into ocean water, transfer to soils and ice caps, and chemical weathering of carbonate rocks.

Since the industrial revolution began in the mid-1700s, the sort of human activity that increases GHG emissions has increased dramatically in scale and distribution. Data from the past 50 years suggests a corollary increase in levels and concentrations. As an example, prior to the industrial revolution, CO_2 concentrations were fairly stable at 280 parts per million (ppm). Today, they are around 370 ppm, an increase of more than 30 percent. Left unchecked, the concentration of carbon dioxide in the atmosphere is projected to increase to a minimum of 540 ppm by 2100 as a direct result of anthropogenic sources.

Methane: Methane (CH_4) is an extremely effective absorber of radiation, though its atmospheric concentration is less than carbon dioxide and its lifetime in the atmosphere is brief (10-12 years), compared to other GHGs. No health effects are known to occur from exposure to methane.

Methane has both natural and anthropogenic sources. It is released as part of the biological processes in low oxygen environments, such as in swamplands or in rice production (at the roots of the plants). Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of methane. Other anthropocentric sources include fossil-fuel and biomass combustion.

Nitrous Oxide: Nitrous oxide (N_2O), also known as laughing gas, is a colorless greenhouse gas. Nitrous oxide can cause dizziness, euphoria, and sometimes slight hallucinations. In small doses, it is considered harmless. However, in some cases, heavy and extended use can cause Olney's Lesions (brain damage).

Concentrations of nitrous oxide also began to rise at the beginning of the industrial revolution. In 1998, the global concentration was 314 parts per billion (ppb). Nitrous oxide is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. It is used as an aerosol spray propellant, i.e., in whipped cream bottles. It is also used in potato chip bags to keep chips fresh. It is used in rocket engines and in race cars. Nitrous oxide can be transported into the stratosphere, be deposited on the Earth's surface, and be converted to other compounds by chemical reaction.

Chlorofluorocarbons: Chlorofluorocarbons (CFCs) are gases formed synthetically by replacing all hydrogen atoms in methane or ethane (C_2H_6) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble and chemically unreactive in the troposphere (the level of air at the Earth's surface). CFCs are no longer being used;

therefore, it is not likely that health effects would be experienced. Nonetheless, in confined indoor locations, working with CFC-113 or other CFCs is thought to result in death by cardiac arrhythmia (heart frequency too high or too low) or asphyxiation.

CFCs have no natural source, but were first synthesized in 1928. They were used for refrigerants, aerosol propellants and cleaning solvents. Due to the discovery that they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and was extremely successful, so much so that levels of the major CFCs are now remaining steady or declining. However, their long atmospheric lifetimes mean that some of the CFCs will remain in the atmosphere for over 100 years.

Hydrofluorocarbons: Hydrofluorocarbons (HFCs) are synthetic, man-made chemicals that are used as a substitute for CFCs. Of all the greenhouse gases, HFCs are one of three groups with the highest global warming potential. The HFCs with the largest measured atmospheric abundances are (in order), HFC-23 (CHF_3), HFC-134a (CF_3CH_2F), and HFC-152a (CH_3CHF_2). Prior to 1990, the only significant emissions were of HFC-23. HFC-134a emissions are increasing due to its use as a refrigerant. The EPA estimates that concentrations of HFC-23 and HFC-134a are now about 10 parts per trillion (ppt) each; and that concentrations of HFC-152a are about 1 ppt. No health effects are known to result from exposure to HFCs, which are manmade for applications such as automobile air conditioners and refrigerants.

Perfluorocarbons: Perfluorocarbons (PFCs) have stable molecular structures and do not break down through chemical processes in the lower atmosphere. High-energy ultraviolet rays, which occur about 60 kilometers above Earth's surface, are able to destroy the compounds. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF_4) and hexafluoroethane (C_2F_6). The EPA estimates that concentrations of CF_4 in the atmosphere are over 70 ppt. No health effects are known to result from exposure to PFCs. The two main sources of PFCs are primary aluminum production and semiconductor manufacture.

Sulfur Hexafluoride: Sulfur hexafluoride (SF_6) is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It also has the highest GWP of any gas evaluated (23,900). The EPA indicates that concentrations in the 1990s were about 4 ppt. In high concentrations in confined areas, the gas presents the hazard of suffocation because it displaces the oxygen needed for breathing.

Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.

Greenhouse Gas Emissions Inventories

Evaluation of potential GHG/GCC impacts is defined in part by current sources, quantities, and generation rates of GHG emissions. To this end, global, national, and state GHG inventories are summarized in the following discussions.

Global

Worldwide anthropogenic (man-made) GHG emissions are tracked by the Intergovernmental Panel on Climate Change for industrialized (Annex I) nations; and developing (Non-Annex I) nations. Man-made GHG emissions data for Annex I nations are available through 2009. Man-made GHG emissions data for Non-Annex I nations are available through 2007.

For the Year 2009, the sum of these emissions totaled approximately 40,084 $MMTCO_2E$.[2] Emissions from the top five countries and the European Union accounted for approximately 65 percent of the total global GHG emissions, according to current available data (please refer to Table 4.3-6, "Top GHG Producers"). The GHG emissions

2 The global emissions are the sum of Annex I and non-Annex I countries, without counting Land-Use, Land-Use Change and Forestry (LULUCF). For countries without 2005 data, the UNFCCC data for the most recent year were used. United Nations Framework Convention on Climate Change, "Annex I Parties – GHG total without LULUCF," http://unfccc.int/ghg_emissions_data/ghg_data_from_unfccc/time_series_annex_i/items/3841.php.

in more recent years may differ from the inventories presented at Table 4.3-6; however, the data is considered representative of current conditions.

United States

As indicated at Table 4.3-6, as a single country, the United States was the number two producer of GHG emissions in 2009. The primary greenhouse gas emitted by human activities in the United States was CO_2, representing approximately 83 percent of US total greenhouse gas emissions.[3] Carbon dioxide from fossil fuel combustion, the largest single source of US greenhouse gas emissions, accounted for approximately 78 percent of GHG emissions.[4]

Table 4.3-6
Top GHG Producers in 2009

Producer	GHG Emissions (MMT CO_2E)
China	6,703
United States	6,608
European Union (27 member countries)	8,338
Russian Federation	2,159
India	1,410
Japan	1,209
Total	**26,427**

Source: World Resources Institute, "Climate Analysis Indicator Tool (CAIT)". http://cait.wri.org

State of California

The 2008 GHG inventory data[5] compiled by CARB indicate that California emitted 474 $MMTCO_2E$/yr. ***including*** emissions resulting from imported electrical power.[6] Based on

[3] US Environmental Protection Agency, "Inventory of US Greenhouse Gas Emissions and Sinks 1990–2009," http://www.epa.gov/climatechange/emissions/usgginventory.html, 2011.

[4] *Ibid*

[5] 2008 is the latest year for which data are available.

[6] California Air Resources Board, "California Greenhouse Gas 2000-2008 Inventory by Scoping Plan Category - Summary," http://www.arb.ca.gov/cc/inventory/data/data.htm, 2010.

the CARB inventory data and GHG inventories compiled by the World Resources Institute[7], California's total statewide GHG emissions rank second in the United States (Texas is number one) with emissions of 417 $MMTCO_2E$ ***excluding*** emissions related to imported power.

Environmental Effects of Climate Change in California

Environmental effects of climate change in California presented here are summarized from: *Scenarios of Climate Change in California: An Overview* (California Climate Change Center) February 2006 (Climate Scenarios Report).

The Climate Scenarios report uses a range of emissions scenarios developed by the Intergovernmental Panel on Climate Change (IPCC) to project a series of potential warming ranges (i.e., temperature increases) that may occur in California during the 21st century: lower warming range (3.0-5.5°F); medium warming range (5.5-8.0°F); and higher warming range (8.0-10.5°F). The Climate Scenarios Report then presents an analysis of future climate in California under each warming range, that while uncertain, present a picture of the potential impacts of global climate change trends in California.

In addition, most recently on August 5, 2009, the State's Natural Resources Agency released a public review draft of its "California Climate Adaptation Strategy" report that details many vulnerabilities arising from climate change with respect to matters such as temperature extremes, sea level rise, wildfires, floods and droughts and precipitation changes. This report responds to the Governor's Executive Order S-13-2008 that called on state agencies to develop California's strategy to identify and prepare for expected climate impacts.

According to the reports noted above, substantial temperature increases arising from increased GHG emissions potentially could result in a variety of impacts to the people, economy, and environment of California associated with a projected increase in extreme

[7] World Resources Institute, "Climate Analysis Indicator Tool (CAIT)-US – Yearly Emissions Inventory," http://cait.wri.org.

conditions, with the severity of the impacts depending upon actual future emissions of GHGs and associated warming. Potential environmental effects identified in the reports are discussed below.

Air Quality, General Thermal Effects

According to Cal EPA, higher temperatures may increase the frequency, duration, and intensity of conditions conducive to air pollution formation. For example, days with weather conducive to ozone formation could increase from 25 to 35 percent under the lower warming range to 75 to 85 percent under the medium warming range. In addition, if global background ozone levels increase as predicted in some scenarios, it may become difficult to meet local air quality standards. Air quality could be further compromised by increases in wildfires, which emit fine particulate matter that can travel long distances, depending on wind conditions. The Climate Scenarios report indicates that large wildfires could become more frequent if GHG emissions are not significantly reduced.

In addition, under the higher warming range scenario, there could be up to 100 more days per year with temperatures above 90^{o}F in Los Angeles and 95^{o}F in Sacramento by 2100. This is a large increase over historical patterns and approximately twice the increase projected if temperatures remain within or below the lower warming range. Rising temperatures could increase the risk of death from dehydration, heat stroke/exhaustion, heart attack, stroke, and respiratory distress caused by extreme heat.

Water Resources

A vast network of man-made reservoirs and aqueducts captures and transports water throughout the state from northern California rivers and the Colorado River. The current distribution system relies on Sierra Nevada snowpack to supply water during the dry spring and summer months. Rising temperatures, potentially compounded by decreases in precipitation, could severely reduce spring snowpack, increasing the risk of summer water shortages.

If temperatures continue to increase, more precipitation could fall as rain instead of snow, and the snow that does fall could melt earlier, reducing the Sierra Nevada spring snowpack by as much as 70 to 90 percent. Under the lower warming range scenario, snowpack losses could be only half as large as those possible if temperatures were to rise to the higher warming range. How much snowpack could be lost depends in part on future precipitation patterns, the projections for which remain uncertain. However, even under the wetter climate projections, the loss of snowpack could pose challenges to water managers and hamper hydropower generation. It could also adversely affect winter tourism. Under the lower warming range, the ski season at lower elevations could be reduced by as much as a month. If temperatures reach the higher warming range and precipitation declines, there might be many years with insufficient snow for skiing and snowboarding.

The State's water supplies are also at risk from rising sea levels. An influx of saltwater could degrade California's estuaries, wetlands, and groundwater aquifers. Saltwater intrusion caused by rising sea levels is a major threat to the quality and reliability of water within the southern edge of the Sacramento/San Joaquin River Delta – a major fresh water supply.

Agriculture

Increased temperatures could cause widespread changes to the agriculture industry reducing the quantity and quality of agricultural products statewide. First, California farmers could possibly lose as much as 25 percent of the water supply they need. Although higher CO_2 levels can stimulate plant production and increase plant water-use efficiency, California's farmers could face greater water demand for crops and a less reliable water supply as temperatures rise. Crop growth and development could change, as could the intensity and frequency of pest and disease outbreaks. Rising temperatures could aggravate O_3 pollution, which makes plants more susceptible to disease and pests and interferes with plant growth.

Plant growth tends to be slow at low temperatures, increasing with rising temperatures up to a threshold. However, faster growth can result in less-than-optimal development

for many crops, so rising temperatures could worsen the quantity and quality of yield for a number of California's agricultural products. Products likely to be most affected include wine grapes, fruits and nuts.

In addition, continued global climate change could shift the ranges of existing invasive plants and weeds and alter competition patterns with native plants. Range expansion could occur in many species while range contractions may be less likely in rapidly evolving species with significant populations already established. Should range contractions occur, new or different weed species could fill the emerging gaps. Continued global climate change could alter the abundance and types of many pests, lengthen pests' breeding season, and increase pathogen growth rates.

Forests and Landscapes

Global climate change has the potential to intensify the current threat to forests and landscapes by increasing the risk of wildfire and altering the distribution and character of natural vegetation. If temperatures rise into the medium warming range, the risk of large wildfires in California could increase by as much as 55 percent, which is almost twice the increase expected if temperatures stay in the lower warming range. However, since wildfire risk is determined by a combination of factors, including precipitation, winds, temperature, and landscape and vegetation conditions, future risks will not be uniform throughout the state. In contrast, wildfires in northern California could increase by up to 90 percent due to decreased precipitation.

Moreover, continued global climate change has the potential to alter natural ecosystems and biological diversity within the state. For example, alpine and subalpine ecosystems could decline by as much as 60 to 80 percent by the end of the century as a result of increasing temperatures. The productivity of the state's forests has the potential to decrease as a result of global climate change.

Rising Sea Levels

Rising sea levels, more intense coastal storms, and warmer water temperatures could increasingly threaten the state's coastal regions. Under the higher warming range scenario, sea level is anticipated to rise 22 to 35 inches by 2100. Elevations of this magnitude would inundate low-lying coastal areas with salt water, accelerate coastal erosion, threaten vital levees and inland water systems, and disrupt wetlands and natural habitats. Under the lower warming range scenario, sea level could rise 12 to 14 inches.

Human Health Effects of GHG Emissions

The potential health effects related directly to the emissions of carbon dioxide, methane, and nitrous oxide as they relate to development projects such as the proposed Project are still being debated in the scientific community. Their cumulative effects to global climate change have the potential to cause adverse effects to human health. Increases in Earth's ambient temperatures would result in more intense heat waves, causing more heat-related deaths. Scientists also purport that higher ambient temperatures would increase disease survival rates and result in more widespread disease. Climate change will likely cause shifts in weather patterns, potentially resulting in devastating droughts and food shortages in some areas (American Lung Association, 2004). Specific health effects associated with GHG pollutants are as follows:

Water Vapor: There are no known direct health effects related to water vapor at this time. It should be noted however that when some pollutants react with water vapor, the reaction forms a transport mechanism for some of these pollutants to enter the human body through water vapor.

Carbon Dioxide: According to the National Institute for Occupational Safety and Health (NIOSH) high concentrations of carbon dioxide can result in health effects such as: headaches, dizziness, restlessness, difficulty breathing, sweating, increased heart rate, increased cardiac output, increased blood pressure, coma, asphyxia, and/or convulsions. It should be noted that current concentrations of carbon dioxide in the earth's atmosphere are estimated to be approximately 370 parts per million (ppm), the actual reference exposure level (level at which adverse health effects typically occur) is

at exposure levels of 5,000 ppm averaged over 10 hours in a 40-hour workweek and short-term reference exposure levels of 30,000 ppm averaged over a 15 minute period (NIOSH 2005).

Methane: Methane is extremely reactive with oxidizers, halogens, and other halogen-containing compounds. Methane is also an asphyxiant and may displace oxygen in an enclosed space (OSHA 2003).

Nitrous Oxide: Nitrous oxide is often referred to as laughing gas; it is a colorless greenhouse gas. The health effects associated with exposure to elevated concentrations of nitrous oxide include dizziness, euphoria, slight hallucinations, and in extreme cases of elevated concentrations nitrous oxide can also cause brain damage (OSHA 1999).

Fluorinated Gases: High concentrations of fluorinated gases can also result in adverse health effects such as asphyxiation, dizziness, headache, cardiovascular disease, cardiac disorders, and in extreme cases, increased mortality (NIOSH 1989, 1997).

Aerosols: The health effects of aerosols are similar to that of other fine particulate matter. Thus aerosols can cause elevated respiratory and cardiovascular diseases as well as increased mortality (NASA 2002).

GCC Regulatory Setting

International Regulation and the Kyoto Protocol

In 1988, the United Nations established the Intergovernmental Panel on Climate Change to evaluate the impacts of global warming and to develop strategies that nations could implement to curtail global climate change. In 1992, the United States joined other countries around the world in signing the United Nations' Framework Convention on Climate Change (UNFCCC) agreement with the goal of controlling greenhouse gas emissions. As a result, the Climate Change Action Plan was developed to address the reduction of GHGs in the United States. The Plan currently consists of more than 50 voluntary programs for member nations to adopt.

The Kyoto protocol is a treaty made under the UNFCCC and was the first international agreement to regulate GHG emissions. Some have estimated that if the commitments outlined in the Kyoto protocol are met, global GHG emissions could be reduced an estimated five percent from 1990 levels during the first commitment period of 2008-2012. Notably, while the United States is a signatory to the Kyoto protocol, Congress has not ratified the Protocol and the United States is not bound by the Protocol's commitments. In December 2009, international leaders from 192 nations met to address the future of international climate change commitments post-Kyoto.

Federal Regulation and the Clean Air Act

On December 7, 2009, the U.S. Environmental Protection Agency (EPA) issued an Endangerment Finding under Section 202(a) of the Clean Air Act, opening the door to federal regulation of GHGs. The Endangerment Finding notes that GHGs threaten public health and welfare and are subject to regulation under the Clean Air Act. To date, the EPA has not promulgated regulations on GHG emissions, but it has already begun to develop them.

Previously the EPA had not regulated GHGs under the Clean Air Act because it asserted that the Act did not authorize it to issue mandatory regulations to address global climate change and that such regulation would be unwise without an unequivocally established causal link between GHGs and the increase in global surface air temperatures. In *Massachusetts v. Environmental Protection Agency et al.* (127 S. Ct. 1438 (2007), however, the U.S. Supreme Court held that GHGs are pollutants under the Clean Air Act and directed the EPA to decide whether the gases endangered public health or welfare. The EPA had also not moved aggressively to regulate GHGs because it expected Congress to make progress on GHG legislation, primarily from the standpoint of a cap-and-trade system. However, proposals circulated in both the House of Representatives and Senate have been controversial and it may be some time before the U.S. Congress adopts major climate change legislation. The EPA's Endangerment Finding paves the way for federal regulation of GHGs, with or without Congress.

Although global climate change did not become an international concern until the 1980s, efforts to reduce energy consumption began in California in response to the oil

crisis in the 1970s, resulting in the incidental reduction of greenhouse gas emissions. In order to manage the state's energy needs and promote energy efficiency, AB 1575 created the California Energy Commission (CEC) in 1975.

California Code of Regulations, Title 24 California Building Standards Code

California Code of Regulations, Title 24 California Building Standards Code, Part 6, Energy Efficiency Standards for Residential and Nonresidential Buildings, was adopted by the California Energy Commission (CEC) in response to a legislative mandate to reduce energy consumption in the state. Although not its original or primary intent Title 24 Energy Efficiency Standards act to incrementally reduce GHG emissions by promoting increased energy efficiency; reduced consumption of electricity, natural gas, and other fuels; and conservation of resources in general. The Standards are updated periodically to allow for the consideration and inclusion of new energy efficiency technologies, designs and construction practices. The latest revisions were adopted in 2008 and became effective on January 1, 2010.

Part 11 of the Title 24 Building Standards Code is referred to as the California Green Building Standards Code (CALGreen Code). The purpose of the CALGreen Code is to:

> [I]mprove public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality.[8]

The CALGreen Code is not intended to substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission (CBSC). Unless otherwise noted in the regulation, all newly constructed buildings in California are subject of the requirements of the CALGreen Code.

[8] California Building Standards Commission, 2008 California Green Building Standards Code, (2009).

California Assembly Bill No. 1493 (AB 1493)

AB 1493 required CARB to develop and adopt the nation's first greenhouse gas emission standards for automobiles. The Legislature declared in AB 1493 that global warming was a matter of increasing concern for public health and environment in California. Further, the legislature stated that technological solutions to reduce greenhouse gas emissions would stimulate the California economy and provide jobs.

In December 2004 a group of car dealerships, automobile manufacturers, and trade groups representing automobile manufacturers filed suit against CARB to prevent enforcement of certain provisions of AB 1493. On May 19, 2009, challenging parties, automakers, the State of California, and the federal government reached an agreement on a series of actions that would resolve these current and potential future disputes over the standards imposed by AB 1493. In summary, the USEPA and the U.S. Department of Transportation agreed to adopt a federal program to reduce GHGs and improve fuel economy, respectively, from passenger vehicles in order to achieve equivalent or greater greenhouse gas benefits as the AB 1493 regulations for the 2012–2016 model years. Manufacturers agreed to ultimately drop current and forego similar future legal challenges. The State of California committed to (1) revise its standards to allow manufacturers to demonstrate compliance with the fleet-average GHG emission standard by "pooling" California and specified State vehicle sales; (2) revise its standards for 2012–2016 model year vehicles so that compliance with USEPA-adopted GHG standards would also comply with California's standards; and (3) revise its standards, as necessary, to allow manufacturers to use emissions data from the federal Corporate Average Fuel Economy (CAFE) program to demonstrate compliance with the AB 1493 regulations. (Please refer also to CARB 2009 Staff Report, http://www.arb.ca.gov/regact/2009/ghgpv09/ghgpvisor.pdf).

Executive Order S-3-05

Executive Order S-3-05, signed by Governor Schwarzenegger in 2005, proclaims that California is vulnerable to the impacts of climate change. It declares that increased temperatures could reduce the Sierra's snowpack, further exacerbate California's air quality problems, and potentially cause a rise in sea levels. To combat those concerns, the Executive Order established total greenhouse gas emission targets. Specifically,

emissions are to be reduced to the 1990 level by 2020, and to 80% below the 1990 level by 2050. The Executive Order directed the Secretary of the California Environmental Protection Agency (CalEPA) to coordinate a multi-agency effort to reduce greenhouse gas emissions to the target levels. The Secretary also is required to submit biannual reports to the Governor and state Legislature describing: (1) progress made toward reaching the emission targets; (2) impacts of global warming on California's resources; and (3) mitigation and adaptation plans to combat these impacts. To comply with the Executive Order, the Secretary of the CalEPA created a Climate Action Team (CAT) made up of members from various state agencies and commission. CAT released its first report in March 2006. The report proposed to achieve the targets by building on voluntary actions of California businesses, local government and community actions, as well as through state incentive and regulatory programs.

California Assembly Bill 32 (AB 32)

In September 2006, Governor Arnold Schwarzenegger signed AB 32, the California Climate Solutions Act of 2006. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by the year 2020. This reduction will be accomplished through an enforceable statewide cap on GHG emissions that will be phased in starting in 2012. To effectively implement the cap, AB 32 directs CARB to develop and implement regulations to reduce statewide GHG emissions from stationary sources. AB 32 specifies that regulations adopted in response to AB 1493 should be used to address GHG emissions from vehicles. However, AB 32 also includes language stating that if the AB 1493 regulations cannot be implemented, then CARB should develop new regulations to control vehicle GHG emissions under the authorization of AB 32.

AB 32 requires that CARB adopt a quantified cap on GHG emissions representing 1990 emissions levels and disclose how it arrives at the cap; institute a schedule to meet the emissions cap; and develop tracking, reporting, and enforcement mechanisms to ensure that the state achieves reductions in GHG emissions necessary to meet the cap. AB 32 also includes guidance to institute emissions reductions in an economically efficient manner and conditions to ensure that businesses and consumers are not unfairly affected by the reductions.

In November 2007, CARB completed its estimates of 1990 GHG levels. Net emission 1990 levels were estimated at 427 MMTs (emission sources by sector were: transportation – 35 percent; electricity generation – 26 percent; industrial – 24 percent; residential – 7 percent; agriculture – 5 percent; and commercial – 3 percent)[9]. Accordingly, 427 MMTs of CO_2 equivalent was established as the emissions target for 2020. For comparison, CARB's estimate for baseline GHG emissions was 473 MMT for 2000 and 532 MMT for 2010. "Business as usual" conditions for 2020 (conditions absent reduction measures to be implemented by CARB regulations) were projected to be 596 MMTs.

In December 2007, CARB approved a regulation for mandatory reporting and verification of GHG emissions for major sources. This regulation covered major stationary sources such as cement plants, oil refineries, electric generating facilities/providers, and co-generation facilities, which comprise 94 percent of the point source CO_2 emissions in the State.

On December 11, 2008, CARB adopted a Scoping Plan to reduce GHG emissions to 1990 levels. The Scoping Plan's recommendations for reducing GHG emissions include: a cap-and-trade program linked to Western Climate Initiative partner jurisdictions; green building strategies; recycling and waste-related measures; and various Voluntary Early Actions and Reductions. Table 4.3-7 indicates anticipated GHG emissions reductions attributable to measures outlined in the Scoping Plan.

[9] EPA's Endangerment Finding stated that electricity generation is the largest emitting sector (34%), followed by transportation (28%), and industry (19%).

Table 4.3-7
Scoping Plan GHG Reduction Measures

Recommended Reduction Measures	GHG Reductions-MMT CO_2E	Percentage of 2020 Emissions Reduction Target
Cap and Trade Program and Associated Measures		
California Light-Duty Vehicle GHG Standards	31.7	18.2%
Energy Efficiency	26.3	15.1%
Renewable Portfolio Standard (33 percent by 2020)	21.3	12.2%
Low Carbon Fuel Standard	15.0	8.6%
Regional Transportation-Related GHG Targets[1]	5.0	2.9%
Vehicle Efficiency Measures	4.5	2.6%
Goods Movement	3.7	2.1%
Million Solar Roofs	2.1	1.2%
Medium/Heavy Duty Vehicles	1.4	0.8%
High Speed Rail	1.0	0.6%
Industrial Measures	0.3	0.2%
Additional Reduction Necessary to Achieve Cap	34.4	19.8%
Subtotal Cap-and-Trade Program Reductions	146.7	84.3%
Uncapped Sources/Sectors Measures		
High Global Warming Potential Gas Measures	20.2	11.6%
Sustainable Forests	5.0	2.9%
Industrial Measures (for sources not covered under cap-and-trade program)	1.1	0.6%
Recycling and Waste (landfill methane capture)	1.0	0.6%
Subtotal Uncapped Sources/Sectors Reductions	27.3	15.7%
Total Reductions Counted toward 2020 Target	174 .0	100%
Other Recommended Measures – Not Counted toward 2020 Target		
State Government Operations	1.0 to 2.0	NA
Local Government Operations	To Be Determined	NA
Green Buildings	26 .0	NA
Recycling and Waste	9.0	NA
Water Sector Measures	4.8	NA
Methane Capture at Large Dairies	1.0	NA
Total Other Recommended Measures – Not Counted toward 2020 Target	42.8	NA

Source: CARB, 2008

Senate Bill No. 1368 (SB 1368)

In 2006, the State Legislature adopted Senate Bill 1368 ("SB 1368"), which was subsequently signed into law. SB 1368 directs the California Public Utilities Commission ("CPUC") to adopt a greenhouse gas emission performance standard ("EPS") for the future power purchases of California utilities. SB 1368 seeks to limit carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than five years from resources that exceed the emissions of a relatively clean, combined cycle natural gas power plant. Due to the carbon content of its fuel source, a coal-fired plant cannot meet this standard because such plants emit roughly twice as much carbon as natural gas, combined cycle plants. Accordingly, the new law will effectively prevent California's utilities from investing in, otherwise financially supporting, or purchasing power from new coal plants located in or out of the State. Thus, SB 1368 will lead to dramatically lower greenhouse gas emissions associated with California energy demand, as SB 1368 will effectively prohibit California utilities from purchasing power from out of state producers that cannot satisfy the EPS standard required by SB 1368.

Senate Bill 97 (SB 97), CEQA Evaluation of Global Climate Change

Pursuant to the direction of SB 97, OPR released proposed draft CEQA Guideline amendments for greenhouse gas emissions on January 8, 2009, and submitted its final proposed guidelines to the Secretary for Natural Resources on April 13, 2009. The Natural Resources Agency adopted the Guidelines amendments and they became effective on March 18, 2010. Consistent with the criteria provided at Appendix H of the *CEQA Guidelines*, as amended pursuant SB 97, the Project's GCC impacts would be considered potentially significant if the Project were to:

- *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or*

- *Conflict with an applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases.*

Section 15064.4(b) of the *Guidelines* provides direction for lead agencies for assessing the significance of impacts of greenhouse gas emissions:

1. The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;

2. Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; or

3. The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared . . .

Based on the direction provided in Section 15064.4 of the *Guidelines*, a lead agency should make a good-faith effort, based on available information, to describe, calculate, or estimate the amount of greenhouse gas emissions associated with a project. Because the methodologies for performing this assessment are anticipated to evolve over time, a lead agency shall have discretion to determine, in the context of a particular project, whether to:

1. Use a model or methodology to quantify greenhouse gas emissions associated with a project and which of any available model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should also include a qualitative discussion or analysis regarding the limitations of the particular model or methodology selected for use.

2. Rely on qualitative or other performance based standards for estimating the significance of greenhouse gas emissions.

Executive Order S-01-07

On January 18, 2007 California Governor Arnold Schwarzenegger, through Executive Order S-01-07, mandated a statewide goal to reduce the carbon intensity of California's transportation fuel by at least ten percent by 2020. The order also requires that a California specific Low Carbon Fuel Standard be established for transportation fuels.

Senate Bills 1078 and 107 and Executive Order S-14-08

SB 1078 (Chapter 516, Statutes of 2002) requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20% of their supply from renewable sources by 2017. SB 107 (Chapter 464, Statutes of 2006) changed the target date to 2010. In November 2008 Governor Schwarzenegger signed Executive Order S-14-08, which expands the state's Renewable Energy Standard to 33% renewable power by 2020.

Senate Bill 375

SB 375, signed in September 2008 (Chapter 728, Statutes of 2008), aligns regional transportation planning efforts, regional GHG reduction targets, and land use and housing allocation. SB 375 requires metropolitan planning organizations (MPOs) to adopt a sustainable communities strategy (SCS) or alternative planning strategy (APS) that will prescribe land use allocation in that MPO's regional transportation plan. ARB, in consultation with MPOs, will provide each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in the region for the years 2020 and 2035. These reduction targets will be updated every 8 years but can be updated every 4 years if advancements in emissions technologies affect the reduction strategies to achieve the targets. ARB is also charged with reviewing each MPO's SCS or APS for consistency with its assigned targets. If MPOs do not meet the GHG reduction targets, transportation projects will not be eligible for funding programmed after January 1, 2012.

This law also extends the minimum time period for the regional housing needs allocation cycle from 5 years to 8 years for local governments located within an MPO that meets certain requirements. City or county land use policies (including general plans) are not required being consistent with the regional transportation plan (and associated SCS or APS). However, new provisions of CEQA would incentivize (through streamlining and other provisions) qualified projects that are consistent with an approved SCS or APS, categorized as "transit priority projects."

CARB Preliminary Draft Staff Proposal, October 2008

Separate from its Scoping Plan approved in December of 2008, CARB issued a Staff Proposal in October 2008, as its first step toward developing recommended statewide interim thresholds of significance for GHGs that may be adopted by local agencies for their own use. CARB staff's objective in this proposal is to develop a threshold of significance that will result in the vast majority (approximately 90 percent statewide) of GHG emissions from new industrial projects being subject to CEQA's requirement to impose feasible mitigation. The proposal does not attempt to address every type of project that may be subject to CEQA, but instead focuses on common project types that, collectively, are responsible for substantial GHG emissions – specifically, industrial, residential, and commercial projects. CARB is developing these thresholds in these sectors to advance climate objectives, streamline project review, and encourage consistency and uniformity in the CEQA analysis of GHG emissions throughout the state. These draft thresholds are under revision in response to comments with no established timetable for their adoption.

The draft threshold proposed by CARB threshold consists of a quantitative limit of 7,000 metric tons (MT) of CO_2E per year for operational emissions (excluding transportation), and qualitative performance standards for construction and transportation emissions.

As noted however, CARB's proposed thresholds are not adopted, and thus cannot be applied to the Project. Further, CARB's proposal draft thresholds are targeted at

industrial projects that generate substantive stationary/area source GHG emissions, such as manufacturing plants, or uses that rely on fixed combustion engines.[10]

The Project evaluated herein proposes no such uses or operations, and the Project's GHG emissions are generated predominantly by mobile sources (not stationary/area sources). As such, CARB's proposed GHG emissions thresholds, even if adopted, would not be germane to the Project.

South Coast Air Quality Management District (SCAQMD) Draft Threshold Recommendations

The current draft thresholds released by the SCAQMD "GHG CEQA Significance Threshold Working Group" for discussion purposes in September of 2010[11] included the following recommended project-level GHG emissions thresholds:

- 3,500 $MTCO_2E$/yr. for residential projects;
- 1,400 $MTCO_2E$/yr. for commercial projects, and
- 3,000 $MTCO_2E$/yr. for mixed-use projects.

The Working Ground also recommended the option of employing a performance standard based on metric tons of GHG emissions per year per "service population." Service population is defined as the sum of the residential population and employees. Under this performance standard, a development's GHG emissions are divided by the service population to yield GHG efficiencies expressed in terms of "metric tons of CO_2E per service population per year" (MT/SP/YR). A project-level efficiency target of 4.8 $MTCO_2E$/SP/YR was identified as a 2020 target; and 3.0 $MTCO_2E$/SP/YR was identified as a 2035 target. The recommended area-wide or plan-level target for 2020 was 6.6 $MTCO_2E$/SP/YR, and a plan level target of 4.1 $MTCO_2E$/SP/YR was identified for 2035.

[10] Please refer to the following website: http://www.arb.ca.gov/cc/localgov/ceqa/meetings/102708/prelimdraftproposal102408.pdf.

[11] September 2010 is the latest SCAQMD "GHG CEQA Significance Threshold Working Group" (Working Group) meeting of record.

The SCAQMD has not announced a time-frame for a finalized version of these thresholds. The SCAQMD has also adopted Rules 2700, 2701, and 2702 that address other (boilers and process heaters, forestry, and manure management project) GHG emissions sources. These rules are not germane to the Project or this analysis.

4.3.6 STANDARDS OF SIGNIFICANCE

As identified within the *CEQA Guidelines* air quality impacts would be considered potentially significant if the Project would:

- *Conflict with or obstruct implementation of the applicable air quality plan.* This impact would occur if the Project were deemed inconsistent with applicable SCAQMD AQMP consistency criteria.

- *Violate any air quality standard or contribute substantially to an existing or projected air quality violation.* Project violation of applicable SCAQMD, state, or federal standards would constitute a potentially significant impact in this regard.

- *Expose sensitive receptors to substantial pollutant concentrations.* Exceedance of SCAQMD Localized Significance Thresholds, exceedance of cancer risk exposure standards, or creation of CO hot spots would be considered potentially significant.

- *Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard.* The Project lies within PM_{10}/$PM_{2.5}$, and ozone non-attainment areas. If the Project would result in significant impacts for these pollutants (i.e., exceedance of SCAQMD thresholds for PM_{10}/$PM_{2.5}$, or the exceedance of thresholds for the ozone precursors NOx or VOC), a potentially significant net increase of pollutants within the encompassing non-attainment area(s) would occur.

- *Create objectionable odors affecting a substantial number of people.* The Project does not propose activities or facilities subject to odor regulations. Absent specifically

regulated odor-producing activities or facilities, evaluation of objectionable odors is largely qualitative and dependent on factors including but not limited to; the type and source of odors, presence or proximity of receptors, meteorological conditions, and any history of complaints surrounding similar proposal.

- *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.* The City of Moreno Valley has not yet adopted a quantified threshold of significance for emissions of greenhouse gases. For the purposes of this analysis, the significance of the Project's GCC impacts is contingent upon on whether or not the Project can demonstrate compliance with the CARB Scoping Plan prepared in response to California Assembly Bill 32 (AB 32); and compliance with the State of California's Climate Action Team Report (2006), prepared in response to the California Governor's Executive Order S-3-05. This approach is consistent with past practice in the City of Moreno Valley.

- *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.* Consistent with provisions of the AB 32 Scoping Plan the potential for Project GHG emissions to "conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases" would be potentially significant if: (1) the Project would conflict with the GHG reduction measures adopted in CARB's AB 32 Scoping Plan and/or (2) the Project generates GHG that may have a cumulatively significant impact on the environment.

4.3.6.1 SCAQMD Regional and Local Thresholds of Significance

While the final determination of significance thresholds is within the purview of the lead agency pursuant to the State *CEQA Guidelines*, the SCAQMD recommends that the following air pollution thresholds be used by lead agencies in determining whether the construction or operational phase of a project is significant. If the lead agency finds that the project under consideration has the potential to exceed any of the air pollution thresholds, project-related air quality impacts should be considered potentially significant.

The SCAQMD has developed regional and localized significance thresholds for regulated pollutants, as summarized at Table 4.3-8. The SCAQMD's CEQA Air Quality Significance Thresholds (March 2009) indicate that any projects in the Basin with daily emissions that exceed any of the indicated thresholds should be considered as having potential individually and cumulatively significant air quality impacts.

Table 4.3-8
SCAQMD Thresholds

Regional Thresholds		
Pollutant	**Construction**	**Operational**
NOx	100 lbs./day	55 lbs./day
VOC	75 lbs./day	55 lbs./day
PM_{10}	150 lbs./day	150 lbs./day
$PM_{2.5}$	55 lbs./day	55 lbs./day
SOx	150 lbs./day	150 lbs./day
CO	550 lbs./day	550 lbs./day
Lead	3 lbs./day	3 lbs./day
Localized Significance Thresholds (LSTs)		
Localized Significance thresholds established by SCQMD "mass rate look up tables" for Statistical Receptor Area 24. See also: http://www.aqmd.gov/ceqa/handbook/lst/appC.pdf		

Source: *RPT Centerpointe West Project Air Quality Impact Analysis* (Urban Crossroads, Inc.), August 22, 2012.

4.3.7 POTENTIAL IMPACTS AND MITIGATION MEASURES

Following is an analysis of potential air quality impacts that are expected to occur as a result of the Project. Potential emissions are considered for Project construction and operation. For each topical discussion, potential impacts are evaluated under applicable criteria established above at Section 4.3.6, "Standards of Significance."

Potential Impact: Conflict with or obstruct implementation of the applicable air quality plan.

Impact Analysis: The Project site is located within the Basin, which is characterized by relatively poor air quality. The SCAQMD has jurisdiction over an approximately 12,000 square-mile area consisting of the four-county Basin and the Los Angeles County and

Riverside County portions of what used to be referred to as the Southeast Desert Air Basin. In these areas, the SCAQMD is principally responsible for air pollution control, and works directly with the Southern California Association of Governments (SCAG), county transportation commissions, local governments, as well as state and federal agencies to reduce emissions from stationary, mobile, and indirect sources to meet state and federal ambient air quality standards.

Currently, these state and federal air quality standards are exceeded in most parts of the Basin. In response, the SCAQMD has adopted a series of Air Quality Management Plans (AQMPs) to meet the state and federal ambient air quality standards. AQMPs are updated regularly in order to more effectively reduce emissions, accommodate evolving land use plans, and to minimize any negative fiscal impacts of air pollution control on the economy.

SCAQMD 2007 AQMP

As noted previously at Section 4.3.4.4, "Air Quality Management Planning," in September 2007, the CARB Board adopted the currently applicable SCAQMD 2007 AQMP (AQMP). The purpose of the 2007 AQMP for the Basin (and those portions of the Salton Sea Air Basin under the SCAQMD's jurisdiction) is to establish a comprehensive program that will lead these areas into compliance with federal and state air quality planning requirements for ozone and $PM_{2.5}$.

Criteria for determining consistency with the AQMP are defined in Chapter 12, Section 12.2 and Section 12.3 of the SCAQMD's CEQA Air Quality Handbook (1993). These indicators are discussed below:

- Consistency Criterion No. 1: The project under consideration will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.

The violations that Consistency Criterion No. 1 refers to are the CAAQS and NAAQS. CAAQS and NAAQS violations would occur if localized significance thresholds (LSTs) were exceeded. As evaluated as part of the Project LST analysis (presented subsequently), the Project's mitigated localized construction-source emissions will not exceed applicable LSTs, and a less-than-significant impact is expected. Similarly, the Project LST analysis demonstrates that Project operational-source emissions would not exceed applicable LSTs, and are therefore less-than-significant.

Project operations would however, result in or cause exceedances of certain SCAQMD regional thresholds. Although operational emissions will be generated in excess of SCAQMD's regional threshold criteria, these emissions are accounted for in the AQMP and the AQMP air quality attainment goals. That is, land uses and development proposed by the Project are consistent with land uses and development intensities reflected in the currently adopted City General Plan, and consequently, within the scope of air quality considerations reflected in the AQMP. Moreover, urban location of the Project proximate to local and regional transportation facilities acts to reduce vehicle miles traveled and associated mobile-source (vehicular) emissions. Additionally, Project incorporation of contemporary energy-efficient technologies and operational programs, and compliance with SCAQMD emissions reductions and control requirements act to reduce stationary-source air emissions. These Project attributes and features are consistent with and support AQMP air pollution reduction strategies and promote timely attainment of AQMP air quality standards.

On the basis of the preceding discussion, the Project is determined to be consistent with the first criterion.

- Consistency Criterion No. 2: The project under consideration will not exceed the assumptions in the AQMP in 2011 or increments based on the years of Project build-out phase.

Assumptions of the AQMP used in projecting future emissions levels are based in part on land use data provided by General Plan documentation. Projects that propose general plan amendments and changes of zone may increase the intensity of use and/or

result in higher traffic volumes, thereby resulting in increased stationary area source emissions and/or vehicle source emissions when compared to the AQMP assumptions. If however, a project does not exceed the growth projections in the applicable local General Plan, then the project is considered to be consistent with the growth assumptions in the AQMP.

The Project site is currently designated as a "Light Industrial/Business Park" General Plan Land Use, and uses proposed by the Project are consistent with this designation. Moreover, the Project does not plan to increase the development intensity beyond that currently anticipated for the subject site as reflected in the General Plan and General Plan Final EIR. It is recognized here however, that a Zone Change from Business Park Mixed-use (BPX) to Light Industrial (LI) is proposed for approximately 7.6 acres of the approximately 56.2 acre Project site. The remainder of the Project site (approximately 48.6 acres) is currently Zoned LI.

While the proposed Zone Change would allow for individually larger industrial structures, it does not substantively alter the potential development intensity of the affected portion of the Project site, or the Project site in total. In this latter regard, overall development intensities allowed under either the BPX or LI Zoning designations are substantively equal, and as defined by physical and site design requirements articulated at City of Moreno Valley Municipal Code Section 9.05.040, Industrial site development standards. Because the land use proposed by the Project is consistent with the currently adopted City General Plan, and the Project would not otherwise increase the site's anticipated development intensity, the Project is in compliance with Consistency Criterion No. 2.

As supported by the preceding discussion, the Project will not conflict with or obstruct implementation of the AQMP.

Level of Significance: Less-Than-Significant.

Mitigation Measures: Not Applicable.

Potential Impact: Violate any air quality standard or contribute substantially to an existing or projected air quality violation.

Impact Analysis:

Land uses and development such as that proposed under the Project impact air quality through emissions generated by construction and operational activities. Modeled air pollutant emissions levels for Project construction and operational activities are discussed below. Please refer also to the detailed California Emissions Estimator Model™ (CalEEMod) air quality modeling data presented within the Project Air Quality Impact Analysis, EIR Appendix C.[12]

Construction-Related Air Quality Impacts

Construction activities associated with the Project will result in emissions of CO, VOCs, NO_x, SO_x, PM_{10}, and $PM_{2.5}$. Construction-related air pollutant emissions are expected from the following construction activities:

- Demolition
- Site Preparation
- Grading
- Paving
- Building Construction
- Architectural Coatings (Painting)
- Construction Workers Commuting

The Project site currently accommodates approximately nine acres of improved equipment and vehicle holding area located northerly of the existing Harbor

[12] The SCAQMD released the California Emissions Estimator Model™ (CalEEMod) in February 2011. The CalEEMod protocol replaces and updates the URBEMIS model previously employed for air quality modeling purposes. More specifically, the CalEEMod protocol more accurately estimates construction-source and operational-source criteria pollutant (NOx, VOC, PM10, PM2.5, SOx, and CO) and greenhouse gas (GHG) emissions from direct and indirect sources. The CalEEMod model also quantifies air quality and GHG emissions reductions achieved from mitigation measures. The latest version of CalEEMod has been employed for this analysis.

Freight Warehouse. This parking area and associated surface improvements will be demolished. Demolished asphaltic and concrete surfaces will be pulverized and stockpiled onsite for subsequent use in Project construction activities. Additionally, any utilities within vacated Joy Street will be removed or demolished in place, as determined appropriate by the City and the affected utility(ies) service(s). It is estimated that demolition activities will be completed within thirty (30) days of their commencement.

The existing Project site will require soil removal, fill, and re-compaction to establish building pads and suitable sub-base for parking areas as well as to ensure proper foundation support. This work will be realized consistent with recommendations and requirements of the Project Geotechnical Exploration Report. The site is relatively level, and no substantial import or export of soils is anticipated. Any residual materials resulting from site preparation processes will be appropriately disposed of and/or recycled in accordance with the City's Source Reduction and Recycling Element (SRRE).

The duration of demolition/construction activities and associated equipment operations was estimated based on construction of similar projects in the City of Moreno Valley and CalEEMod model defaults. Estimated timelines for Project demolition/construction activities are as follows: demolition is expected to occur from March 2015 through April 2015, site preparation is expected to occur from April 2015 through May 2015, grading activities are expected to occur from May 2015 through June 2015, building construction is expected to occur from June 2015 through July 2016, paving is expected to occur from July 2016 through October 2016, architecture coating is expected to occur from October 2016 through February 2017. This construction schedule represents a "worst-case" analysis scenario should construction occur any time after these respective dates since emission factors for construction equipment decrease as the analysis year increases. Detailed assumptions regarding project construction activities are presented within the Project Air Quality Impact Analysis, EIR Appendix C.

Construction Source Emissions-Regional Thresholds Analysis

Estimated maximum daily construction source emissions are summarized at Table 4.3-9. As indicated at Table 4.3-9, unmitigated emissions resulting from Project construction will exceed regional criteria pollutant thresholds established by the SCAQMD for emissions of VOC. No other regional thresholds would be exceeded. Mitigation for projected VOC exceedances is presented at the conclusion of this construction emissions analysis. As mitigated, project construction source emissions would not exceed applicable SCAQMD regional thresholds.

Table 4.3-9
Unmitigated Construction Source Emissions-Regional Impacts (pounds per day)

	Pollutant					
Year	**VOC**	**NO_x**	**CO**	**SO_x**	**PM_{10}**	**$PM_{2.5}$**
2015	9.23	57.44	69.22	0.16	23.43	12.17
2016	8.54	52.72	65.35	0.16	12.71	2.56
2017	95.99	2.66	7.71	0.02	1.89	0.25
Maximum Daily Emissions	**95.99**	**57.44**	**69.22**	**0.16**	**23.43**	**12.17**
SCAQMD Regional Threshold	75	100	550	150	150	55
Regional Threshold Exceeded?	**YES**	**No**	**No**	**No**	**No**	**No**

Source: *RPT Centerpointe West Project Air Quality Impact Analysis* (Urban Crossroads, Inc.), August 22, 2012.

Construction Source Emissions-Localized Significance Threshold (LST) Analysis

LST Overview

To address the issue of localized significance of air pollutant concentrations, the SCAQMD developed localized significance thresholds (LSTs) as an indicator of localized air quality impacts that could cause or contribute to potential adverse health effects. To this end, the SCAQMD considers impacts to air quality to be significant if there is a potential to contribute or cause localized exceedances of the federal and/or state ambient air quality standards (NAAQS/CAAQS). Collectively, these are referred to as localized significance thresholds (LSTs).

LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent NAAQS/CAAQS at the nearest residence or sensitive receptor. The SCAQMD states that lead agencies may, at their discretion, employ the LSTs as another indicator of significance within air quality impact analyses. LSTs apply to carbon monoxide (CO), nitrogen dioxide (NO_2), particulate matter ≤ 10 microns (PM_{10}), and particulate matter ≤ 2.5 microns ($PM_{2.5}$).

The SCAQMD established LSTs in response to the SCAQMD Governing Board's Environmental Justice Initiative I-4, and were developed in response to environmental justice and health concerns raised by the public regarding exposure of individuals to criteria pollutants in local communities.

The SCAQMD LST analysis protocol is based in part on monitored background air quality conditions for each Source Receptor Area (SRA). For this Project, the appropriate SRA for the LST analysis is the Perris Valley area (SRA 24).

The SCAQMD has also issued guidance on applying CalEEMod to LSTs. In this regard, CalEEMod calculates construction emissions predicated on equipment operational hours and the maximum daily soil disturbance activity possible for each piece of equipment. Consistent with CalEEMod and SCAQMD protocols, the equipment schedule presented at Table 4.3-10 was modeled to determine the maximum daily disturbed acreage and resulting emissions concentrations. Modeled emissions concentrations were then compared to applicable LSTs. To ensure that Project field construction activities will reflect LST modeling of construction-source emissions provided herein, the maximum use of Project construction equipment types and their hours of operation (during grading activity) are limited based on horsepower-hours per day (*see*: Mitigation Measure 4.3.4).

Table 4.3-10
Schedule of Construction Equipment

Construction Phase	Equipment Type	Equipment Quantity	Acres graded per 8 hour day	Operating Hours per Day	Acres graded per day
Grading	Tractors	2	0.5	8	1.0
	Graders	1	0.5	8	0.5
	Rubber Tired Dozers	1	0.5	8	0.5
	Scrapers	2	1	8	2.0
Total acres graded per day					4.0
Applicable LST Mass Rate Look-up Table					4 acres

Source: *RPT Centerpointe West Project Air Quality Impact Analysis* (Urban Crossroads, Inc.), August 22, 2012.

Emissions Considered

SCAQMD's LST Methodology clearly states that "off-site mobile emissions from the Project should NOT be included in the emissions compared to LSTs." Accordingly, the construction LST analysis considers only on-site construction source emissions.

Receptors

Figure 4.3-1 illustrates existing land uses including sensitive receptors in the Project vicinity. The nearest sensitive receptor land use (defined as a place where an individual could remain for 24-hours) would be the existing "Motel 7" located at 23581 Alessandro Boulevard, located approximately 525 feet/160 meters northeasterly of the Project. Accordingly, LSTs for receptors at 525 feet/160 meters are utilized in this analysis and provide for a conservative (i.e., "health protective") standard of care. Any receptors located further away would be exposed to a lesser impact.

Potential LST Impacts

As indicated at Table 4.3-11, construction source emissions will not exceed applicable LSTs, and are therefore considered less-than-significant in this regard. It is noted further, that with implementation of other required air quality impacts Mitigation Measures (see: MMMs 4.3.1, 4.3.2, 4.3.4) already less-than-significant LST impacts would be further reduced, as indicated at Table 4.3-13 presented at the conclusion of this discussion.

* Maximum Exposed Receptor Site

N

NOT TO SCALE

Source: Google Earth; Urban Crossroads; Applied Planning, Inc.

applied planning inc

Figure 4.3-1
Sensitive Receptor Locations

Table 4.3-11
Unmitigated Construction Source Emissions-LST Impacts (pounds per day)

Grading	NO_x	CO	PM_{10}	$PM_{2.5}$
Maximum Daily Emissions	**55.79**	**32.87**	**23.15**	**12.16**
SCAQMD Localized Threshold	407	4,985	74	22
LST Exceeded	**No**	**No**	**No**	**No**

Source: *RPT Centerpointe West Project Air Quality Impact Analysis* (Urban Crossroads, Inc.), August 22, 2012.

Level of Significance: Potentially significant (exceedance of regional thresholds for VOC only). Based on the preceding discussions, Project construction source emissions will exceed regional criteria pollutant thresholds established by the SCAQMD for emissions of VOCs. Localized significance thresholds established by the SCAQMD would not be exceeded.

Mitigation Measures: *To facilitate implementation and monitoring of mitigation measures addressing construction source air quality impacts, all plans, specifications, and contract documents shall include the following or equivalent notations:*

4.3.1 Pursuant to SCAQMD Rule 403 requirements:

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*

- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*

- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are limited to 15 miles per hour or less.*

4.3.2 A sign shall be posted on-site stating that construction workers shall not idle diesel engines in excess of five minutes.

4.3.3 During grading activities, total horsepower-hours per day for all equipment shall not exceed 13,568 horsepower-hours per day and the maximum disturbance (actively graded) area shall not exceed four acres per day.

4.3.4 Only "Zero-Volatile Organic Compounds" paints (no more than 150 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications consistent with South Coast Air Quality Management District Rule 1113 shall be used.

Level of Significance After Mitigation: ***Less-Than-Significant.*** Tables 4.3-12 and 4.3-13 present, respectively, the regional and localized construction-related emissions after the implementation of Mitigation Measures 4.3.1 through 4.3.4.

Table 4.3-12
Mitigated Construction Source Emissions (pounds per day)-
Regional Thresholds Compliance

Year	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
2015	9.23	57.44	69.22	0.16	12.97	6.11
2016	8.54	52.72	65.35	0.16	12.71	2.56
2017	57.903	2.66	7.71	0.02	1.89	0.25
Maximum Daily Emissions	**57.90**	**57.44**	**69.22**	**0.16**	**12.97**	**6.11**
SCAQMD Regional Threshold	75	100	550	150	150	55
Regional Threshold Exceeded	**No**	**No**	**No**	**No**	**No**	**No**

Source: *RPT Centerpointe West Project Air Quality Impact Analysis* (Urban Crossroads, Inc.), August 22, 2012.

Table 4.3-13
Mitigated Construction Source Emissions (pounds per day)
Localized Significance Thresholds (LST) Compliance

	NO_x	CO	PM_{10}	$PM_{2.5}$
Maximum Daily Emissions	**55.79**	**32.87**	**10.39**	**6.10**
SCAQMD LST	407	4,985	74	22
LST Exceeded	**No**	**No**	**No**	**No**

Source: *RPT Centerpointe West Project Air Quality Impact Analysis* (Urban Crossroads, Inc.), August 22, 2012.

Operational Air Quality Impacts

Operational activities associated with the Project will result in emissions of VOCs, NO_X, CO, SO_X, PM_{10}, and $PM_{2.5}$. Operational emissions would be expected from the following primary sources:

- Mobile sources (vehicle tailpipe) emissions;
- Fugitive dust, and road wear/tire wear particulates generated by vehicular travel;
- Heating, Ventilation and Air Condition (HVAC) Systems;
- Landscape maintenance equipment; and
- Architectural coatings.

Mobile Sources (Vehicle Tailpipe Emissions). Project-related operational source air quality impacts derive predominantly from mobile sources [approximately 96.6 percent (by weight) of all Project operational-source emissions are generated by mobile sources (vehicles)]. Trip characteristics identified in the Project TIA (EIR Appendix B) were employed in this analysis of mobile source operational air quality impacts. Project mobile source air quality impacts are dependent on the Project's overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations.

In an effort to recognize and acknowledge the comparative and relative effects of different types of vehicles that would access the Project site, (e.g., passenger cars, light trucks, heavy-duty vehicles) the Project TIA (EIR Appendix B) presents the total Project vehicle trips in terms of Passenger Car Equivalents (PCEs). For example, passenger car trips translate equally to PCEs, one passenger car trip accessing the Project site is equal to one PCE. In comparison, based on its relatively greater size, one heavy duty truck is equal to three PCEs. Notwithstanding, for purposes of the air quality study, the PCE trips were not used. Rather, to more accurately estimate and model vehicular-source emissions, the actual number of vehicles trips, by vehicle classification (fleet mix) reflected in the Project TIA was used in the analysis. The vehicle fleet mix and associated daily vehicle trips, by vehicle type is presented at Table 4.3-14.

Table 4.3-14
Project Vehicles Mix and Trips by Vehicle Category

Total Vehicles (100%)	Total Vehicle Trips (1,844)
Passenger Cars (46.0%)	848
2-axle Trucks (PCE 1.5, 6.1%)	113
3-axle Trucks (PCE 2.0, 13.9%)	255
4+axle Trucks (PCE 3.0, 34.0%)	628

Source: Project TIA

As indicated at Table 4.3-14, the Project overall vehicle fleet mix is comprised of approximately 46 percent passenger cars (848 passenger cars), and approximately 54 percent total trucks (996 trucks). The total Project traffic generation expressed as individual vehicle trips is 1,844/trips per day.

For clarity in the air quality modeling process, the Project was input as a single industrial category or type of land-use in the CalEEMod emissions inventory model. The Project's total traffic generation in vehicles (1,844 per day) was then divided by the total number of square feet for the Project (1,279,910 s.f.) to derive the trip generation rate/per thousand square feet for input into the modeling program (1,844 trips per day/1,279,910 s.f. is equal to 1.44 trips per thousand square feet (TSF) per day). This raw trip generation factor was then disaggregated and refined to reflect percentages of car trips and truck trips generated by the Project. That is, of the estimated total 1.44 trips per TSF per day generated by the Project, 46 percent or 0.66 trips per TSF/day would be passenger cars; and 54 percent or 0.78 trips per TSF per day would be trucks (two-axle, three-axle, or four axle). Total truck trips (by axle) were then summed for all land uses; the total sum of all trucks was then divided by each category of trucks (by axle count) to determine axle-specific truck percentage for the Project as a whole. These vehicle-specific estimates were then input into the CalEEMod program. The resulting estimated mobile source emissions are summarized at Table 4.3-15. Please refer also to detailed modeling inputs presented within the Project Air Quality Impact Analysis, EIR Appendix C.

Fugitive Dust and Particulates Related to Vehicular Travel. Vehicles traveling on paved roads would be a source of fugitive emissions due to the generation of road dust, and particulates resulting from road wear and tire wear. The emissions estimates for travel on paved roads were calculated using the CalEEMod model.

Heating, Ventilation and Air Condition (HVAC) Systems Emissions. Combustion emissions would be generated by the use of natural gas to power Project HVAC systems. The emissions associated with natural gas use were calculated based on assumptions from the CalEEMod model.

Landscape Maintenance Emissions. Landscape maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shedders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the Project. The emissions associated with landscape maintenance activities were calculated based on assumptions from the CalEEMod model.

Architectural Coatings. Over time, the buildings that are part of this Project will be subject to emissions resulting from the evaporation of solvents contained in paints, varnishes, primers, and other surface coatings as part of Project maintenance. Emissions associated with repainting were calculated as part of the Project's operational emissions pursuant to CalEEMod protocols.

Operational Source Emissions-Regional Thresholds Analysis

The Project-related operations emissions summary, along with a comparison of SCAQMD regional significance thresholds, is presented at Table 4.3-15. As indicated, unmitigated Project operational source emissions would exceed applicable SCAQMD regional thresholds for emissions of VOCs and NOx.

Table 4.3-15
Unmitigated Operational Source Emissions- (Pounds Per Day)

	Pollutants					
Operational Activities	**VOC**	**NO_x**	**CO**	**SO_x**	PM_{10}	$PM_{2.5}$
Area Source Emissions-Maintenance/Other	33.46	--	--	--	--	--
Area Source Emissions-Building HVAC	0.08	0.74	0.62	--	0.06	0.06
Mobile Source Emissions	48.66	478.01	368.98	1.17	103.91	18.69
Maximum Daily Emissions	**82.20**	**478.75**	**369.6**	**1.17**	**103.97**	**18.75**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded	**YES**	**YES**	**No**	**No**	**No**	**No**

Source: *RPT Centerpointe West Project Air Quality Impact Analysis (Urban Crossroads, Inc.), August 22, 2012.*
Note: Maximum daily summer/winter emissions estimates are presented

Near-term incremental reductions in projected VOC and NOx operational exceedances would be realized in part through construction/building (area source) energy efficiencies achieved pursuant to Title 24, Part 6, Energy Efficiency requirements.

The Project is also required to comply with applicable SCAQMD and CARB regulations acting to control/limit vehicular tailpipe (mobile source) emissions.[13] However, in the context of the total Project operational source emissions, VOC and NOx emissions reductions achieved through these means would not be sufficient to comply with applicable SCAQMD thresholds.

In this regard, and as noted previously, approximately 96.4 percent of the Project's operational emissions are generated by mobile sources (Project-related vehicular traffic). Accordingly, to achieve meaningful reductions in the Project operational emissions, individual mobile sources of emissions (vehicle tailpipe emissions) must be further controlled and reduced. At present, there are no feasible means for the Lead Agency or the Applicant to reduce or control these tailpipe emissions such that SCAQMD operational emissions thresholds for VOCs and NOx would be achieved.

[13] At present, vehicles accessing the Project site and operating on area roads must comply with SCAQMD and CARB emissions requirements. Such requirements are reflected in the CalEEMod modeling of Project operational emissions.

Moreover, authority and responsibility for the control and reduction of tailpipe emissions resides with federal and state governments. In this latter regard, existing, proposed, and anticipated regulatory requirements would act to reduce the Project's mobile source emissions over time. These reductions in large part will be achieved as a byproduct of greenhouse gas emissions reductions anticipated to result from CARB's Scoping Plan GHG Reduction Measures (See Table 4.3-7) and similar statewide actions. Pending full implementation of these measures, or other means that act to substantively reduce vehicle tailpipe emissions, ***Project operational exceedances of SCAQMD VOC and NOx regional thresholds are considered significant and unavoidable.***

Operational Source Emissions-LST Analysis

The SCAQMD LST operational source emissions analysis protocol is formulated to include on-site sources only. However, the CalEEMod model does not differentiate between on-site and off-site emissions. In an effort to establish a maximum potential impact scenario for analytic purposes the analysis presented here represents all on-site Project-related stationary (area) sources and five percent (5%) of the Project-related mobile sources. Considering that the weighted trip length used in CalEEMod for the Project is approximately 40.76 miles, 5% of this total is equivalent to an on-site travel distance for each car and truck of approximately 2 miles or 10,560 feet. The 5% assumption is conservative and would tend to overstate the actual impact. Modeling based on these assumptions demonstrates that even within broad encompassing parameters, Project operational-source emissions would not exceed applicable LSTs. Table 4.3-16 presents the calculated emissions for the Project's operational activities compared with applicable LSTs.

Table 4.3-16
Unmitigated Operational Source Emissions (pounds per day)
Localized Significance Thresholds (LST) Compliance

	NO_x	CO	PM_{10}	$PM_{2.5}$
On-Site Emissions	**24.64**	**18.77**	**5.26**	**0.99**
SCAQMD LST	407	4,985	17.87	5.87
LST Exceeded	**No**	**No**	**No**	**No**

Source: *RPT Centerpointe West Project Air Quality Impact Analysis (Urban Crossroads, Inc.), August 22, 2012.*

As indicated at Table 4.3-16, Project operational emissions would not exceed applicable LSTs, and are therefore considered less-than-significant.

CO "Hot Spot" Analysis

Carbon Monoxide concentration exceedances (CO "hot spots") are caused by vehicular emissions, primarily when idling at intersections. Recognizing this, and other adverse effects of vehicle pollutant emissions, California's vehicle emissions standards have become increasingly more stringent. Currently, the CO standard in California is a maximum of 3.4 grams/mile for passenger cars (there are requirements for certain vehicles that are even more stringent).

Stricter vehicle emissions standards, in combination with the turnover of older, less-efficient vehicles; introduction of cleaner fuels; and implementation of industrial source emissions control technologies, have resulted in steadily declining CO concentrations within the State and the Basin.

As discussed below, with the steadily decreasing CO emissions from vehicles and other sources, even very busy intersections do not result in exceedances of the CO standard. Similarly, the Project's contributions to areawide traffic and resulting CO emissions concentrations would not result in or cause exceedances of the CO standard.

In this latter regard, the SCAQMD analysis prepared for Basin-wide CO attainment (the 1992 CO Attainment Plan, Plan) can be used to assist in evaluating the potential for CO exceedances, including those that might result from the Project. As discussed in the 1992 CO Attainment Plan, peak carbon monoxide concentrations in the South Coast Air Basin are due to unusual meteorological and topographical conditions, and are not due to CO concentrations that may result from intersection(s) congestion. Considering the region's unique meteorological conditions and the increasingly stringent CO emissions standards, CO modeling was performed as part of the 1992 CO Plan and subsequent Plan updates.

As one component of the 1992 CO Attainment Plan analysis, CO hot spot analyses were conducted for four busy intersections in Los Angeles at the peak morning and afternoon time periods. The intersections evaluated included: Long Beach Boulevard/Imperial Highway (Lynwood); Wilshire Boulevard/Veteran Avenue (Westwood); Sunset Boulevard/Highland Avenue (Hollywood); and La Cienega Boulevard/Century Boulevard (Inglewood). Even with the high peak-hour traffic volumes and related congestion experienced at these intersections, the CO hot spot analyses did not predict a violation of CO standards.[14] Reflecting these results, the South Coast Air Basin has been designated as attainment for CO since 2007 (SCAQMD 2007) and even very busy intersections do not result in exceedances of the CO standard.

To determine the relative potential for the Project to result in potential CO hot spots, traffic volumes from the four highest-volume intersections recorded in the 1992 CO Attainment Plan CO hot spot analysis (Table 4.3-17), were compared to the four highest-volume intersections reflected in the Project Traffic Impact Analysis (Table 4.3-18).

Table 4.3-18 clearly demonstrates that the Project's traffic volumes would be less than those identified in the 1992 CO Attainment Plan modeling analysis (Table 4.3-17). Consequently, at buildout of the Project none of the intersections in the vicinity of the Project would have peak hourly traffic volumes exceeding those at the intersections modeled in the 1992 CO Plan/2003 AQMP analysis.

Based on the comparative reduction in peak hour traffic volumes, and paralleling conclusions of the 1992 CO Attainment Plan analysis, significant concentrations of CO emissions would not occur under the Project. Nor would there be any reason unique to Project area meteorology or other factors to conclude that the intersections within the Project Study Area would yield higher CO concentrations if modeled in detail. Based on

[14] The busiest intersection evaluated was that at Wilshire Boulevard and Veteran Avenue, which experienced a daily traffic volume of approximately 100,000 vehicles per day. The evaluated the LOS in the vicinity of the Wilshire Boulevard/Veteran Avenue intersection was determined to be Level E at peak morning traffic and Level F at peak afternoon traffic.

the preceding, the Project will not result in or contribute to any CO hot spot violations, and a less-than-significant impact will occur.

Table 4.3-17
CO Attainment Plan Analysis Peak Hour Traffic Volumes

Intersection Location	Eastbound (AM/PM)	Westbound (AM/PM)	Southbound (AM/PM)	Northbound (AM/PM)
Wilshire Blvd. - Veteran Ave.	4,951/2,069	1,830/3,317	721/1,400	560/933
Sunset Blvd. - Highland Ave.	1,417/1,764	1,342/1,540	2,304/1,832	1,551/2,238
La Cienega Blvd. - Century Blvd.	2,540/2,243	1,890/2,728	1,384/2,029	821/1,674
Long Beach Blvd. - Imperial Hwy.	1,217/2,020	1,760/1,400	479/944	756/1,150

Source: *RPT Centerpointe West Project Air Quality Impact Analysis (Urban Crossroads, Inc.), August 22, 2012.*

Table 4.3-18
Project Peak Hour Traffic Volumes

Intersection Location	Eastbound (AM/PM)	Westbound (AM/PM)	Southbound (AM/PM)	Northbound (AM/PM)
Elsworth St. - Cactus Ave.	1476/1563	1812/1227	285/290	114/703
Frederick St. - Alessandro Blvd.	795/1498	1193/1153	481/838	315/455
Graham St. - Alessandro Blvd.	823/1526	1158/1288	284/306	289/344
Graham St. - Cactus Ave.	1121/1916	1709/1045	226/394	239/358

Source: *RPT Centerpointe West Project Air Quality Impact Analysis (Urban Crossroads, Inc.), August 22, 2012.*

Operational Source Air Quality Impacts Summary

VOC and NOx emissions generated by Project operations will exceed applicable SCAQMD Regional Thresholds.

The Project Air Quality Impact Analysis indicates that Project operational source criteria pollutants will exceed applicable SCAQMD regional thresholds for VOCs and NOx. These exceedances are primarily attributable to mobile sources (vehicular tailpipe emissions) and at present there are no feasible means for the Lead Agency or the Applicant to reduce these emissions to levels that would not exceed SCAQMD threshold criteria. Notwithstanding, energy efficiencies reflected in the Project design, and compliance with existing SCAQMD/CARB emissions requirements will act to

incrementally reduce the Project's operational source emissions levels. Over time, it is anticipated that federal and state mandates will act to substantively reduce tailpipe emissions. Pending these federal and state actions, or other means that act to substantively reduce vehicle tailpipe emissions, Project operational exceedances of SCAQMD VOC and NOx regional thresholds are considered significant and unavoidable.

All other criteria pollutants generated by Project operations will comply with applicable SCAQMD thresholds.

The Project Air Quality Impact Analysis further indicates that for all other considered criteria pollutants (CO, PM_{10}, $PM_{2.5}$) Project operations would not generate emissions levels that would exceed applicable SCAQMD regional threshold criteria. Project operational emissions levels of CO, PM_{10} and $PM_{2.5}$ are therefore less than significant when compared to SCAQMD regional thresholds. Further, Project operations would not generate emissions levels that would exceed any applicable SCAQMD Localized Significance Thresholds (LSTs). Project operational emissions levels of CO, NOx, PM_{10} and $PM_{2.5}$ are therefore less-than-significant when compared to SCAQMD LSTs. The Project would not generate or contribute to "CO hotspots," and such potential impacts are considered less-than-significant.

Level of Significance: Potentially Significant. (VOC and NOx regional threshold exceedances only).

Mitigation Measures: No feasible mitigation. As noted in the preceding discussions, Project VOC and NOx operational emission exceedances are primarily attributable to mobile sources (vehicular tailpipe emissions). At present there are no feasible means for the Lead Agency or the Applicant to reduce these emissions to levels that would not exceed SCAQMD threshold criteria. Energy efficiencies reflected in the Project design, and compliance with existing SCAQMD/CARB emissions requirements will act to incrementally reduce the Project's operational source emissions levels. Over time, it is anticipated that federal and state mandates will act to substantively reduce tailpipe emissions statewide.

Level of Significance After Mitigation: Significant and Unavoidable (VOC and NOx regional threshold exceedances only).

Potential Impact: Expose sensitive receptors to substantial pollutant concentrations.

Impact Analysis: Sensitive receptors considered in air quality analyses include uses such as health care facilities, rehabilitation centers, retirement homes, residences, schools, playgrounds, child care centers, and athletic facilities. Sensitive receptors located proximate to the Project site are indicated at Figure 4.3-1 (previously presented), and are described below.

The nearest sensitive receptor land use (defined as a place where an individual could remain for 24-hours) would be the existing Motel 7 located at 23581 Alessandro Boulevard, located approximately 525 feet/160 meters northeasterly of the Project site. Additionally, proximate residential land uses are located approximately 708 feet/216 meters north of the Project site, across Alessandro Boulevard. Figure 4.3-1 (previously presented) illustrates existing land uses including sensitive receptors in the Project vicinity.

As discussed in the previous discussions of potential localized emissions impacts (see construction source and operational source LST analyses) the Project will not under any circumstances, exceed applicable SCAQMD localized significance thresholds. As such, less than significant localized emissions impacts would occur and sensitive receptors would not be exposed to substantial pollutant concentrations.

Level of Significance: Less-Than-Significant.

Health Risk Assessment of Diesel Particulate Emissions

A Health Risk Assessment has been prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy-duty equipment. The Health Risk Assessment was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003), and is presented in its entirety at Appendix C to this EIR.

Health risks associated with exposure to carcinogenic compounds including DPM are defined in terms of the incremental probability of developing cancer as a result of exposure to a chemical at a given concentration. CARB estimates that the average Californian is exposed to 1.3 μg/m^3 of DPM. This exposure results in an average cancer risk of 390 in one million for the average Californian exposed to DPM (OEHHAA 2000).

The Project Health Risk Assessment is based on SCAQMD guidelines to produce conservative estimates of risk posed by exposure to DPM. The conservative nature of the analysis reflects the following factors:

- The CARB-adopted diesel exhaust unit risk factor (URF) of 300 in one million per μg/m^3 is based upon the upper 95 percentile of estimated risk for each of the epidemiological studies utilized to develop the URF. Therefore, the risk factor is already representative of the conservative risk posed by DPM.

- The risk estimates assume sensitive receptors will be subject to DPM for 24 hours a day, 365 days a year. In other words, that resident will continuously be outside and exposed to DPM. As a conservative measure, the SCAQMD does not recognize indoor adjustments for residents. However, the typical person spends the majority of their time indoors versus remaining outdoors for 24 hours a day, 365 days a year.

- The exposure to DPM is assumed to be constant for the given period analyzed (i.e., 70 years). It should be noted, however, that DPM emissions are expected to

substantially decrease in the future with the implementation of standard regulatory requirements and technological advancement to reduce DPM.

- Consistent with SCAQMD HRA modeling recommendations, the DPM emissions estimates presented here assumes on-site truck idling of 15 minutes. Notwithstanding, CARB-mandated vehicle idling limits of 5 minutes will be maintained within the Project site.

Emissions Modeling

Vehicle DPM emissions were estimated using emission factors for particulate matter less than 10μm in diameter (PM_{10}) generated with the 2011 version of the EMission FACtors model (EMFAC) developed by the CARB (EMFAC 2011). EMFAC 2011 is a mathematical model that was developed to calculate emission rates from motor vehicles that operate on highways, freeways, and local roads in California and is commonly used by the CARB to project changes in future emissions from on-road mobile sources. The most recent version of EMFAC 2011, incorporates regional motor vehicle data, information and estimates regarding the distribution of vehicle miles traveled (VMT) by speed, and number of starts per day. Germane to this analysis, EMFAC 2011 importantly integrates new data and methodologies to estimate diesel emissions from trucks and buses.

Within this analysis, and consistent with SCAQMD HRA modeling protocols, emissions were estimated for the following scenarios:

- 9-year exposure: 2017 through 2025 (School Child Exposure Scenario);
- 40-year exposure: 2017 through 2056 (Worker Exposure Scenario)[15]; and
- 70-year exposure: 2017 through 2086 (Residential Exposure Scenario).

[15] SCAQMD guidance does not require assessment of the potential health risk to on-site workers. Additionally assessment of health risk to on-site workers is not required by OEHHA HRA guidelines. As such, for purposes of this analysis, risk to on-site workers has not been evaluated.

Exposure Quantification Modeling

DPM emission exposure quantification and modeling within this analysis has been conducted consistent with guidelines and protocols identified in the *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD) 2003. To this end, annual average DPM concentrations and exposures have been modeled employing the American Meteorological Society/Environmental Protection Agency Regulatory Model Improvement Committee (AERMIC) Model or AERMOD.

The Project HRA exposure quantification modeling incorporates local weather conditions and prevailing wind patterns as represented by meteorological data obtained from SCAQMD's Perris monitoring station (SRA 24), located approximately 10 miles northwesterly of the Project site. Exposure quantification summarized here represents maximum impacts at area receptor land uses. Please refer to the Project HRA for details regarding the application of AERMOD within this analysis.

Carcinogenic Exposures

The SCAQMD CEQA Air Quality Handbook (1993) states that emissions of toxic air contaminants (TACs) are considered significant if a health risk assessment shows an increased risk of greater than 10 in one million. Based on guidance from the SCAQMD in the document *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (2003), for purposes of this analysis, an incremental increase in cancer risk exposure of 10 in one million is used as the threshold of significance. Unmitigated cancer risk exposures resulting from Project DPM source emissions are summarized at Table 4.3-19.

The maximum exposed sensitive receptor indicated at Table 4.3-19 is the residential land use located approximately 680 feet northerly of the Project site, across Alessandro Boulevard (indicated at Figure 4.3-1). At this location, the maximum incremental cancer risk attributable to Project DPM source emissions is estimated at 8.48 in one million, which is less than the threshold of 10 in one million.

Table 4.3-19
Summary of Cancer Risk - Without Mitigation

Time Period	Location	Maximum Lifetime Cancer Risk (Risk per Million)	Significance Threshold (Risk per Million)	Threshold Exceeded?
70 Year Exposure (2017 to 2086)	Maximum Exposed Sensitive Receptor	8.48	10	**No**
40 Year Exposure (2017 to 2056)	Maximum Exposed Worker Receptor	0.48	10	**No**
9 Year Exposure (2017 to 2025)	Maximum Exposed School Child	0.06	10	**No**

Source: *RPT Centerpointe West Project Mobile Source Health Risk Assessment (Urban Crossroads, Inc.), August 27, 2012.*

The worker receptor land use with the greatest potential exposure to Project DPM source emissions identified at Table 4.3-19 is located immediately south of Cactus Avenue just before the I-215 freeway, approximately 5,000 feet westerly of the Project site. The incremental cancer risk impact at this location is 0.48 in one million which is less than the threshold of 10 in one million.

The school site land use with the greatest potential exposure to Project DPM source emissions is located approximately 0.6 mile (~3,400 feet) northerly of the Project site at the Moreno Valley High School. The maximum incremental cancer risk impact at this location is 0.06 in one million which is less than the threshold of 10 in one million.

Non-carcinogenic Exposures

Evaluation of potential non-carcinogenic effects of Project DPM emissions was also conducted. Non-carcinogenic effects of DPM emissions typically include health concerns such as respiratory impairment and eye irritation. These adverse health effects are evaluated by comparing a compound's annual concentration with its toxicity factor or Reference Exposure Level (REL). The REL for diesel particulates was obtained from the California Office of Environmental Health Hazard Assessment (OEHHA) for this analysis. The chronic reference exposure level (REL) for DPM was established by OEHHA as 5 $\mu g/m^3$. [16]

[16] OEHHA Toxicity Criteria Database, http://www.oehha.org/risk/chemicaldb/index.asp.

Non-carcinogenic impacts are hazard index-based. That is, the hazard index assumes that chronic sub-threshold exposures will adversely affect a specific organ or organ system. To calculate hazard index, the chemical concentration or dose is divided by its REL. Where the total equals or exceeds one, a health hazard is presumed to exist. For non-cancer risks, the threshold of significance is a hazard quotient value greater than one. For non-carcinogenic impacts, maximum exposures are estimated at a hazard quotient value of 0.0053, occurring at residential land uses northerly of the Project site, across Alessandro Boulevard. Non-cancer risks at other area land uses would be even less (0.002 at the maximally impacted worker site; 0.0001 at the maximally impacted school site). Potential non-carcinogenic exposure impacts are therefore considered less-than-significant.

Regulations and Recommended Supplemental Measures will Further Reduce Already Less-Than-Significant DPM Emissions Impacts

As indicated within the preceding discussions, the Project would not cause or result in potentially significant DPM source carcinogenic of non-carcinogenic health risk impacts. Aiding in the reduction and control of DPM source emissions, the Project is required to comply with State and SCAQMD regulations summarized below. The analysis presented here, however, does not take any "credit" or "reduction" for these measures.

- **CARB Air Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling** limits the idling of diesel vehicles to reduce emissions of toxics and criteria pollutants.[17] The driver of any vehicle subject to this section: (1) shall not idle the vehicle's primary diesel engine for greater than five minutes at any location; and (2) shall not idle a diesel-fueled auxiliary power system (APS) for more than five minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle if it has a sleeper berth and the truck is located within 100 feet of a restricted area (homes and schools).

[17] Please refer to the following website: http://www.arb.ca.gov/msprog/truck-idling/truck-idling.htm.

- **CARB Final Regulation Order, Requirements to Reduce Idling Emissions from New and In-Use Trucks**, beginning in 2008, would require that new 2008 and subsequent model-year heavy-duty diesel engines be equipped with an engine shutdown system that automatically shuts down the engine after 300 seconds of continuous idling operation once the vehicle is stopped, the transmission is set to "neutral" or "park", and the parking brake is engaged.[18]

Complementing the above State and SCAQMD requirements, the following supplemental mitigation measures will further reduce the Project's already less-than-significant DPM source emissions impacts. These measures are consistent with design and operating attributes of contemporary distribution warehouses in the Basin, and are recommended as means to generally reduce local and regional DPM-source cancer risk impacts.

4.3.5 The Project truck access gates and loading docks site shall be posted with signs which state:

- *Truck drivers shall turn off engines when not in use;*
- *Diesel delivery trucks servicing the Project shall not idle for more than three minutes;*[19] *and*
- *Telephone numbers of the building facilities manager and the CARB to report violations.*

4.3.6 The Project's final site design shall allow for trucks to check-in within the facility area to prevent queuing of trucks outside the facility.

Level of Significance: Less-Than-Significant.

[18] Please refer to the following website: http://www.arb.ca.gov/msprog/macs/mac0703/mac0703.pdf.

[19] While restricted idling is required, the analysis presented here takes no quantified credit or reduction in emissions for restricted idling, and reflects an assumed 15-minute "worst case" idling condition.

Potential Impact: ***Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard, including releasing emissions which exceed quantitative thresholds for ozone precursors.***

Impact Analysis: Criteria pollutant nonattainment status for the Basin area encompassing the Project site is identified previously within this Section at Table 4.3-2. As indicated at Table 4.3-2, the Basin area encompassing the Project site is designated as "Nonattainment," "Serious Nonattainment," and/or "Extreme Nonattainment," under either state or federal criteria for the following pollutants: Ozone, PM_{10}, $PM_{2.5}$, and NOx.

Germane to these regional non-attainment status designations and the discussion presented here, the Project-specific evaluation of emissions presented previously in this Section demonstrates that the Project's mitigated construction source emissions would not exceed regional significance thresholds. Thus, the Project's construction source emissions would not contribute to a cumulatively considerable net increase for VOCs and NOx emissions (ozone precursors), or for PM_{10}/$PM_{2.5}$ within the encompassing ozone, NOx, PM_{10} and $PM_{2.5}$ non-attainment areas.

Project operational emissions of VOC and NOx would however, exceed applicable SCAQMD regional thresholds, and are therefore considered individually and cumulatively significant. The fact that the Project generates long-term emissions of VOC and NOx in excess of SCAQMD thresholds (VOC and NOx collectively as ozone precursors, and NOx alone as an individually significant pollutant) indicates that the Project would also contribute considerably to cumulatively significant air quality impacts within the encompassing ozone and NOx non-attainment areas. On this basis, operational-source emissions of VOC and NOx in exceedance of SCAQMD regional thresholds will result in a cumulatively considerable net increase of these pollutants within the encompassing ozone and NOx non-attainment areas.

Please refer also to the discussion of cumulative air quality impacts presented at EIR Section 5.0, "Other CEQA Considerations."

Level of Significance: ***Potentially Significant.***

Mitigation Measures: No feasible mitigation. Operational VOC and NOx emissions are reduced to the extent feasible through compliance with established rules and regulations, and implementation of designs compliant with, or surpassing, Title 24 Energy Efficiency requirements. However, Project exceedance of VOC and NOx emissions thresholds, in combination with emissions generated by other sources affecting the encompassing ozone non-attainment area, will result in a cumulatively considerable net increase in VOC and NOx emissions within the encompassing non-attainment area over the life of the Project.

Level of Significance After Mitigation: ***Significant and Unavoidable (for operational source VOC and NOx emissions only).***

Potential Impact: ***Create objectionable odors affecting a substantial number of people.***

Impact Analysis: Temporary, short-term odor releases are potentially associated with Project construction activities. Potential construction-related odor sources include, but are not limited to: asphalt/paving materials, glues, paint, and other architectural coatings. Construction-related odor impacts are controlled by established requirements for a material handling and procedure plan which identifies odor sources, odor generating materials and quantities on-site, and isolation/containment devices or mechanisms to prevent significant release of odors.

Land uses generally associated with operational source odor complaints include:

- Agricultural uses (livestock and farming)
- Wastewater treatment plants
- Food processing plants
- Chemical plants
- Composting operations
- Refineries

- Landfills
- Dairies
- Fiberglass molding facilities

The Project does not propose or require any of the above-listed land uses or operations. Nor are any other substantive odor-producing facilities or operations proposed by, or required of, the Project.

Project-related operational odor sources such as vehicle exhaust and routine painting/maintenance activities are typical of industrial/commercial activities and would be localized to the immediate Project vicinity, with little or no off-site effects.

Based on the preceding, the potential for the Project to create objectionable odors affecting a substantial number of people is considered less-than-significant.

Level of Significance: Less-Than-Significant.

Mitigation Measures: Not Applicable.

Potential Impact: ***Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; Conflict with an applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases.***

Impact Analysis: There are several unique challenges to analyzing global warming under CEQA, largely because of its "global" nature. Typical CEQA analyses address local actions that have local, or at most, regional impacts, whereas global warming presents the considerable challenge of analyzing the relationship between local and global activities and the resulting potential, if any, for local and/or global environmental impacts. Most environmental analyses examine the "project-specific" impacts that a particular project is likely to generate. With regard to global warming, however, it is generally accepted that the magnitude of global warming effects is so substantial and

the contribution of an individual project to global warming is so extremely minuscule that direct significant adverse impacts (albeit not necessarily cumulative significant adverse impacts) would be highly unlikely.

The issue of greenhouse gases (GHG) emissions and global climate change (GCC) is also fundamentally different from any other areas of air quality impact analysis, which are all linked to some region or area in which the impact is significant. Instead, a GCC analysis must be conducted on a global level, rather than the typical local or regional setting, and requires consideration of not only emissions from the Project under consideration, but also the extent of the displacement, translocation, and redistribution of emissions.

In the usual context, where air quality is linked to a particular location or area, it is appropriate to consider the creation of new emissions in that area to be an environmental impact whether or not the emissions are truly "new" emissions to the overall globe. In fact, the approval of a new developmental plan or project does not necessarily create new automobile drivers (the primary source of the Project's GHG emissions). The use of models that measure overall emissions increases without accounting for existing emissions tend to substantially overstate the impact of a new development project on global warming. Overstating the impacts can lead to a misallocation of resources in seeking solutions to GHG emissions and climate change-related problems. This makes an accurate analysis of GHG emissions substantially different from other air quality impacts, where the "addition" of redistributed emissions can make a substantial difference to overall air quality.

To assess the Project's emissions of GHGs and whether they would result in a cumulatively considerable contribution to global climate change, a GHG analysis was conducted. The following discussions summarize the findings of the *RPT Centerpointe West Project Greenhouse Gas Analysis* (Urban Crossroads, Inc.) August 22, 2012 (Project GHG Analysis). The Project GHG Analysis is presented in its entirety at Appendix C to this EIR.

Project GHG Emissions Quantified

CEQA Guidelines 15064.4 (a) states in pertinent part:

> A lead agency shall have the discretion to determine, in the context of a particular project whether to:
>
> (1) Use a model or methodology to quantify greenhouse gas emissions from a project, and which model or methodology to use. . . .

On February 3, 2011, the SCAQMD released the California Emissions Estimator Model (CalEEMod). The purpose of this Model is to more accurately calculate air quality and greenhouse gas (GHG) emissions from direct and indirect sources and quantify applicable air quality and GHG reductions achieved from mitigation measures. The CalEEMod was employed to quantify GHG emissions for this Project. The CalEEMod model includes GHG emissions from the following source categories: construction, area, energy, mobile, waste, and water. Results of the Project GHG emissions modeling are presented at Table 4.3-20.

Table 4.3-20
Total Project Greenhouse Gas Emissions (Metric Tons Per Year)

Emission Source	GHGs (CO_2E)			
	CO_2	**CH_4 (CO_2E)**	**N_2O(CO_2E)**	**Total CO_2E**
Construction emissions – (amortized over 30 years)	79.25	0.004	--	79.25
Area Sources	1,270.47	0.05	0.02	1,278.41
Mobile Sources	24,958.76	0.41	--	24,967.44
Waste	673.52	39.80	--	1,509.41
Water Use	52.22	0.42	0.01	64.58
Total CO_2E (All Sources)	**27,899.09**			

Source: *RPT Centerpointe West Project Greenhouse Gas Analysis (Urban Crossroads, Inc.), August 22, 2012.*

GHG Emissions Significance

As discussed at *CEQA Guidelines*, Section 15064(b), the determination of impact significance is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for a "careful judgment" by the City "based to the extent possible on scientific and factual data."

The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases, and as previously noted, CARB's proposed GHG emissions thresholds are not yet final. Similarly, SCAQMD's proposed GHG emissions thresholds are currently in Draft form.

Nevertheless, comparison of the GHG emissions from the Project's area sources (construction sources, area sources, waste, and water use) indicates that the Project's emissions from such sources are well below the proposed CARB and SCAQMD thresholds for equivalent or similar sources. Notwithstanding, thresholds for vehicles/mobile sources (the predominant source of this Project's [and other similar development-related] GHG emissions) are not available and/or are not usefully applicable to the Project. In this latter regard, Project traffic and related mobile source GHG emissions currently exist to a large extent, and are not new effects or impacts when considered in a global context. Any estimation of the Project's impacts on Global Climate Change based on entirely new or additional mobile sources of GHG resulting from Project operations is therefore likely inflated and overestimated. No methods or models exist to reliably and accurately estimate the Project's net contribution to regional or global vehicle miles traveled. In light of the preceding considerations, and consistent with previous GHG analyses prepared for and by the Lead Agency, the analysis presented here considers the Project's qualitative, rather than quantitative compliance with State greenhouse gas reduction guidelines and policies.

More specifically, consistent with past practice in the City of Moreno Valley, the significance of the Project's GCC impacts is based upon on whether or not the Project can demonstrate compliance with the CARB Scoping Plan prepared in response to California Assembly Bill 32 (AB 32); and compliance with the State of California's

Climate Action Team Report (2006), prepared in response to the California Governor's Executive Order S-3-05. The analysis below sets out the factual basis for the City's determination regarding the effect of greenhouse gases. The analysis is specific to this Project, and is not necessarily germane to other development proposal or other actions proposed within or by the City of Moreno Valley.

Project Consistency with Applicable GHG Emissions Reduction Plans/Strategies

Consistency with CARB Scoping Plan

AB 32 requires California to reduce its GHG emissions by approximately 29% below "business as usual."[20] CARB identified reduction measures to achieve this goal as set forth in the CARB Scoping Plan. Projects that are consistent with the CARB Scoping Plan are therefore also consistent with targeted reductions established under AB 32.

Table 4.3-21 presents Recommended Actions (qualitative measures) identified to date by CARB in its Climate Change Proposed Scoping Plan. Of the measures identified, those considered applicable to the Project have been indicated. In general these Scoping Plan measures address transportation, electricity and natural gas use, green building design and industrial uses. A discussion of Project consistency with and support of applicable CARB Recommended Actions follows Table 4.3-21.

[20] Business as usual is generally defined as GHG emissions conditions that would occur if no GHG emissions reduction measures are undertaken.

Table 4.3-21
CARB Climate Change Scoping Plan Recommended Actions

ID #	Sector	Strategy Name	Applicable to Project?	Will Project Conflict With Implementation?
T-1	Transportation	Pavley I and II – Light-Duty Vehicle GHG Standards	No	N/A
T-2	Transportation	Low Carbon Fuel Standard (Discrete Early Action)	No	N/A
T-3	Transportation	Regional Transportation-Related GHG Targets	No	N/A
T-4	Transportation	Vehicle Efficiency Measures	No	N/A
T-5	Transportation	Ship Electrification at Ports (Discrete Early Action)	No	N/A
T-6	Transportation	Goods-movement Efficiency Measures	No	N/A
T-7	Transportation	Heavy Duty Vehicle Greenhouse Gas Emission Reduction Measure – Aerodynamic Efficiency (Discrete Early Action)	No	N/A
T-8	Transportation	Medium and Heavy-Duty Vehicle Hybridization	No	N/A
T-9	Transportation	High Speed Rail	No	N/A
E-1	Electricity and Natural Gas	Increased Utility Energy efficiency programs More stringent Building and Appliance Standards	YES	No
E-2	Electricity and Natural Gas	Increase Combined Heat and Power Use by 30,000GWh	No	N/A
E-3	Electricity and Natural Gas	Renewable Portfolio Standard	No	N/A
E-4	Electricity and Natural Gas	Million Solar Roofs	YES	No
CR-1	Electricity and Natural Gas	Energy Efficiency	YES	No
CR-2	Electricity and Natural Gas	Solar Water Heating	No	N/A
GB-1	Green Buildings	Green Buildings	YES	No
W-1	Water	Water Use Efficiency	YES	No
W-2	Water	Water Recycling	No	N/A
W-3	Water	Water System Energy Efficiency	YES	No
W-4	Water	Reuse Urban Runoff	No	N/A

Table 4.3-21
CARB Climate Change Scoping Plan Recommended Actions

ID #	Sector	Strategy Name	Applicable to Project?	Will Project Conflict With Implementation?
W-5	Water	Increase Renewable Energy Production	No	N/A
W-6	Water	Public Goods Charge (Water)	No	N/A
I-1	Industry	Energy Efficiency and Co-benefits Audits for Large Industrial Sources	YES	No
I-2	Industry	Oil and Gas Extraction GHG Emission Reduction	No	N/A
I-3	Industry	GHG Leak Reduction from Oil and Gas Transmission	No	N/A
I-4	Industry	Refinery Flare Recovery Process Improvements	No	N/A
I-5	Industry	Removal of Methane Exemption from Existing Refinery Regulations	No	N/A
RW-1	Recycling and Waste Management	Landfill Methane Control (Discrete Early Action)	No	N/A
RW-2	Recycling and Waste Management	Additional Reductions in Landfill Methane – Capture Improvements	No	N/A
RW-3	Recycling and Waste Management	High Recycling/Zero Waste	No	N/A
F-1	Forestry	Sustainable Forest Target	No	N/A
H-1	High Global Warming Potential Gases	Motor Vehicle Air Conditioning Systems (Discrete Early Action)	No	N/A
H-2	High Global Warming Potential Gases	SF_6 Limits in Non-Utility and Non-Semiconductor Applications (Discrete Early Action)	No	N/A
H-3	High Global Warming Potential Gases	Reduction in Perflourocarbons in Semiconductor Manufacturing (Discrete Early Action)	No	N/A
H-4	High Global Warming Potential Gases	Limit High GWP Use in Consumer Products (Discrete Early Action, Adopted June 2008)	No	N/A
H-5	High Global Warming Potential Gases	High GWP Reductions from Mobile Sources	No	N/A
H-6	High Global Warming Potential Gases	High GWP Reductions from Stationary Sources	No	N/A
H-7	High Global Warming Potential Gases	Mitigation Fee on High GWP Gases	No	N/A
A-1	Agriculture	Methane Capture at Large Dairies	No	N/A

Source: *RPT Centerpointe West Project Greenhouse Gas Analysis (Urban Crossroads, Inc.), August 22, 2012.*

Transportation

Action T-1 concerns improvements to light-duty vehicle technology for the purposes of reducing GHG emissions. This Action focuses on legislating improved controls for vehicle manufacturers and would not generally be considered applicable to the proposed Project. Implementation of the Pavley standards is dependent on implementation by the State on vehicle fuel economy standards.

Implementation of such a standard is not within the purview of, nor is it the responsibility of, this Project.

Action T-2 concerns implementation of a low carbon fuel standard. To reduce the carbon intensity of transportation fuels, CARB is developing a Low Carbon Fuel Standard (LCFS), which would reduce the carbon intensity of California's transportation fuels by at least ten percent by 2020 as called for by Governor Schwarzenegger in Executive Order S-01-07. LCFS will incorporate compliance mechanisms that provide flexibility to fuel providers in how they meet the requirements to reduce greenhouse gas emissions.

Implementation of such a standard is not within the purview of, nor is it the responsibility of, this Project.

Action T-3 addresses regional transportation targets for reducing GHG emissions. SB 375 requires CARB to develop, in consultation with metropolitan planning organizations (MPOs), passenger vehicle greenhouse gas emissions reduction targets for 2020 and 2035. It sets forth a collaborative process to establish these targets, including the appointment by CARB of a Regional Targets Advisory Committee to recommend factors to be considered and methodologies for setting greenhouse gas emissions reduction targets. SB 375 also provides incentives – relief from certain California Environmental Quality Act (CEQA) requirements for development projects that are consistent with regional plans that achieve the targets.

Implementation of such a standard is not within the purview of, nor is it the responsibility of, this Project.

Action T-4 is concerned with vehicle efficiency measures. The California Integrated Waste Management Board (CIWMB) with various partners continues to conduct a public awareness campaign to promote sustainable tire practices. CARB is pursuing a regulation to ensure that tires are properly inflated when vehicles are serviced. In addition, CEC in consultation with CIWMB is developing an efficient tire program focusing first on data gathering and outreach, then on potential adoption of minimum fuel-efficient tire standards, and lastly on the development of consumer information requirements for replacing tires. CARB is also pursuing ways to reduce engine load via lower friction oil and reducing the need for air conditioner use. ARB is actively engaged in the regulatory development process for the tire inflation component of this measure.

Implementation of such a standard is not within the purview of, nor is it the responsibility of, this Project.

Action T-5 addresses electrification of ships at ports. This measure is not applicable to the Project.

Action T-6 also primarily addresses port operations. This measure is not applicable to the Project.

Action T-7 requires existing trucks/trailers to be retrofitted with the best available technology and/or CARB-approved technology.

Implementation of such a standard is not within the purview of, nor is it the responsibility of, this Project.

Action T-8 focuses on hybridization of medium- and heavy-duty vehicles. The implementation approach to Action T-8 is to adopt a regulation and/or incentive program that reduces GHG emissions by encouraging hybrid technology as applied to vocational applications that have significant urban, stop-and-go driving, idling, and power take-off operations in their duty cycle. Such applications include parcel delivery trucks and vans.

Implementation of such a standard is not within the purview of, nor is it the responsibility of, this Project.

Action T-9 concerns implementation of a high speed rail system. This measure is not applicable to the Project.

Electricity and Natural Gas

Action E-1/CR-1, together with Action GB-1 (Green Building), aims to reduce electricity demand by increased efficiency of Utility Energy Programs and adoption of more stringent building and appliance standards.

The Project will comply with or surpass incumbent Title 24 Energy Efficiency Standards. Therefore, the Project would not conflict with this measure.

Action E-2 encourages an increase in the use of combined heat and power (CHP) use, or co-generation, facilities. California has supported CHP for many years, but market and other barriers continue to keep CHP from reaching its full market potential. Increasing the deployment of efficient CHP will require a multi-pronged approach that includes addressing significant barriers and instituting incentives or mandates where appropriate.

Implementation of such a standard is not within the purview of, nor is it the responsibility of, this Project.

Action E-3 concerns Renewable Portfolio Standards for utilities. This measure does not apply to the Project.

Action E-4 strives to promote solar generated electricity.

Project building designs will accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design(s). The Project would therefore not conflict with the recommended measure.

Action CR-2 strives to promote solar water heaters (SWH). The ARB recommends that California pursue approaches with the goal of developing a viable SWH industry for 2020 and beyond.

Implementation of such a standard is not within the purview of, nor is it the responsibility of, this Project.

Green Buildings

Action GB-1 would reduce electricity demand by increased efficiency of Utility Energy Programs and adoption of more stringent building and appliance standards.

The Project is required to comply with the mandatory provisions of the California Green Building Standards Code (CALGreen) pursuant to the California Code of Regulations, Title 24, which became effective on January 1, 2011. Project designs will meet or surpass CALGreen standards.

Water Use

Implementation of all but two of the Recommended Actions related to water use are not germane to the Project. The two measures that apply are measures W-1 (Water Use Efficiency) and W-3 (Water System Energy Efficiency). However, since the proposed Project would not exceed the audit threshold of 25,000 MT CO_2[21] from on-site combustion and related activities, the Project is consistent with and would not obstruct the recommended actions.

Industrial Use

All but one of the Recommended Actions (i.e., Action I-1) related to industrial use are specific to oil and gas extraction, refining and transmission and are not applicable to the Project. Action I-1 targets large industrial source emitters of GHGs (in excess of 0.5 million metric tons

[21] CARB Frequently Asked Questions Regarding the GHG Mandatory Reporting and Verification Program, http://www.arb.ca.gov/cc/reporting/ghg-rep/updated_faq.pdf.

(MMT) CO_2E /year) for auditing[22]. Because the Project would not exceed the audit threshold, it is consistent with and would not obstruct the recommended action.

Recycling and Waste Management

Actions RW-1 through RW-3 are not germane to the Project and/or are beyond its scope. Implementation of these Actions by the state or others will reduce areawide GHG emissions.

Forestry

Action F-1 is not germane to the Project and/or is beyond its scope. Implementation of this Action by the state or others will reduce areawide GHG emissions.

High Global Warming Potential Gases

Actions H-1 through H-7 are not germane to the Project and/or are beyond its scope. Implementation of these Actions by the state or others will reduce areawide GHG emissions.

Agriculture

Action A-1 is not germane to the Project and/or is beyond its scope. Implementation of this Action by the state or others will reduce areawide GHG emissions.

Consistency with Climate Action Team (CAT) Report GHG Emission Reduction Strategies

Table 4.3-22 lists 2006 Climate Action Team (CAT) Report GHG emission reduction strategies. Project consistency with, and support of, applicable Strategies is also indicated. Implementation of applicable CAT strategies would reduce GHG emissions to the extent possible; it is not possible to specifically quantify the reduction in GHG that will result from implementation of CAT strategies and programs. However, a project that is consistent with

[22] Certain "covered sectors" of activities in California account for 85% of GHG emissions. Each source in these sectors will be subject to a system of declining GHG emissions allowances issued by CARB under a total emissions cap, as well as an allowance trading system. The Plan's lynch-pin is a cap-and-trade program that would apply to the electricity sector, the transportation sector, the commercial and residential sector, and large industrial sources (those emitting more than 0.5 million metric tons per year of carbon dioxide ("CO_2") equivalents). http://www.paulhastings.com/assets/publications/937.pdf.

CAT strategies is consistent with the strategies suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32, and therefore the Project will result in a less than significant impact on GCC.

Table 4.3-22
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emissions Reduction Strategies

Strategy	Remarks
California Air Resource Board	
Vehicle Climate Change Standards AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the ARB in September 2004.	The noted measures are beyond the purview and responsibility of the Project. Their implementation by the State and others will act to reduce areawide GHG emissions.
Other Light Duty Vehicle Technology New standards would be adopted to phase in beginning in the 2017 model.	
Heavy-Duty Vehicle Emission Reduction Measures Increased efficiency in the design of heavy-duty vehicles and an education program for the heavy-duty vehicle sector.	
Diesel Anti-Idling In July 2004, the CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling.	Compliant. Heavy-duty diesel trucks that access the project site will be required to limit idling to no more than five minutes.
Hydrofluorocarbon Reduction 1) Ban retail sale of HFC in small cans; 2) Require that only low GWP refrigerants be used in new vehicular systems; 3) Adopt specifications for new commercial refrigeration; 4) Add refrigerant leak-tightness to the pass criteria for vehicular Inspection and Maintenance programs; 5) Enforce federal ban on releasing HFCs.	The noted measures are beyond the purview and responsibility of the Project. Their implementation by the State and others will act to reduce areawide GHG emissions.
Transportation Refrigeration Units (TRUs), Off-Road Electrification, Port Electrification Strategies to reduce emissions from TRUs, increase off-road electrification, and increase use of shore-side/port electrification.	The noted measures are beyond the purview and responsibility of the Project. Their implementation by the State and others will act to reduce areawide GHG emissions. Further, no refrigerated truck units will access the Project site, nor does the Project proposed refrigerated warehousing.
Alternative Fuels: Biodiesel Blends CARB would develop regulations to require the use of 1 to 4 percent biodiesel displacement of California diesel fuel.	The noted measures are beyond the purview and responsibility of the Project. Their implementation by the State and others will act to reduce areawide GHG emissions.
Reduced Venting and Leaks in Oil and Gas Systems Rule considered for adoption by the Air Pollution Control Districts for improved management practices.	The noted measures are beyond the purview and responsibility of the Project. Their implementation by the State and others will act to reduce areawide GHG emissions.
Hydrogen Highway The California Hydrogen Highway Network (CA H_2 Net) is a State initiative to promote the use of hydrogen as a means of diversifying the sources of transportation energy.	The noted measures are beyond the purview and responsibility of the Project. Their implementation by the State and others will act to reduce areawide GHG emissions.

Table 4.3-22
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emissions Reduction Strategies

Strategy	Remarks
Integrated Waste Management Board	
Achieve 50 percent Statewide Recycling Goal Achieving the State's 50 percent waste diversion mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48 percent has been achieved on a statewide basis. Therefore, a 2 percent additional reduction is needed.	Compliant. The project is required to comply with the City's Source Reduction and Recycling Element (SRRE). To this end, the Project design includes provisions for tenants to recycle. In accordance with the California Solid Waste Reuse and Recycling Act of 1991 (Cal Pub Res. Code § 42911), the Project would provide adequate areas for collecting and loading recyclable materials where solid waste is collected. The collection areas are required to be shown on construction drawings and be in place before occupancy permits are issued.
Zero Waste - High Recycling Additional recycling beyond the State's 50 percent recycling goal.	
Department of Forestry	
Forest Management Strategies for storing more carbon through forest management activities can involve a range of management activities such as increasing either the growth of individual trees, the overall age of trees prior to harvest, or dedicating land to older age trees.	The noted measures are beyond the purview and responsibility of the Project. Their implementation by the State and others will act to reduce areawide GHG emissions.
Forest Conservation Conservation projects are designed to minimize/prevent the climate change emissions that are associated with the conversion of forestland to non-forest uses by adding incentives to maintain an undeveloped forest landscape.	Not applicable. The noted measures are beyond the purview and responsibility of the Project. Their implementation by the State and others will act to reduce areawide GHG emissions.
Fuels Management/Biomass Large, episodic, unnaturally hot fires are an increasing trend on California's wild lands because of decades of fire suppression activities, sustained drought, and increasing insect, disease, and invasive plans infestations. Actions taken to reduce wildfire severity through fuel reduction and biomass development would reduce climate change emissions from wildfire, increase carbon sequestration, replace fossil fuels, and provide significant economic development opportunities.	Not applicable. The noted measures are beyond the purview and responsibility of the Project. Their implementation by the State and others will act to reduce areawide GHG emissions.
Urban Forestry A new statewide goal of planting 5 million trees in urban areas by 2020 would be achieved through the expansion of local urban forestry programs.	The Project does not involve or propose a formal urban forestry program. Nor has the City adopted or implemented an urban forestry program. Notwithstanding, the Project will construct landscaping improvements, including tree plantings, consistent with the City's landscape design guidelines.
Afforestation/Reforestation Projects Reforestation projects focus on restoring native tree cover on lands that were previously forested and are now covered with other vegetative types.	The noted measures are beyond the purview and responsibility of the Project. Their implementation by the State and others will act to reduce areawide GHG emissions.

Table 4.3-22
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emissions Reduction Strategies

Strategy	Remarks
Department of Water Resources	
Water Use Efficiency Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.	Compliant. The Project shall implement U.S. EPA Certified WaterSense labeled or equivalent faucets and high-efficiency toilets (HETs), and implement water-conserving shower heads where applicable.
California Energy Commission (CEC)	
Building Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).	Compliant. Project will comply with incumbent California Code of Regulations, Title 24, Part 6 (Energy Efficiency Standards for Residential and Nonresidential Buildings).
Appliance Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the Energy Commission to adopt and periodically update its appliance energy efficiency standards (that apply to devices and equipment using energy that are sold or offered for sale in California).	Compliant. Appliances purchased for use in the Project will be consistent with all applicable energy efficiency standards.
Fuel-Efficient Replacement Tires & Inflation Programs State legislation (Chapter 912, Statues of 2001) directed the Energy Commission to investigate and to recommend ways to improve fuel efficiency of vehicle tires. The bill established a statewide program to encourage the production and use of more fuel efficient tires.	Not Applicable. The noted measures are beyond the purview and responsibility of the Project. Their implementation by the State and others will act to reduce areawide GHG emissions.
Cement Manufacturing Cost-effective reductions to reduce energy consumption and to lower carbon dioxide emissions in the cement industry.	Not Applicable. The noted measures are beyond the purview and responsibility of the Project. Their implementation by the State and others will act to reduce areawide GHG emissions.
Municipal Utility Strategies Includes energy efficiency programs, renewable portfolio standard, combined heat and power, and transitioning away from carbon-intensive generation.	Not Applicable. The noted measures are beyond the purview and responsibility of the Project. Their implementation by the State and others will act to reduce areawide GHG emissions.
Alternative Fuels: non-Petroleum Fuels Increasing the use of non-petroleum fuels in California's transportation sector, as recommended in the CEC's 2003 and 2005 Integrated Energy Policy Reports.	Not Applicable. The noted measures are beyond the purview and responsibility of the Project. Their implementation by the State and others will act to reduce areawide GHG emissions.
Business Transportation and Housing	
Smart Land Use and Intelligent Transportation Systems (ITS) Smart land use strategies encourage jobs/housing proximity, promote transit-oriented development, and encourage high-density residential/commercial development along transit corridors. ITS is the application of advanced technology systems and management strategies to improve operational efficiency of transportation systems and movement of people, goods and services. Governor Schwarzenegger is	Compliant. The Project is proximate to serving transportation corridors, thereby promoting operational efficiencies.

Table 4.3-22
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emissions Reduction Strategies

Strategy	Remarks
finalizing a comprehensive 10-year strategic growth plan with the intent of developing ways to promote, through state investments, incentives and technical assistance, land use, and technology strategies that provide for a prosperous economy, social equity, and a quality environment.	
Measures to Improve Transportation Energy Efficiency Builds on current efforts to provide a framework for expanded and new initiatives including incentives, tools and information that advance cleaner transportation and reduce climate change emissions.	Compliant. The Project promotes transportation efficiencies through its location proximate to serving transportation corridors. Moreover, distribution warehouse uses such as those proposed by the Project act to consolidate regional transport and delivery of goods, thereby reducing VMT within the region, further improving transportation efficiencies.
Department of Food and Agriculture	
Conservation tillage/cover crops Conservation tillage and cover crops practices are increasingly being used by California farmers for a variety of reasons, including improved soil tilth, improved water use efficiency, reduced tillage requirements, saving labor and fuel, and reduced fertilizer inputs.	The noted measures are beyond the purview and responsibility of the Project. Their implementation by the State and others will act to reduce areawide GHG emissions.
Enteric Fermentation Cattle emit methane from digestion processes. Changes in diet could result in a reduction in emissions.	Not Applicable. The noted measures are beyond the purview and responsibility of the Project. Their implementation by the State and others will act to reduce areawide GHG emissions.
State and Consumer Services Agency	Not Applicable.
Green Buildings Initiative Green Building Executive Order, S-20-04 (CA 2004), sets a goal of reducing energy use in public and private buildings by 20 percent by the year 2015, as compared with 2003 levels.	Compliant. The Project will meet or surpass Title 24 Energy Efficiency standards, acting to reduce area source GHG emissions. Further, State mandated programs (Pavely et al.) will act to substantively reduce mobile-source GHG emissions. Additionally, the Project is required to comply with the mandatory provisions of the California Green Building Standards Code (CALGreen) pursuant to the California Code of Regulations, Title 24, which became effective on January 1, 2011.
Public Utilities Commission (PUC)	
Accelerated Renewable Portfolio Standard The Governor has set a goal of achieving 33 percent renewables in the statewide resource mix by 2020. The joint PUC/Energy Commission September 2005 Energy Action Plan II (EAP II) adopts the 33 percent goal.	Not Applicable. The noted measures are beyond the purview and responsibility of the Project. Their implementation by the State and others will act to reduce areawide GHG emissions.
California Solar Initiative Installation of 1 million solar roofs or an equivalent 3,000 MW by 2017 on homes and businesses; increased use of solar thermal systems to offset the increasing demand for natural gas; use of advanced metering in solar applications;	Compliant. Project buildings will be designed to accommodate renewable energy sources, such as photovoltaic solar energy systems as is economically and physically feasible.

Table 4.3-22
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emissions Reduction Strategies

Strategy	Remarks
and creation of a funding source that can provide rebates over 10 years through a declining incentive schedule.	
Investor-Owned Utility This strategy includes energy efficiency programs, combined heat and power initiative, and electricity sector carbon policy for investor owned utility.	Not Applicable. The noted measures are beyond the purview and responsibility of the Project. Their implementation by the State and others will act to reduce areawide GHG emissions.

Source: State of California, Environmental Protection Agency, Climate Action Team, 2006.

GHG Regulatory Requirements

The Project would be required to comply with all mandatory regulatory requirements imposed by the State of California and the South Coast Air Quality Management District aimed at the reduction of air quality pollutant emissions. Those that are applicable to the Project and that would assist in the reduction of greenhouse gas emissions are:

- Global Warming Solutions Act of 2006 (AB 32)
- Regional GHG Emissions Reduction Targets/Sustainable Communities Strategies (SB 375)
- Pavely Fuel Efficiency Standards (AB 1493). Establishes fuel efficiency ratings for new vehicles.
- Title 24 California Code of Regulations (California Building Code). Establishes energy efficiency requirements for new construction.
- Title 20 California Code of Regulations (Appliance Energy Efficiency Standards). Establishes energy efficiency requirements for appliances.
- Title 17 California Code of Regulations (Low Carbon Fuel Standard). Requires carbon content of fuel sold in California to be 10% less by 2020.
- California Water Conservation in Landscaping Act of 2006 (AB 1881). Requires local agencies to adopt the Department of Water Resources updated Water Efficient Landscape Ordinance or equivalent by January 1, 2010 to ensure efficient landscapes in new development and reduced water waste in existing landscapes.

- Statewide Retail Provider Emissions Performance Standards (SB 1368). Requires energy generators to achieve performance standards for GHG emissions.
- Renewable Portfolio Standards (SB 1078). Requires electric corporations to increase the amount of energy obtained from eligible renewable energy resources to 20 percent by 2010 and 33 percent by 2020.

In addition to the above requirements, the Project will implement general Air Quality Mitigation Measures that will, as a corollary benefit, also act to further reduce Project GHG emissions. Please refer also to EIR Mitigation Measures 4.3.1 through 4.3.4. The following Mitigation Measures 4.3.7 and 4.3.8 will ensure that the Project further minimizes its reliance on non-renewable electrical energy sources.

4.3.7 The building roof shall be designed and constructed to accommodate solar panels.

4.3.8 Prior to issuance of the first Certificate of Occupancy, the Project shall install a photovoltaic array (solar panels) or other source of renewable energy generation onsite, or otherwise acquire energy from the local utility that has been generated by renewable resources, to meet the Project's office electrical needs.

Summary and Conclusion

The Project will be designed and operated consistent with incumbent GHG regulatory requirements. Further, the project is consistent with, or otherwise is not in conflict with, applicable CARB Scoping Plan recommended measures and actions, and applicable GHG emission reduction strategies identified in the 2006 CAT Report.

The previous assessment of Project impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report, supports the conclusion that the Project GHG emissions are not individually significant or cumulatively considerable. Already less-than-significant Project GHG emissions will be further reduced as a byproduct of other general Project Air Quality Mitigation Measures and the required use of renewable energy, pursuant to Mitigation Measures 4.3.7 and 4.3.8. This analysis does not take any credit for a reduction of GHG emissions as a result of implementation of such measures.

Based on the preceding, the potential for the Project to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or conflict with an applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases is less-than-significant.

Level of Significance: Less-Than-Significant.

4.4 NOISE

4.4 NOISE

Abstract

This Section assesses whether the Project would substantially increase ambient noise levels or expose land uses to noise levels exceeding established standards. Noise impacts would be considered potentially significant if the Project would result in any of the following:

- *Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan, noise ordinance, or other applicable standards; result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project; or result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project.*

- *Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels.*

As supported by the analysis presented in this Section, even after the application of mitigation, construction-related noise levels could temporarily and periodically exceed the City's Noise Ordinance maximum permissible levels at adjacent sensitive uses. This is considered a significant and unavoidable impact of the Project.

Operational-related noise from both mobile and stationary sources will not result in noise levels which exceed applicable thresholds, no mitigation is required.

4.4.1 INTRODUCTION

This Section presents the noise setting, standards of significance, methodology, and potential impacts associated with the Project. The information presented here has been summarized from *Harbor Freight Expansion Project*[1] *Noise Impact Analysis, City of Moreno Valley, California* (Urban Crossroads) August 9, 2012 (Project Noise Impact Analysis). A copy of this report in its entirety is provided at EIR Appendix D.

4.4.2 SETTING

Following are discussions of noise fundamentals applicable to the Project, together with assessments of existing ambient noise levels and identification of noise sources in the Project vicinity.

4.4.2.1 Noise Criteria Background

Sound is technically described in terms of the loudness (amplitude) of the sound and frequency (pitch) of the sound. The standard unit of measurement of the loudness of sound is the decibel (dB). Decibels are based on the logarithmic scale. The logarithmic scale compresses the wide range in sound pressure levels to a more usable range of numbers in a manner similar to the Richter scale used to measure earthquakes. In terms of human response to noise, a sound 10 dB higher than another is judged to be twice as loud; a sound 20 dB higher is perceived to be four times as loud; and so forth. Everyday sounds normally range from 30 dB (very quiet) to 100 dB (very loud).

Since the human ear is not equally sensitive to sound at all frequencies, a special frequency-dependent rating scale has been devised to relate noise to human sensitivity. The A-weighted decibel scale (dBA) performs this compensation by discriminating against frequencies in a manner approximating the sensitivity of the human ear. Community noise levels are measured in terms of the "A-weighted decibel," abbreviated dBA. Sound levels decrease as a function of distance from the source as a result of wave divergence, atmospheric absorption and ground attenuation. As the sound wave form travels away from the source, the sound energy is dispersed over a

[1] The Project title has been amended and is now "RPT Centerpointe West." Analysis and findings of the Project Noise Impact Analysis are not affected.

greater area, thereby dispersing the sound power of the wave. Atmospheric absorption also influences the levels that are received by the observer. The greater the distance traveled, the greater the influence and the resultant fluctuations. The degree of absorption is a function of the frequency of the sound as well as the humidity and temperature of the air. Turbulence and gradients of wind, temperature and humidity also play a significant role in determining the degree of attenuation. Intervening topography can also have a substantial effect on the perceived noise levels.

Noise has been defined as unwanted sound and is known to have several adverse effects on people. From these known effects of noise, criteria have been established to help protect the public health and safety and prevent disruption of certain human activities. This criterion is based on known effects of noise on people, such as hearing loss, speech interference, sleep interference, physiological responses and annoyance, described below:

- **Hearing Loss** is more commonly associated with occupational noise exposures in heavy industry or very noisy work environments. Noise levels in residential settings, even in high exposure areas such as occurs proximate to airports, are not sufficiently loud as to cause hearing loss.

- **Speech Interference** is one of the primary concerns in environmental noise problems. Normal conversational speech is in the range of 60 to 65 dBA and any noise in this range or louder may interfere with speech. There are specific methods of describing speech interference as a function of distance between speaker and listener and voice level.

- **Sleep Interference** is a major noise concern for traffic noise. Sleep disturbance studies have identified interior noise levels that have the potential to cause sleep disturbance. Note that sleep disturbance does not necessarily mean awakening from sleep, but can refer to altering the pattern and stages of sleep.

- **Physiological Responses** are those measurable effects of noise on people that are realized as changes in pulse rate, blood pressure, etc. While such effects can be induced and observed, the extent to which these physiological responses cause harm or signs of harm is presently unknown.

- **Annoyance** is the most difficult of all noise responses to describe. Annoyance is a very individual characteristic and can vary widely from person to person. What one person considers tolerable can be quite unbearable to another of equal hearing capability.

4.4.2.2 Noise Assessment Metrics

The description, analysis and reporting of community noise levels reflects the complexity of human response to noise and the myriad of noise metrics that have been developed for describing noise impacts. Each of these noise metrics attempts to quantify noise levels with respect to community response. Most of the metrics use the A-weighted noise level to quantify noise impacts on humans. A-weighting is a frequency weighting that accounts for human sensitivity to different frequencies.

Several rating scales have been developed for measurement of community noise. These account for: (1) parameters of noise that have been shown to contribute to the effects of noise, (2) variety of noises found in the environment, (3) variations in noise levels within a given environment, and (4) effects of noise based on their potential occurrence within noise-sensitive evening and nighttime hours. The two dominant noise rating scales are the: Equivalent Noise Level (Leq) and the Community Noise Equivalent Level (CNEL). These scales are described in the following paragraphs along with the L(%) scales that are also used for community noise assessment.

Leq is the sound level corresponding to a steady-state sound level containing the same total energy as a time-varying signal over a given sample period. Leq is the "energy" average noise level during the time period of the sample. Leq can be measured for any time period, but is typically measured for one hour. This 1-hour noise level can also be

referred to as the Hourly Noise Level (HNL), which is the energy average of all the events and background noise levels that occur during that time period.

CNEL is the predominant rating scale employed in California for evaluating land use/noise compatibility. The CNEL scale represents a time weighted 24-hour average noise level based on the A-weighted decibel. Time weighted refers to the fact that noise which occurs during certain sensitive time periods is penalized. The evening time period (7 p.m. to 10 p.m.) penalizes noises by 5 dBA, while nighttime (10 p.m. to 7 a.m.) noises are penalized by 10 dBA. These time periods and penalties were selected to reflect people's increased sensitivity to noise during these time periods. A CNEL noise level may be reported as a "CNEL of [#] dBA," "[#] dBA CNEL," or simply "[#] CNEL."

"L(n)" is a statistical method of describing noise which accounts for variance in noise levels throughout a given measurement period. L(n) is a way of expressing the noise level exceeded for a percentage of time in a given measurement period. For example, "L50" is the noise level exceeded for 50 percent of the given measurement period. Similarly, "L90" is the noise level exceeded for 90 percent of the measurement period.

L1 then, is essentially the loudest noise recorded during a particular measurement period, since it is the level exceeded only 1 percent of the time; conversely L99 is statistically the least loud sound, since it is exceed 99 percent of the time, and so on. While a complete statistical description of measured noise would provide the most information, such a presentation would be unwieldy and likely overwhelming. Accordingly, calculated "L(n)" noise descriptors are typically limited to: L90, L50, and L10. These there (3) values in combination with Leq measurements adequately and appropriately describe most noise conditions.

4.4.2.3 Existing Noise Conditions

To document the existing noise environment in the vicinity of the Project site, noise level measurements were taken at four locations within the Project Noise Study Area. These locations are illustrated at Figure 4.4-1, "Noise Monitoring Locations." Noise monitoring results are provided at Table 4.4-1.

Table 4.4-1
Existing Noise Levels

Location	Description	Hourly Noise Level (Leq dBA)		CNEL
		Daytime (7am -10pm)	Nighttime (10pm-7am)	
L1	Near Brodiaea Ave., on the northeast corner of the Riverside County Waste Management Department	51.9	47.9	55.7
L2	30 feet east from the corner of Alessandro Blvd. and Chagall Court	69.7	65.9	73.5
L3	10 feet south of the Real Estate and Loans sign, in front of the real estate office south of the Salvation Army. Located next to the yellow fire hydrant.	65.0	60.8	68.6
L4	100 feet west of the bus stop near the corner of Alessandro Blvd. and Graham Street.	69.8	65.6	73.3

Source: *Harbor Freight Expansion Project Noise Impact Analysis, City of Moreno Valley, California* (Urban Crossroads) August 9, 2012.

As shown in Table 4.4-1, average hourly daytime noise levels range from 51.9 dBA Leq at noise level measurement location L1, to 69.8 dBA Leq at noise level measurement location L4. The nighttime average hourly noise levels range from 47.9 Leq dBA at location L1, to 65.9 dBA Leq at location L2. The calculated CNEL noise levels reflecting the appropriate time of day corrections range from 55.7 dBA CNEL at location L1, to 73.5 dBA CNEL at location L2.

L1 = Noise Monitoring Location

N

NOT TO SCALE

Source: Google Earth; Urban Crossroads; Applied Planning, Inc.

Figure 4.4-1
Ambient Noise Monitoring Locations and Nearby Sensitive Receptors

The background ambient noise levels in the Project Study Area are dominated by the transportation-related noise associated with the arterial roadway network.

Existing transportation-related noise levels for all 37 roadway roadways within the Project Study Area were also measured. In summary, noise levels along area roadways currently range from 48.5 dBA CNEL at 100 feet to 69.3 dBA CNEL at 100 feet. Please also refer to Table 6-1 of the Noise Analysis.

4.4.2.4 Noise Receptor Sensitivity

Land uses deemed noise-sensitive by the State of California include: single-family residences, schools, hospitals, rest homes, long-term care and mental care facilities. Moderately noise-sensitive land uses include: multi-family dwellings, hotels, motels, dormitories, out-patient clinics, cemeteries, golf courses, country clubs, athletic/tennis clubs and equestrian clubs. Relatively noise tolerant land uses include business, commercial, and professional uses. Non-sensitive noise receptors include industrial, manufacturing, utilities, agriculture, natural open space, undeveloped land, parking lots, warehousing, liquid and solid waste facilities, salvage yards, and transit terminals.

The noise-sensitive receptor land use nearest the Project site is the Salvation Army Community Center located at the southeasterly corner of Alessandro Boulevard and Graham Street, approximately 400 feet northeasterly of proposed "Building 3." Easterly adjacent to the Salvation Army Community Center is a "Motel 7." Single-family residences nearest the Project site are located northerly of Alessandro Boulevard, approximately 700 feet northerly of proposed "Building 3." The schools nearest the Project site is the MARB Flight Safety School located southerly of the Project within March Air Reserve Base (MARB). The Moreno Valley Unified District school nearest the Project site is Moreno Valley High School, located approximately 3,400 feet northerly of the Project site. The locations of proximate sensitive receptors are shown at Figure 4.4-1, presented previously.

4.4.3 EXISTING POLICIES AND REGULATIONS

The Moreno Valley General Plan Safety Element presents the City's policies addressing noise in general, to be applied to new development. The City's Noise Ordinance (Municipal Code Chapter 11.80 Noise Regulation) establishes limits on area-source (stationary) noise occurring within a site, and the resulting noise levels at a neighboring property.

Any new development must incorporate all feasible measures to ensure that the limits of the General Plan and the Noise Ordinance are not exceeded. City of Moreno Valley General Plan Noise Policies and Noise Ordinance Regulations germane to the Project are presented below.

4.4.3.1 General Plan Noise Policies

The discussion of noise in the Safety Element of the City of Moreno Valley General Plan considers land use compatibility based on community noise exposure, and establishes policies and objectives to reduce or avoid potentially adverse effects of noise. General Plan noise objectives and policies are summarized at Table 4.4-2.

Table 4.4-2

City of Moreno Valley General Plan Consistency

Objective 6.3: Provide noise compatible land use relationships by establishing noise standards utilized for design and siting purposes.	***Consistent.*** *The Project design and operational attributes comply with, and support the City's relevant acoustical design and siting criteria. In this manner, the Project complies with applicable City operational noise standards, and will not result in or cause adverse noise impacts at vicinity land uses.*
Objective 6.4: Review noise issues during the planning process and require noise attenuation measures to minimize acoustic impacts to existing and future surrounding land uses.	***Consistent. Potential Project-related noise issues/noise impacts are summarized within this Section, and discussed in detail in the Project Noise Impact Analysis, Draft EIR Appendix D.*** *Noise attenuation measures are incorporated in the Project design and operational programs, thereby minimizing acoustic impacts to existing and future surrounding land uses.*

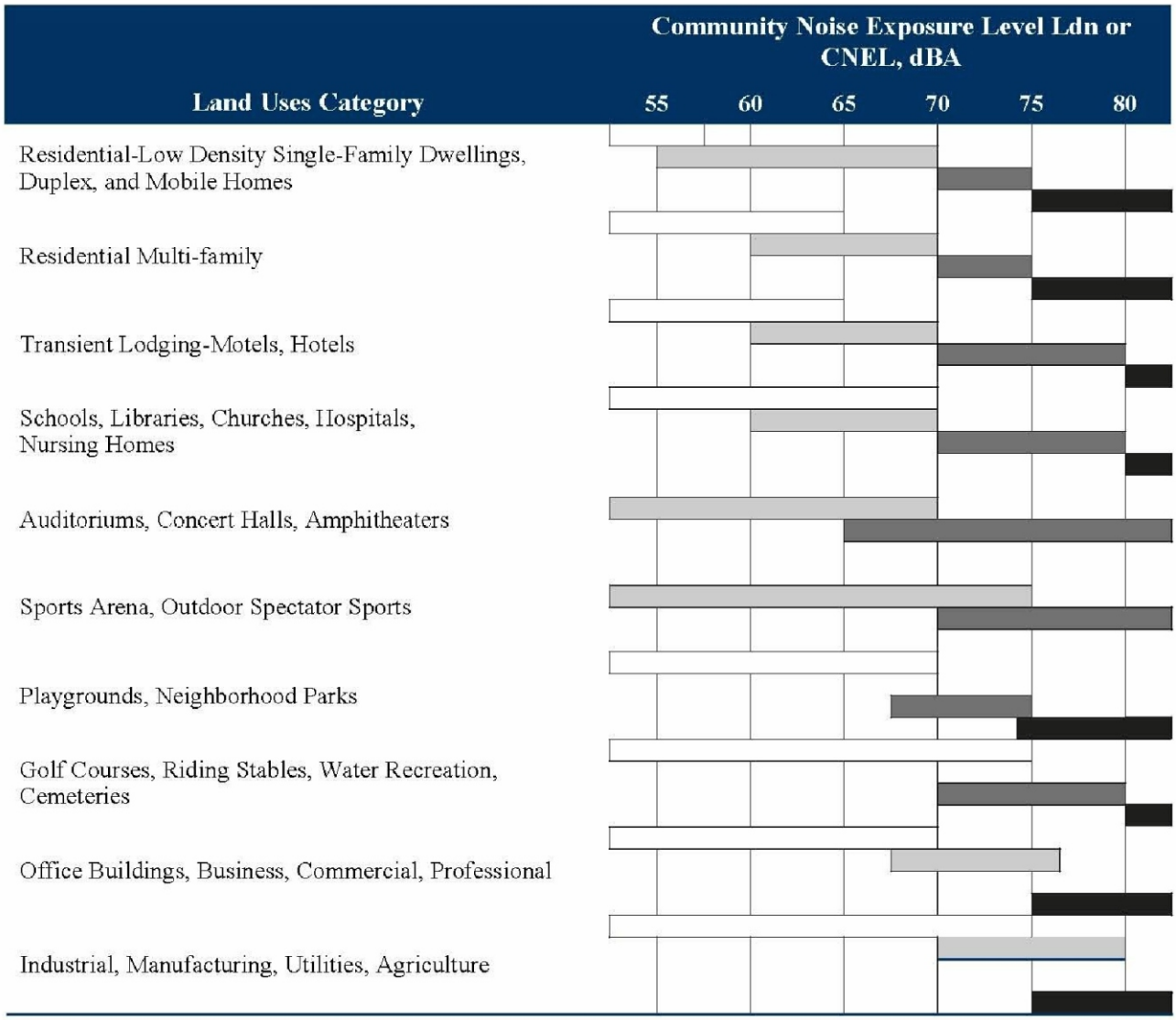
Table 4.4-2

City of Moreno Valley General Plan Consistency

Policy 6.4.1: Site, landscape, and architectural design features shall be encouraged to mitigate noise impacts for new developments, with a preference for noise barriers that avoid freeway sound barrier walls.	***Consistent.*** *The Project reflects conceptual site, landscape, and architectural design features acting to reduce potential Project-related noise impacts. All Project design features are subject to detailed review and approval by the City.*
Objective 6.5: Minimize noise impacts from significant noise generators such as, but not limited to, motor vehicles, trains, aircraft, commercial, industrial, construction, and other activities.	***Consistent.*** *The Project's potential noise impacts are evaluated within this Section of the Draft EIR. As discussed herein, the Project incorporates design features and operational programs acting to reduce its potential noise impacts. Although the Project may result in potentially significant temporary construction impacts, long-term operations of the Project will not cause significant noise impacts.*
Policy 6.5.1: New commercial and industrial activities (including the placement of mechanical equipment) shall be evaluated and designed to mitigate noise impacts on adjacent uses.	***Consistent.*** *The Project's potential noise impacts are evaluated within this Section of the Draft EIR. Project design and operational programs reduce the Project's potential operational noise impacts to a less-than-significant level.*
Policy 6.5.2: Construction activities shall be operated in a manner that limits noise impacts on surrounding uses.	***Consistent.*** *As discussed herein, Project construction activities will be limited to timeframes identified under the City Noise Ordinance. Additionally, mitigation is proposed that would reduce constructions-source noise impacts to the extent feasible. However, even with application of proposed mitigation, construction-source noise levels would temporarily and periodically exceed applicable City Noise Standards.*

Source: City of Moreno Valley General Plan, Safety Element Objectives and Policies.

Noise policies and standards applicable to the Project are also considered in the context of California Office of Planning and Research *General Plan Guidelines* addressing land use/noise compatibility issues and concerns. Figure 4.4-2 presents the California Office of Planning and Research *General Plan Guidelines* land use and noise compatibility matrix. These Guidelines are widely applied throughout California cities and counties. As indicated at Figure 4.4-2, industrial uses such as the Project in noise environments of 75 dBA CNEL or less are considered "normally acceptable."



Explanatory Notes

Normally Acceptable:
Specified land use is satisfactory based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.

Conditionally Acceptable:
New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply system or air conditioning will normally suffice. Outdoor environment will seem noisy.

Normally Unacceptable:
New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made with needed noise insulation features included in the design. Outdoor areas must be shielded.

Clearly Unacceptable:
New construction or development should generally not be undertaken. Construction cost to make the indoor environment acceptable would be prohibitive and the outdoor environment would not be usable.

Source: California Office of Noise Control; Urban Crossroads, Inc.

Figure 4.4-2
Land Use and Noise Compatibility Matrix

4.4.3.2 Noise Ordinance/Municipal Code Standards

Construction

The City of Moreno Valley has set restrictions to control noise impacts associated with the construction of the Project. Noise Ordinance Section 11.80.030.D.7, Construction and Demolitions, states in pertinent part:

> No person shall operate or cause operation of any tools or equipment used in construction, drilling, repair, alteration or demolition work between the hours of eight p.m. and seven a.m. the following day such that the sound there from creates a noise disturbance, except for emergency work by public service utilities or for other work approved by the city manager or designee.

In addition to the hours of operations limitations provided in the Noise Ordinance, Section 11.80.030 (C.), Non-impulsive Sound Decibel Limits states the following:

> No person shall maintain, create, operate or cause to be operated on private property any source of sound in such a manner as to create any non-impulsive sound which exceeds the limits set forth for the source land use category in Table 11.80.030-2 [see below]when measured at a distance of two hundred (200) feet or more from the real property line of the source of the sound, if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property. Any source of sound in violation of this subsection shall be deemed prima facie to be a noise disturbance.

Table 11.80.030-2

MAXIMUM SOUND LEVELS [IN dB(A)] FOR SOURCE LAND USES

Residential		Commercial	
Daytime	Nighttime	Daytime	Nighttime
60	55	65	60

The City of Moreno Valley Municipal Code does not specifically address construction noise limits. The Code does, however, provide noise level limits for noise source land uses (categorized as either "residential" of "commercial" as identified at Municipal Code Table 11.80.030-2) when measured at a distance of 200 feet from the noise source boundary. As indicated, the Code characterizes noise sources as either "residential" or "commercial." No specific standards are established for industrial uses such as are proposed by the Project. Notwithstanding, since the Project source land use is clearly not residential, the "commercial" noise source standard is applied within this analysis. To this end, daytime[2] construction source noise greater than 65 dBA Leq at a distance of 200 feet from the Project boundary would be considered potentially significant.

Operational – Mobile Sources

Noise is considered in the Environmental Safety section of the General Plan Safety Element. While the General Plan provides background and noise fundamentals, it does not identify specific criteria to assess the impacts associated with off-site transportation related noise impacts. Therefore, for the purpose of this analysis, the transportation noise criteria are derived from standards contained in the California General Plan Guidelines, a publication of the California Office of Planning and Research.

The purpose of the California transportation noise criteria is to protect, create, and maintain an environment free from noise and vibration that may jeopardize the health or welfare of sensitive receptors, or degrade quality of life. For potentially affected noise sensitive areas, the exterior noise levels should generally remain below 65 dBA CNEL; and interior noise levels must remain below 45 dBA CNEL.

[2] Pursuant to Municipal Code Section 11.80.030 D.7., construction activities are prohibited during other than daytime hours.

Operational – Stationary Sources

The Project operational noise impacts are governed by the City of Moreno Valley Municipal Code, Title 11, Chapter 11, Regulation (Sections 11.80.010 through 11.80.060). These limits are used to describe the time-varying character of the stationary source operational noise levels and they do not compare with the 24-hour total sound exposure transportation-related CNEL noise level limits.

The Noise Ordinance included in the City of Moreno Valley Municipal Code provides performance standards and noise control guidelines for determining and mitigating non-transportation or stationary noise source impacts from operations at private properties. In this regard, Section 11.80.030 (C.), Non-impulsive Sound Decibel Limits, states the following:

> No person shall maintain, create, operate or cause to be operated on private property any source of sound in such a manner as to create any non-impulsive sound which exceeds the limits set forth for the source land use category in Table 11.80.030-2 when measured at a distance of two hundred (200) feet or more from the real property line of the source of the sound, if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property. Any source of sound in violation of this subsection shall be deemed prima facie to be a noise disturbance. Table 11.80.030-02, Maximum Sound Levels (in dBA) For Source Land Uses, shows that the daytime and nighttime standards for uses other than residential are 65 dBA and 60 dBA, respectively.

4.4.4 STANDARDS OF SIGNIFICANCE

The following criteria for establishing the significance of potential noise impacts were derived from Appendix G of the *CEQA Guidelines*. A significant impact would occur if the Project would result in any of the following:

- Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;

- A substantial permanent increase in ambient noise levels in the Project vicinity above existing levels without the proposed Project; or

- A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above noise levels existing without the proposed Project.

Under CEQA, consideration must be given to the magnitude of the noise increase, as well as the resulting aggregate noise level. The existing ambient noise levels and the location of noise-sensitive receptors must also be considered in order to determine if a noise increase represents a significant adverse environmental effect.

Acceptable upper noise limit levels are established by the City General Plan and City Noise Ordinance. In terms of incremental changes in noise levels, the Federal Highway Administration and Caltrans both identify changes in noise levels of greater than 3 dBA as "barely perceptible," while changes of 5 dBA are considered "readily perceptible.[3]

For the purpose of this analysis, the level at which changes in community noise levels become discernible is likely to be some value greater than 1 dBA, and 3 dBA appears to be appropriate for most people.

Consistent with the preceding parameters and performance standards, noise impacts would be considered significant if any of the following occur as a result of the proposed development:

[3] Both the *Highway Traffic Noise Analysis and Abatement Policy and Guidance*, U.S. Department of Transportation Federal Highway Administration Office of Environment and Planning Noise and Air Quality Branch, June 1995, and *Technical Noise Supplement, A Technical Supplement to the Traffic Noise Analysis Protocol*, Sacramento, California, California Department of Transportation Environmental Program, October 1998 both state that a noise level increase of less than 3 dB is barely discernible to the human ear.

- Project-related noise levels exceed applicable City standards.

- Ambient conditions are below applicable standards, and Project-generated noise at receptor land uses would result in:

    - An exceedance of the State land uses/noise compatibility guidelines for surface transportation sources (mobile sources); or
    - An exceedance of the exterior noise standards defined in the City of Moreno Valley Noise Ordinance (area/stationary sources).

- If ambient noise conditions exceed applicable Noise Standards and Project-generated noise would create a 3 dBA or greater permanent increase in ambient exterior noise levels.

- If Project-related construction activities occur on any weekday outside the hours of eight p.m. and seven a.m. the following day such that the sound there from creates a noise disturbance, except for emergency work by public service utilities or for other work approved by the City manager or designee; or if Project construction source noise exceeds 65 dBA Leq at a distance of 200 feet from the nearest Project boundary during the approved daytime hours.

4.4.5 POTENTIAL IMPACTS AND MITIGATION MEASURES

For development proposals such as the RPT Centerpointe West Project, potential noise impacts are commonly divided into two groups: temporary (construction-source) noise impacts, and long-term (operational-source) noise impacts. Construction-source impacts are usually associated with heavy equipment operations occurring within or proximate to the Project site. Operational-source noise impacts are attributable to mobile sources (off-site vehicular-source noise impacts), and stationary or area-source noise generated by equipment and activities within the Project site.

Potential Impacts: ***Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan, noise ordinance, or other applicable standards; result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project; or result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project.***

Impact Analysis: General source categories of potential Project-related noise include:

- Construction-source noise;
- Operational noise, off-site mobile-sources; and
- Operational noise, on-site stationary/area-sources.

A summary of the Project's potential impacts attributable under each noise source category, along with any necessary mitigation measures follows.

Construction-Source Noise

While the City of Moreno Valley Municipal Code does not specifically address construction noise, it does provide noise level limits for the noise source land use category when measured at a distance of 200 feet. Within the Code, noise land use sources are categorized as either "residential" or "commercial." No specific standards are established for industrial land uses such as are proposed by the Project. Notwithstanding, since the Project source land use is clearly not residential, the "commercial" noise source standard is applied within this analysis. To this end, construction source noise greater than 65 dBA Leq at a distance of 200 feet from the Project boundary would be considered potentially significant.

Construction noise represents a short-term impact on the ambient noise levels. Noise generated by construction equipment, including trucks, power tools, concrete mixers and portable generators can reach high levels. In January 2006, the Federal Highway

Administration (FHWA) published a national database of construction equipment reference noise emission levels. The database provides a comprehensive list of the noise generating characteristics for specific types of construction equipment. In addition, the database provides an acoustical usage factor to estimate the fraction of time each piece of construction equipment is operating at full power (i.e., its loudest condition) during a construction operation.

Noise levels generated by heavy construction equipment can range from approximately 70 dBA to noise levels in excess of 100 dBA when measured at 50 feet. However, these noise levels diminish with distance from the construction site, generally at a rate of 6 dBA per doubling of distance. For example, a noise level of 78 dBA measured at 50 feet from the noise source to the receptor would be reduced to 72 dBA at 100 feet from the source to the receptor, and would be further reduced to 66 dBA at 200 feet from the source to the receptor.

Project construction is expected to occur in six stages: demolition, site preparation, grading, building construction, paving, and architectural coating. Using the FHWA database described above, the short-term construction noise levels for each stage of construction were calculated and are summarized in Table 4.4-3.

Table 4.4-3
Cumulative Construction Noise Levels

Stage	Source	Cumulative Hourly Noise Level at 200 feet (Leq dBA)
Demolition	Industrial saw, rubber tired dozers, excavators	74.1
Site preparation	Rubber tired dozers, tractors/loaders/backhoes	82.9
Grading	Scrapers, graders, rubber tired dozers, tractors/ loaders/ backhoes, excavators	86.8
Building	Tractors/loaders/backhoes, forklifts, cranes, generator sets, welders	83.2
Paving	Pavers, paving equipment, rollers	80.9
Architectural coating	Air compressors	77.0

Source: *Harbor Freight Expansion Project Noise Impact Analysis, City of Moreno Valley, California* (Urban Crossroads) August 9, 2012.

As shown above, construction of the proposed RPT Centerpointe West Project may create temporary high noise levels at receptors surrounding the Project site when certain construction activities occur near the property line.

The nearest noise-sensitive receptor that would be subject to potential construction noise impacts is the Salvation Army Community Center located at the southeasterly corner of Alessandro Boulevard and Graham Street, approximately 400 feet northeasterly of proposed "Building 3." Easterly adjacent to the Salvation Army Community Center is a "Motel 7." Single-family residences nearest the Project site are located northerly of Alessandro Boulevard, approximately 700 feet northerly of proposed "Building 3."

Based on the noise levels presented at Table 4.4-3, construction-related noise levels received at proximate sensitive receptors would therefore temporarily and intermittently exceed the City's maximum permissible sound level of 65 dBA Leq. This is also a substantial temporary and periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project. These are identified as potentially significant impacts.

Level of Significance: Potentially Significant. Project construction-source noise would temporarily and periodically exceed the City's Noise Ordinance maximum permissible sound level. Project construction-source noise is therefore also considered substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project. Mitigation for these potentially significant impacts is presented below. Construction-source noise is temporary and intermittent and therefore would not result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project.

Mitigation Measures:

4.4.1 During all Project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

4.4.2 The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the project site during all Project construction.

4.4.3 The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. Haul routes shall not pass sensitive land uses or residential dwellings.

Level of Significance After Mitigation: Mitigation Measures 4.4.1 through 4.4.3 will qualitatively reduce construction-source noise and its perceived impacts to the extent feasible. However, it is anticipated that construction-source noise received at the nearest affected sensitive receptor may temporarily and periodically reach a levels in excess of the City's maximum permissible noise level, and consequently would be a significant impact.

Level of Significance After Mitigation: ***Significant and Unavoidable.***

Operational-Source Noise

Mobile Sources (Project Traffic)

Based on measured ambient traffic volumes, and trip generation/trip distribution data presented in the Project Traffic Impact Analysis (Project TIA, TIA), mobile-source noise conditions that would result with the addition of Project traffic were estimated. Table 6-5 of the Noise Analysis (Appendix D to this EIR) presents a comparison of existing

CNEL noise levels along area roads and CNEL conditions that would result with the addition of Project traffic.

In summary, Project traffic is expected to result in mobile source noise level increases along area roadways that range from no increase to an increase of 3.9 dBA CNEL. Within the Study Area, roadway segments on Brodiaea Avenue will experience a noise level increase above 3.0 dBA CNEL. While this incremental noise increase may be potentially perceptible, the resulting estimated CNEL noise levels (53.0 dBA CNEL to 55.2 dBA CNEL) will not approach the normally acceptable 65 dBA CNEL threshold value. Project traffic will therefore will not create or result in potentially significant off-site traffic noise level impacts under existing conditions.

Opening Year (2017) mobile source noise conditions with and without the Project were also estimated, and are presented in Table 6-6 of the Noise Analysis. Under 2017 With Project conditions, Project traffic is expected to increase mobile source noise levels along area roads ranging from 0.0 dBA CNEL to 3.5 dBA CNEL. Again, off-site Study Area roadway segments on Brodiaea Avenue will experience a potentially perceptible noise level increase above 3.0 dBA CNEL. The resulting CNEL noise levels (53.3 dBA CNEL to 55.6 dBA CNEL) would not, however, approach the 65 dBA CNEL threshold value. Project traffic will therefore will not create or result in potentially significant off-site traffic noise level impacts under Opening Year conditions.

As demonstrated above, Project operational mobile-source noise will not result in exposure of people to noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Operational mobile-source noise affecting area roadways is a permanent, not a temporary or periodic noise source, and is not evaluated under temporary or periodic noise impact criteria.

Level of Significance: Less-Than-Significant.

Mitigation Measures: No mitigation is required.

Operational-Source Noise

Stationary/Area Sources (On-site Activities and Equipment Operations)

Project-related operational stationary/area source noise levels will vary depending on the time of day and level of activity at the facility. The primary sources of noise from activities and equipment operations at the Project site will be truck delivery movements, the loading and unloading of trucks at the loading docks, and the rooftop air conditioners on top of the proposed facility.

To estimate the Project off-site operational noise impacts, reference noise level measurements were collected from similar types of activities to represent the noise levels expected with the development of the Project, as presented at Table 4.4-4 and discussed subsequently. The noise levels and analysis presented here reflect potential maximum impacts resulting from collective and simultaneous noise from Project loading dock activities, semi-truck movements, and roof-top air conditioning units. Under real world conditions, these noise level impacts will vary in occurrence and intensity throughout the day.

Table 4.4-4
Reference Noise Level Measurements

Noise Source	Duration (minutes: seconds)	Distance from Noise Source (feet)	Noise Source Height (feet)	Drop-Off Rate[1] (Leq dBA)	Noise Levels (Leq dBA)
Loading Dock Activities	1:00	20	8	6	77.3
Truck Pass-By	1:00	30	8	6	69.5
Air Condenser Units	-	10	8	6	73.0

Source: *Harbor Freight Expansion Project Noise Impact Analysis, City of Moreno Valley, California* (Urban Crossroads) August 9, 2012.

[1] The amount by which point-source noise is reduced with each doubling of distance. For example, using a drop off rate of 6 Leq dBA, noise levels that would measure 30 Leq dBA from a distance of 10 feet would be reduced to 24 Leq dBA at a distance of 20 feet, and further reduced to 18 Leq dBA at a distance of 40 feet.

Loading Dock Activities

In order to evaluate the noise impacts associated with tractor trailer (truck) unloading/loading activities, reference noise level measurements were taken at loading docks associated with the Huntington Beach Walmart, located at the southwest corner of Goldenwest Street and Edinger Avenue by (Urban Crossroads, Inc.) April 14, 2011.

While this is a commercial project (rather than an industrial use such as proposed under the Project), the loading dock activities and resulting noise measured at the Huntington Beach Walmart are substantively equal to those that would occur at any given loading dock at the Project site.

The primary noise generated by tractor trailer unloading is the noise of the truck arriving, backing into the dock area, detaching the cab, attaching the cab to the empty trailer, and exiting the loading dock. Because the trailer seals to the loading dock, employees unload the tractor trailer from the inside of the store. The receiving crew places a 20' long rolling conveyor assembly inside the trailer to roll merchandise (on pallets or in boxes) into the store. The unmitigated noise level was measured at 77.3 dBA Leq at a distance of 20 feet from the tractor trailer.

Truck Pass-By

Reference noise levels were taken in order to evaluate the noise impacts associated with truck (tractor trailer) movements along the westerly property line of the Project site, where such noise may be perceived by proximate off-site land uses. The unmitigated noise level was measured at 69.5 dBA Leq at a distance of 30 feet from the tractor trailer.

Air Condenser Units

Rooftop mechanical ventilation units will be installed on the proposed industrial buildings located within the Project site. To assess the mechanical ventilation system (packaged heat pump) noise impacts, typical outdoor sound power levels were provided by the equipment manufacturer, Trane. The noise ratings provided by Trane indicated that the packaged heat pumps will produce unmitigated noise levels ranging from 75 to 82 dBA when measured at a distance of 3 feet.

To predict the worst-case future noise environment, a continuous reference noise level of 73 dBA at 10 feet was used to represent the roof-top mechanical ventilation system. Even though the mechanical ventilation system will cycle on and off throughout the day, this approach presents the worst-case noise condition. In addition, these units have

been designed to provide cooling during the peak summer daytime periods, and it is unlikely that all the units will be operating continuously throughout the noise sensitive nighttime periods.

Project-Only Operational Noise Levels

Based upon the reference noise levels provided at Table 4.4-4, it is possible to estimate the stationary source noise levels generated by the Project at a distance 200 feet from the property line, as required by the City of Moreno Valley Municipal Code. The noise level estimates presented in Table 4.4-5 were calculated based on the Project's site plan showing the spatial relationship between the potential on-site noise sources and the closest property line.

Table 4.4-5
Project Noise Level Measurements

Noise Source	Reference Noise Level Distance (Feet)	Reference Noise Level (dBA)	Distance From Source to Property Line (Feet)	Source Noise Level at Property Line (dBA)	Reference Noise Level at 200 Feet From Property Line
Loading Dock Activities	20	77.3	60	67.8	47.8
Truck Pass-By	30	69.5	30	69.5	53.0
Air Condenser Units	10	73.0	60	57.4	31.4
Overall Unmitigated Noise Level at 200 Feet From Property Line					54.2

Source: *Harbor Freight Expansion Project Noise Impact Analysis, City of Moreno Valley, California* (Urban Crossroads) August 9, 2012.

As indicated above, the hourly noise levels are expected to range from 31.4 to 53.0 dBA Leq. The expected operational noise level impacts associated with the Project are below the daytime and nighttime exterior noise level standards for non-residential uses of 65 dBA Leq and 60 dBA Leq, respectively.

Level of Significance: Less-Than-Significant.

As presented above, the routine operation of the Project will not generate noise levels exceeding applicable City's standards. Notwithstanding, the following supplemental measures will further reduce the Project's already less-than-significant stationary/area source noise impacts. These measures are consistent with design and operating attributes of contemporary distribution warehouses in the City, and are recommended as means to generally reduce potential noise effects of industrial warehouse uses.

4.4.4 All trucks, tractors, and forklifts shall be operated with proper operating and well maintained mufflers.

4.4.5 Maintain quality pavement conditions that are free of bumps to minimize truck noise.

4.4.6 The truck access gates and loading docks within the truck court on the project site shall be posted with signs which state:

- *Truck drivers shall turn off engines when not in use;*
- *Diesel trucks servicing the Project shall not idle for more than five minutes; and*
- *Post telephone numbers of the building facilities manager to report violations.*

Level of Significance After Mitigation: Less-Than-Significant. As stated above, Project operations will not exceed the City's standards for stationary noise impacts even without mitigation. Notwithstanding, the above measures will serve to further reduce already less-than-significant operational noise impacts.

Based on the preceding discussions, the Project's potential to expose people to severe noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the Project, is less-than-significant.

Potential Impact: ***Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels.***

Impact Analysis: Groundborne vibration refers to groundborne noise and perceptible motion. Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Vibration-caused building damage is not a factor for normal projects, with the occasional exception of blasting and pile driving during foundation construction, neither of which is anticipated as part of construction of the Project considered here.

To control operational vibration related impacts, the City of Moreno Valley Municipal Code at Chapter 9.10 Performance Standards, Section 9.10.170, Vibration, states: "No **vibration** shall be permitted which can be felt at or beyond the property line. (Ord. 359, 1992)"

The Project does not propose or require facilities operations or equipment that would generate perceptible off-site vibration impacts. There is the potential however, for Project construction activities and associated heavy equipment use to generate vibration impacts at vicinity properties.

The City of Moreno Valley does not currently have adopted regulations or thresholds addressing construction-source vibration impacts. Notwithstanding, germane vibration criteria has been established by the California Department of Transportation (Caltrans) and is employed in the discussion presented here.

Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Construction vibration is generally associated with pile driving and rock blasting. Occasionally, proximate operations of large bulldozers and loaded trucks can cause perceptible vibration levels, notwithstanding, according to the *Transportation and Construction-Induced Vibration Guidance Manual* prepared for Caltrans, groundborne

vibration from construction activities and equipment such as such as D-8 and D-9 Caterpillar bulldozers, earthmovers and haul trucks at distances of 10 feet do not create significant vibration amplitudes such as would result in structural damage to nearby structures.

The Project is not anticipated to employ any pile driving equipment, nor require blasting activities. Further, the nearest heavy equipment operations would occur at a distances of 100 feet or more from the nearest off site occupancies. Impacts from construction-source groundborne vibration are therefore anticipated to be less-than-significant.

Based on the preceding discussion, the potential for Project construction or operations to cause or result in adverse impacts due to groundborne vibration or groundborne noise is determined to be less-than-significant.

Level of Significance: Less-Than-Significant.

Mitigation Measures: No mitigation is required.

4.5 HAZARDS/HAZARDOUS MATERIALS

4.5 HAZARDS/HAZARDOUS MATERIALS

Abstract

This Section identifies and addresses potential hazards and hazardous materials impacts that may result from the implementation and operations of the RPT Centerpointe West Project (Project). More specifically, the hazards and hazardous materials analysis presented here examines whether the Project would:

- *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;*

- *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or*

- *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.*

As supported by the analysis presented in this Section and the Project's mandated compliance with existing rules and regulations, potential hazards and hazardous materials impacts of the Project are less-than-significant.

4.5.1 INTRODUCTION

The analysis presented in this Section addresses the potential impacts of hazards and/or hazardous materials associated with the construction and operation of the proposed RPT Centerpointe West Project (the Project). The analysis considers potential hazards/hazardous conditions affecting the Project site; and also considers potential hazards resulting from the Project, including potential effects at off-site land uses.

Information presented in this Section is summarized in part from previous Phase I and Phase II Environmental Site Assessments (ESAs) conducted for areas encompassing the Project site. *[See: Phase II Environmental Site Assessment For The Vacant Land, Moreno Valley, Riverside County, California 92553* (Professional Service Industries, Inc.) February 9, 2004*; Phase I Environmental Site Assessment Update for the Centerpointe Business Park Development, Moreno Valley, Riverside County, California 92553* (Professional Service Industries, Inc.) May 5, 2006; and *Phase I Environmental Site Assessment Update For The Centerpointe Business Park Development, Moreno Valley, Riverside County, California 92553* (Professional Service Industries, Inc.) February 4, 2009]. The Project Phase I and Phase II ESAs in their entirety are provided at EIR Appendix E.

4.5.2 SETTING

The physical setting of the Project provided here serves as context for potential hazards associated with, or resulting from, the Project.

4.5.2.1 Project Location

The Project site is located in Riverside County, in the City of Moreno Valley, on the north side of Cactus Avenue, situated generally between Graham Street to the east and Frederick Street to the west (APNs 297-170-027, -064, -065, -075, -076, and -082).

4.5.2.2 Historic Uses and Development

The Project site is identified within the Environmental Data Resources, Inc. (EDR) environmental database report as formerly part of (the now closed) March Air Force Base (MAFB). MAFB and Department of Defense (DoD) jurisdiction over the site occurred from approximately 1918 to 1950, after which time the Project site and surrounding properties located northerly of Cactus Avenue were divested by the government.

Aerial photographs of the Project site and surrounding areas (the Study Area) dated between 1938 and 2004 indicate only vacant land, absent development or active uses. As part of the Project ESAs, the March Field Air Museum was consulted for additional historical information about any former uses that may have existed within the Study Area. However, no information pertaining to former uses could be ascertained.

A 1967 aerial photograph of the Study Area indicates ground disturbances (dark stain-like circles) at locations east and west of Graham Street. The nature and/or cause of the circular ground disturbances are unknown. "X-pattern" dirt roads running north to south across the Study Area were also evident in the 1967 photograph. These roads were barely discernible in a subsequent 1977 aerial photograph of the Study Area.

Surface disturbances identified in the 1967 aerial photograph indicated a requirement for a subsurface investigation of the Study Area. Accordingly, subsurface investigation was conducted in December 2003, and included the collection of 56 soil samples and four groundwater samples collected from the center of each on-site parcel and the areas of identified concern.

The soil and groundwater samples were analyzed for total lead, volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), and State of California Title 22 metals. No significant levels of contaminants were identified. Neither was there evidence of any unexploded ordnance (UXO), ammunition shell casings, or bullet fragments such as may be present if the site was previously used for military purposes as part of the former MAFB. On this basis, the most recent Phase I ESA Update (February 4, 2009) concludes that no further investigation or remedial action for the Study Area is indicated or recommended.[1]

[1] Soil and groundwater sampling was not conducted on the westernmost parcel of the Study Area, parcel APN 297-170-027, located at the very northeast corner of Cactus Avenue and Frederick Street. However, based on its proximity to the parcels tested, adjacent to the western area assessed, and its similar historical usage, the information available indicates that subsurface conditions and analytical findings would be similar to the rest of the Study Area.

Review of aerial photographs of the Study Area and vicinity indicates further that the properties to the north of the Study Area were historically vacant until at least 1967. Subsequent to 1967, various development actions occurred in the vicinity of the Study Area. The 1977 photograph of the Study Area indicates that the "Motel 7" at 23581 Alessandro Boulevard had been constructed. The 1989 photograph indicates that the "ARCO AM/PM" gasoline station at 23501 Alessandro Boulevard and a small A-frame office building at 14080 Graham Street had been constructed. The 1994 photograph indicates that the "Alessandro Hand Car Wash" and the auto repair facility at 23615 Alessandro Boulevard had been constructed.

Properties to the east of the Study Area were vacant and undeveloped until at least 1977. The 1989 photograph indicates subsequent development of single-family residences easterly of Heacock Street.

Aerial photography of the property located to the south of the Study Area indicates vacant and undeveloped land as of 1938. From at least 1918, the former MAFB (now March Air Reserve Base, MARB) across Cactus Avenue, was present.

4.5.2.3 Current Uses and Development

The Project site is currently undeveloped with the exception of vehicle parking surface improvements and associated screening which exists northerly of Brodiaea Avenue and northerly of the existing Harbor Freight Tools warehouse building.

Northerly adjacent to the Project site, properties are vacant and undeveloped. Alessandro Boulevard exists in an east-west orientation approximately one-eighth mile (660 feet) northerly of the northernmost Project boundary. Various commercial and office uses exist along the southerly Alessandro Boulevard frontage in the vicinity of the Project.

Easterly adjacent to the Project site is the existing Centerpointe Business Park development, including the above-noted Harbor Freight Tools warehouse. In total, the Centerpointe Business Park project area is currently developed with five freestanding warehouse buildings extending easterly of the Project site to Heacock Street. Also

located easterly adjacent to the Project area (though not a formal part of the Centerpointe Business Park) is the "Serta Mattress" warehouse building. Located amid the Centerpointe Business Park uses and on the northerly Cactus Avenue frontage is the "Visterra Credit Union" office complex. To the east of the Centerpointe Business Park across Heacock Street are single-family residential areas.

Southerly of the Project site, across Cactus Avenue are vacant properties located within the March Air Reserve Base.

Westerly of the Project site across Frederick Street, is the Concourse at Centerpointe project, a new mixed-use office/retail/light industrial development proposal of approximately 430,000 square feet. The Concourse at Centerpointe development is currently (as of August 2012) under construction. Also located westerly of the Project site across Frederick Street are Riverside County Waste Management Division offices and City of Moreno Valley offices and administrative facilities.

4.5.3 EXISTING HAZARDS/HAZARDOUS CONDITIONS

Existing hazardous conditions affecting the Project site and surrounding areas are documented within the Phase I/Phase II ESAs noted previously in this Section. The Phase I/II ESAs incorporated historical records review, regulatory records review, on-site and off-site visual reconnaissance and evaluation of environmental factors, and interviews with persons having knowledge of the subject site and its past and current uses. Results and findings of the Phase I/Phase II ESAs are summarized below.

4.5.3.1 Historic Hazards/Hazardous Materials Considerations

Historically, the Project area may have been utilized for, or affected by MAFB activities and operations. The Phase I/II ESAs investigated use of the site for past MAFB activities and concluded that if such activities occurred in the past, no residual hazards persist within the Project area. The Phase I/II ESAs conclude further that hazardous or potentially hazardous activities or operations known to have occurred, or that exist within the MAFB (now MARB) site, are physically removed from the Project site and are oriented such that these hazards do not adversely affect the Project area.

4.5.3.2 Existing Hazards/Hazardous Materials Considerations

Existing on-site structures include warehouse structures of recent (2008) construction and supporting facilities. Given the recency of development within the Project site, the presence of lead and/or asbestos-containing structures is not anticipated. Other areas of the Project site that are vacant were the subject of detailed records research and on-site field surveys. On-site reconnaissance and interviews specifically address the following considerations: Evidence of Waste Disposal; Surface Staining and Stressed Vegetation; Polychlorinated Biphenyl (PCB) Containing Equipment; Air Stacks, Vents, and Odors; Surface Drainage; Evidence of USTs and/or Aboveground Storage Tanks (ASTs); Conduits to Groundwater; Pipelines; Solid Waste; Hazardous Waste; Waste Treatment Facilities; and Inappropriate Application of Pesticides, Herbicides or Fertilizers. The Phase I/Phase II ESA records research, field surveys and interviews indicate that none of the preceding conditions/factors adversely affect the Project area.

The Project area was also evaluated for the potential presence of mold, radon, and potential wetlands/floodplains constraints. Findings of the Project Phase I/II ESAs in these regards are summarized below:

- No mold was observed.
- The EPA has classified Riverside County (inclusive of the Project site) as Radon Zone 2, an area with a moderate potential for elevated levels of indoor radon gas [from 2 to 4 pico curies per liter of air (pCi/L)]. The EPA recommended action levels for indoor airborne radon gas is 4 pCi/L.
- Not wetlands are located within the Project area; the Project site lies within a 500-year floodplain[2]

The Project Phase I/Phase II ESAs further evaluated potential off-site sources of hazards and contamination including: drums & containers; dumps, pits & lagoons; surface soil staining or stressed vegetation; transformers; air stacks, vents & odors; off-site drainage; USTs/ASTs; shafts & wells; and poor environmental management practices. The Phase

[2] The City does not impose building or use restrictions within 500-year floodplain areas.

I/Phase II ESAs concluded that none of the preceding considerations/factors substantively or adversely affect the Project area.

4.5.4 EXISTING POLICIES AND REGULATIONS

4.5.4.1 Overview

The following discussions summarize, in pertinent part, City of Moreno Valley Policies and Objectives addressing hazards/hazardous materials. Applicable federal, state, and local regulations which act to reduce potential creation of, or exposure to, hazards and hazardous materials are also presented.

4.5.4.2 General Plan Safety Element Consistency

The City of Moreno Valley General Plan Safety Element provides the following applicable Goals, Objectives, and Policies which specifically or globally address transport, use, or disposal of hazardous materials; potential upset and accident conditions involving the release of hazardous materials into the environment; or handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Paralleling the Goals, Objectives, and Policy statements, their applicability to the Project, as well as an assessment of Project consistency with and/or support of the stated Objectives and Policies/Programs is provided.

Table 4.5-1
General Plan Hazards and Hazardous Materials
Goals, Objectives, and Policies Consistency

GOALS/OBJECTIVES/POLICIES	APPLICABILITY/CONSISTENCY
Safety Element Goal 6.1 To achieve acceptable levels of protection from natural and man-made hazards to life, health, and property.	***Consistent.*** *As discussed herein, and documented in the Project Phase I/II ESAs, the Project site is not affected by potentially significant hazards or hazardous material conditions. Moreover, the Project does not propose uses or activities that would result in or cause potentially significant hazards or hazardous materials impacts. The Project therefore supports General Plan Safety Element 6.1.*

Table 4.5-1
General Plan Hazards and Hazardous Materials
Goals, Objectives, and Policies Consistency

GOALS/OBJECTIVES/POLICIES	APPLICABILITY/CONSISTENCY
Objective 6.7 Reduce mobile and stationary source emissions.	***Consistent.*** *The Project does not propose or require uses that would generate hazardous emissions within one-quarter mile of an existing or proposed school. Further, the Health Risk Analysis prepared as part of the Project air quality impact studies demonstrates that the Project will not otherwise generate potentially significant hazardous emissions. The Project therefore supports and is consistent with Safety Element Objective 6.7.*
Policy 6.7.1 Cooperate with regional efforts to establish and implement regional air quality strategies and tactics.	***Consistent.*** *The Project is located proximate to major local and regional roadways and therefore acts to incrementally reduce total vehicle miles traveled (VMT) and total related vehicle-source emissions within the region. Project energy efficient designs and operational programs act to reduce stationary-source air pollutant emissions [inclusive of Greenhouse Gases (GHGs)] within the region. The Project therefore supports and is consistent with Safety Element Policy 6.7.1. Please refer also to the Project Air Quality Impact Analyses, EIR Appendix E.*
Policy 6.7.5 Require grading activities to comply with South Coast Air Quality Management District's Rule 403 regarding the control of fugitive dust.	***Consistent.*** *Mandated compliance with all applicable South Coast Air Quality Management District (SCAQMD) rules is specified with the Project Air Quality Impact Analyses and enforced through City and SCAQMD code compliance actions, if required. The Project therefore supports and is consistent with Safety Element Policy 6.7.5*
Policy 6.7.6 Require building construction to comply with the energy conservation requirements of Title 24 of the California Administrative Code.	***Consistent.*** *The Project will meet or surpass Title 24 energy conservation requirements, as verified through the City's Building Permit Review and Plan Check processes. Energy conservation measures incorporated in the Project act to reduce fuel and energy consumption, with correlating reductions stationary-source criteria pollutant and GHG emissions. The Project therefore supports and is consistent with Safety Element Policy 6.7.6. Please refer also to the Project Air Quality Impact Analyses, EIR Appendix E.*
Objective 6.10 Protect life and property from the potential short-term and long-term deleterious effects of the necessary transportation, use, storage treatment and disposal and hazardous materials and waste within the City of Moreno Valley.	***Consistent.*** *During construction and ongoing maintenance activities, limited amounts of various hazardous or potentially hazardous materials (e.g., fuel, lubricants, paints, solvents) will be transported, stored and used at the Project site. All such material transportation, storage and use (as well as any necessary disposal/recycling actions) will conform to federal, state, and local requirements and policies outlined herein. The Project does not otherwise require or propose transportation, storage use or disposal of hazardous or potentially hazardous materials. The Project therefore supports and is consistent with*

Table 4.5-1
General Plan Hazards and Hazardous Materials
Goals, Objectives, and Policies Consistency

GOALS/OBJECTIVES/POLICIES	APPLICABILITY/CONSISTENCY
	Safety Element Objective 6.10.
Policy 6.10.1 Require all land use applications and approvals to be consistent with the siting criteria and other applicable provisions of the adopted Hazardous Waste Management Plan, which is also incorporated into and as part of the General Plan. **Policy 6.10.2** Manage the generation, collection, storage, processing, treatment, transport and disposal of hazardous waste in accordance with provisions of the City of Moreno Valley's adopted Hazardous Waste Management Plan, which is also incorporated into and as part of the General Plan.	***Consistent.*** *All hazardous materials waste that may be generated during the course of Project construction and/or operations will be disposed of/recycled consistent with applicable provisions of the City's Hazardous Waste Management Plan. The project does not propose or require uses or facilities whose primary function is the acceptance and/or treatment of hazardous materials and/or hazardous waste. The Project therefore supports and is consistent with Safety Element Policies 6.10.1 and 6.10.2.*
Objective 6.16 Ensure that uses within urbanized areas are planned and designed consistent with accepted safety [standards].	*The Project proposes light industrial uses in areas that are planned for these types of uses as reflected in the City General Plan Community Development Element. The Project will be designed, constructed, operated and maintained consistent with the City's Light Industrial development standards, to include compliance with all applicable safety standards. The Project therefore supports and is consistent with Safety Element Objective 6.16.*
Policy 6.16.2 Encourage the systematic mitigation of existing fire hazards related to land urban development or patterns of urban development as they are identified and as resources permit.	*Phase I/Phase II ESAs were conducted within the Project site in order to identify and evaluate any potential hazards or hazardous conditions that could affect the Project. As documented in the Project Phase I/II ESAs, the project site is not substantively affected by known hazards or hazardous conditions. The project therefore supports and is consistent with Safety Element Policy 6.16.2. Please refer also to the Project Phase I/Phase II ESAs, Draft EIR Appendix E.*

Source: Goals, Objectives and Policies from: City of Moreno Valley General Plan

4.5.4.3 Regulatory Context

In addition to City General Plan Goals, Objectives and Policies identified above, a number of complementary federal, state, regional, and county regulations and programs have been enacted to control and manage hazardous materials. These regulations and programs are achieved independently of the CEQA process, and are administered by various agencies at the federal, state, regional, and county levels. An

overview of the key hazardous materials regulations and programs applicable to the Project, and to which the Project must conform, is provided below.

Federal

Several federal agencies regulate hazardous materials. These include the United States Environmental Protection Agency (USEPA), the United States Occupational Safety and Health Administration (USOSHA), and the United States Department of Transportation (USDOT). Applicable Federal Regulations are contained primarily in Titles 10, 29, 40, and 49 of the Code of Federal Regulations (CFR). In particular, Title 49 of the CFR governs the manufacture of packaging and transport containers; packing and repacking; labeling and the marking of hazardous material transport. Some of the major federal laws and issue areas include the following statutes and implementing regulations:

- Resources Conservation and Recovery Act (RCRA) - hazardous waste management;
- Hazardous and Solid Waste Amendments Act (HSWA) - hazardous waste management;
- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) - cleanup of contamination;
- Superfund Amendments and Reauthorization Act (SARA) - cleanup of contamination; and
- Emergency Planning and Community Right-to-Know (SARA Title III) - business inventories and emergency response planning.

The USEPA is the primary federal agency responsible for the implementation and enforcement of hazardous materials regulations. In most cases, enforcement of environmental laws and regulations established at the federal level is delegated to state and local environmental regulatory agencies.

In addition, with respect to emergency planning, the Federal Emergency Management Agency (FEMA) is responsible for ensuring the establishment and development of policies and programs for emergency management at the federal, state, and local levels.

This includes the development of a national capability to mitigate against, prepare for, respond to, and recover from a full range of emergencies.

Hazardous Waste Handling

The USEPA has authorized the California Department of Toxic Substance Control (DTSC) to enforce hazardous waste laws and regulations in California. Requirements place "cradle-to-grave" responsibility for hazardous waste disposal on the shoulders of hazardous waste generators. Waste generators must ensure that their wastes are disposed of properly, and legal requirements dictate the disposal requirements for many waste streams (e.g., a ban on many types of hazardous wastes from landfills).

Hazardous Materials Transport

The USDOT Office of Hazardous Materials Safety has developed regulations pertaining to the transport of hazardous materials and hazardous wastes by all modes of transportation, as outlined in Title 49 of the CFR. The U.S. Postal Service has developed additional regulations for the transport of hazardous materials by mail. USDOT regulations specify packaging requirements for different types of materials. USEPA has also promulgated regulations for the transport of hazardous wastes. These more stringent requirements include tracking shipments with manifests to ensure that wastes are delivered to their intended destinations.

State

The primary state agencies with jurisdiction over hazardous chemical materials management are the DTSC and the State Water Quality Control Board (SWQCB). Other state agencies involved in hazardous materials management are the Department of Industrial Relations, California OSHA (Cal OSHA) implementation, Office of Emergency Services (OES - California Accidental Release Prevention Implementation), Air Resources Board (ARB), California Department of Transportation (Caltrans), State Office of Environmental Health Hazard Assessment (OEHHA - Proposition 65 implementation) and CalRecycle (formerly the California Integrated Waste Management Board, CIWMB). The enforcement agencies for hazardous materials transportation regulations are the California Highway Patrol (CHP) and Caltrans.

Hazardous materials and waste transporters are responsible for complying with all applicable packaging, labeling, and shipping regulations.

Relevant hazardous materials management laws in California include, but are not limited to, the following statutes and implementation regulations:

- Hazardous Materials Management Act - business plan reporting;
- Hazardous Waste Control Act - hazardous waste management;
- Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) - release of and exposure to carcinogenic chemicals;
- Hazardous Substance Act - cleanup of contamination; and
- Hazardous Materials Storage and Emergency Response.

California Environmental Protection Agency

The California Environmental Protection Agency (CalEPA) has broad jurisdiction over hazardous materials management in the state. Within CalEPA, the DTSC has primary regulatory responsibility for hazardous waste management and cleanup. Enforcement of regulations has been delegated to local jurisdictions that enter into agreements with DTSC for the generation, transport, and disposal of hazardous materials under the authority of the Hazardous Waste Control Law.

Along with the DTSC, the SWQCB is responsible for implementing regulations pertaining to management of soil and groundwater investigation and cleanup. SWQCB regulations are contained in Title 27 of the California Code of Regulations (CCR). Additional state regulations applicable to hazardous materials are contained in Title 22 of the CCR. Title 26 of the CCR is a compilation of those sections or titles of the CCR that are applicable to hazardous materials.

Department of Toxic Substances Control

The Resource Conservation and Recovery Act (RCRA) of 1976 is the principal federal law that regulates the generation, management, and transportation of hazardous materials and other wastes. The DTSC regulates hazardous waste in California

primarily under the authority of the federal RCRA, and the California Health and Safety Code. Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. In addition, DTSC reviews and monitors legislation to ensure that the position reflects the DTSC's goals. From these laws, DTSC's major program areas develop regulations and consistent program policies and procedures. The regulations spell out what those who handle hazardous waste must do to comply with the laws.

California law provides the general framework for regulation of hazardous wastes by the Hazardous Waste Control Law (HWCL) passed in 1972. DTSC is the State's lead agency in implementing the HWCL. The HWCL provides for state regulation of existing hazardous waste facilities, which include "any structure, other appurtenances, and improvements on the land, used for treatment, transfer, storage, resource recovery, disposal, or recycling of hazardous wastes," and requires permits for, and inspections of, facilities involved in generation and/or treatment, storage and disposal of hazardous wastes.

California Accidental Release Prevention Program (CalARP)

The CalARP program (CCR Title 19, Division 2, Chapter 4.5) covers certain businesses that store or handle more than a certain volume of specific regulated substances at their facilities. The list of regulated substances is found in Article 8, Section 2770.5 of the CalARP program regulations. The businesses that use a regulated substance above the noted threshold quantity must implement an accidental release prevention program, and some may be required to complete a Risk Management Plan (RMP). An RMP is a detailed engineering analysis of the potential accident factors present at a business and the mitigation measures that can be implemented to reduce this accident potential. The purpose of an RMP is to decrease the risk of an off-site release of a regulated substance that might harm the surrounding environment and community. An RMP includes the following components: safety information, hazard review, operating procedures, training, maintenance, compliance audits, and incident investigation. The RMP must consider the proximity to sensitive populations located in schools, residential areas,

general acute care hospitals, long-term health care facilities, and child day-care facilities, and must also consider external events such as seismic activity.

Hazardous Materials Transportation

In California, the CHP has the primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies. Specifically, Section 31303 of the California Vehicle Code requires that when hazardous materials are transported on state or interstate highways, the highway(s) that offer the shortest overall transit time possible shall be used. Transportation of hazardous materials along any city or state roadways is subject to all hazardous materials transportation regulations established by the CHP and the Los Angeles County Fire Department. Transporters of hazardous materials and waste are responsible for complying with all applicable packaging, labeling, and shipping regulations.

Investigation and Cleanup of Contaminated Sites

The oversight of hazardous materials release sites often involves several different agencies that may have overlapping authority and jurisdiction. The DTSC and SWQCB are the two primary state agencies responsible for issues pertaining to hazardous materials release sites. Air quality issues related to remediation and construction at contaminated sites are also subject to federal and state laws and regulations that are administered at the local level.

Investigation and remediation activities that would involve potential disturbance or release of hazardous materials must comply with applicable federal, state, and local hazardous materials laws and regulations. The DTSC has developed standards for the investigation of sites where hazardous materials contamination has been identified or could exist based on current or past uses. The standards identify approaches to determine if a release of hazardous wastes/substances exists at a site and delineate the general extent of contamination; estimate the potential threat to public health and/or the environment from the release and provide an indicator of relative risk; determine if an expedited response action is required to reduce an existing or potential threat; and

complete preliminary project scoping activities to determine data gaps and identify possible remedial action strategies to form the basis for development of a site strategy.

Regional

Southern California Association of Governments (SCAG)

SCAG is the regional agency for coordination between various local agencies within the six-county region covering Los Angeles, Orange, San Bernardino, Riverside, Ventura and Imperial counties. The region covers more than 38,000 square miles and is home to more than 18 million people. SCAG is the designated Regional Transportation Planning Agency, and is responsible for preparing plans and developing goals, policies, and programs to ensure regional cooperation.

South Coast Air Quality Management District (SCAQMD)

The SCAQMD works with local, state, and federal government agencies, the business community, and private citizens to achieve and maintain healthy air quality for Los Angeles County. SCAQMD has rules that pertain to the abatement of asbestos and related fees. Specifically, Rule 1403 seeks to limit the release of asbestos during building demolition and renovation activities during the removal and disturbance of asbestos-containing materials (ACMs). The Rule provides guidance for proper removal techniques, handling and clean up procedures, and storage, transportation, and disposal of ACMs.

County

Riverside County Certified Uniform Program Agency (CUPA) [3]

Senate Bill 1082, passed in 1993, created the Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program). The Unified Program requires the administrative consolidation of six hazardous materials and waste programs (Program Elements) under one agency, a Certified Unified Program Agency

[3] Source: Riverside County Department of Environmental Health, *Hazardous Materials Management Division Quarterly CUPA Connection*, spring 2006, "What is a CUPA?"

(CUPA). In Riverside County, the Hazardous Materials Management Division is the CUPA with three Participating Agencies.

The Unified Program comprehensively addresses:

- Hazardous Waste Generator Inspection and Onsite Hazardous Waste Treatment Programs;
- Aboveground Storage Tank Spill Prevention Control and Countermeasure Plan (SPCC);
- Hazardous Materials Release Response Plans and Inventory Program (a.k.a. Hazardous Materials Disclosure, Handler or "Community-Right-To-Know");
- California Accidental Release Prevention Program (Cal-ARP);
- Underground Storage Tank Program (UST); and
- Uniform Fire Code Plans and Inventory Requirements.

The overriding goal of the Unified Program is to create a more cohesive, effective and efficient process to avoid or minimize hazards/hazardous material concerns within the County. To this end, under the Unified Program, forms are standardized and consolidated, inspections are combined where possible, annual fees are reflected within a single fee system, and enforcement procedures are more consistently applied. To support and fund the Unified Program, the State has assessed a service fee or surcharge onto program-regulated facilities. The local agency collects the service fee for the State, but retains no portion of this fee.

4.5.5 STANDARDS OF SIGNIFICANCE

Pursuant to the *CEQA Guidelines* as adopted and implemented by the City of Moreno Valley, and for purposes of this EIR, implementation of the Project may result in or cause potentially significant hazards/hazardous materials impacts if it would:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;

- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;

- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;

- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Section 65962.5 and, as a result, create a significant hazard to the public or the environment;

- Result in a safety hazard for people residing or working in the project area due to airport/airstrip operations;

- Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan; or

- Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

4.5.6 POTENTIAL IMPACTS AND MITIGATION MEASURES

4.5.6.1 Introduction

The following discussions focus on areas where it has been determined that the Project may result in potentially significant hazards and hazardous materials impacts, pursuant to comments received through the NOP process, and based on the analysis presented within this Section and included within the EIR Initial Study (EIR Appendix A). As discussed previously within the Initial Study (EIR Appendix A), the Project's potential to result in a safety hazard for people residing or working in the project area due to airport/airstrip operations; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands; or potential location of the Project on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, are determined to be less-than-significant or have no impact. These potential impacts are therefore not substantively discussed further within this Section.

Please refer also to EIR Section 1.5, "Impacts Considered Previously but Not Found to Be Potentially Significant," and to Initial Study Checklist Item VIII., "Hazards and Hazardous Materials."

4.5.6.2 Impact Statements

Potential Impact: ***Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.***

Impact Analysis: Project construction will require temporary and short-term transport, use, and storage of potentially hazardous materials (e.g., gasoline, paints, solvents, fertilizer, etc.). Additionally Project operations and on-going maintenance activities would involve the similar transport, storage, and use of potentially hazardous

materials. These types of actions are extensively regulated at the local, state and federal levels (*see*: Section 4.5.4.2 "General Plan Safety Element Consistency" and 4.5.2.3, "Regulatory Context"). The Project would accept, store, and use potentially hazardous materials in limited quantities and on a demand basis. All materials would be stored, used, and disposed of consistent with a Project Hazardous Material Business Plan (HMBP) as may be stipulated by the CUPA and/or the City of Moreno Valley. Moreover, handling of these materials outside of a HMBP context is extensively regulated at the local, State, and federal levels as noted previously (*see*: Section 4.5.4.2 "General Plan Safety Element Consistency" and 4.5.2.3, "Regulatory Context"). On this basis, the likelihood of accidental release of hazardous materials is considered less-than-significant.

Level of Significance: Less-Than-Significant.

Mitigation Measures: No mitigation is required.

Potential Impact: ***Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.***

Impact Analysis: As discussed above, the Project would require limited and controlled use of commonplace potentially hazardous materials. These materials would typically include gasoline to power on-site equipment and vehicles, various machinery lubricants, landscaping maintenance pesticides and fertilizers, and paint products. These materials would be purchased in retail quantities and stored in designated areas for use within the Project area. The Project would accept, store, and use such materials in limited quantities and on a demand basis. All materials would be stored, used, and disposed of consistent with a HMBP as may be stipulated by the CUPA and/or the City of Moreno Valley. Moreover, handling of these materials outside of a HMBP context is extensively regulated at the local, state, and federal levels as noted previously (*see*: Sections 4.5.4.2 "General Plan Safety Element Consistency" and 4.5.2.3, "Regulatory

Context"). The Project would therefore not involve the release or upset of hazardous materials into the environment. On this basis, the likelihood of accidental release of hazardous materials is considered less-than-significant.

Level of Significance: Less-Than-Significant.

Mitigation Measures: No mitigation is required.

Potential Impact: ***Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.***

Impact Analysis: Public Resources Code (PRC) Section 21151.4 and correlating Section 15186 of the *CEQA Guidelines* establish requirements for school projects, as well as projects near schools, to ensure that potential health impacts resulting from exposure to hazardous materials, wastes, and substances are examined and disclosed in an environmental document. More specifically, the cited PRC and *CEQA Guidelines* provisions require that when a project located within one-quarter mile of a school involves the construction or alteration of a facility that might reasonably be anticipated to emit hazardous or acutely hazardous air emissions, or handle acutely hazardous materials or a mixture containing acutely hazardous materials in a quantity equal to or greater than that specified in Section 25536(a) of the Health and Safety Code, the Lead Agency must:

> 1) Consult with the school district having jurisdiction regarding the potential impact of the project on the school(s) in question; and
>
> (2) The school district must be provided written notification of the project not less than 30 days prior to the proposed certification of the environmental impact report or approval of the negative declaration. [*Guidelines* 15186 (b)]

No schools exist, or are proposed within one-quarter mile of the Project site. The nearest schools (Brandman University and Harvest Time Christian School) are located approximately one-half mile westerly of the Project site. Moreover, the Project does not propose or require uses or activities that would be subject to the provisions and requirements of PRC Section 21151.4/*Guidelines* Section 15186.

Further, the Project is subject to AQMD permitting and regulatory requirements that would preclude hazardous air emissions. It is also noted that compliance with previously cited applicable hazardous waste control rules and regulations would be expected to minimize the risk of public exposure (including schools) to any hazardous materials used or stored at the Project site. As a standard procedure, the proposed facilities would implement Environmental Health and Safety (EHS) programs designed to achieve full compliance with applicable laws, regulations, and accreditation standards intended to protect the safety of employees, patrons, visitors, and the environment.

Additionally, the Project Phase I/Phase II ESAs document that the Project area is not substantively affected by existing hazards or hazardous materials constraints that could affect on-site or off-site areas. Limited areas and concentrations of contaminants that were identified by the Project Phase I/Phase II ESAs are: below State of California threshold limit concentrations; below Preliminary Remediation Goal (PRG) concentrations established by the United States Environmental Project Agency (EPA); and/or were not present at levels above laboratory detection limits.[4]

Notwithstanding the above considerations, certain Project construction activities or operations could potentially generate other air pollutant emissions of concern. These considerations are addressed in the following discussions.

[4] Project *Phase I Environmental Site Assessment Update*, February 4, 2009, Pages 8-11.

Potentially Hazardous Air Pollutant Emissions

As noted previously, no schools exist or are proposed within on-quarter mile of the Project site. As such, Public Resources Code (PRC) Section 21151.4/ *CEQA Guidelines* Section 15186 notification requirements are not incumbent on the Project. However, as one component of this EIR, consideration has been given to potentially hazardous air emissions as they may generally affect area schools and other sensitive receptors in the Project vicinity. In these regards, the South Coast Air Quality Management District provides detailed instructions on assessing potential localized effects of air pollutant emissions concentrations. For the project, these potential localized effects of Project air pollutant emissions are addressed within the Project Health Risk Assessment (HRA); and Project Local Significance Thresholds (LST) analysis. Results of the Project HRA and LST analyses are summarized at Draft EIR Section 4.3, "Air Quality," and presented in detail in the Project Air Quality Impact Analysis, Draft EIR Appendix C. As discussed at Draft EIR Section 4.3, and within supporting Project Air Quality Impact Analyses, Project air pollutant emissions would not result in or cause potentially significant health risks, nor exceed applicable LST thresholds. As such, the Project does not constitute or represent toxic or hazardous emissions that would affect an existing or proposed school or other sensitive receptors.

Please refer also to Draft EIR Section 4.3, "Air Quality," as well as the detailed project Air Quality Impact Analysis presented at EIR Appendix C.

Level of Significance: Less-Than-Significant.

Mitigation Measures: No mitigation is required.

4.6 PUBLIC SERVICES

4.6 PUBLIC SERVICES

Abstract

This Section of the EIR addresses the Project's potential impacts to public services. Specifically, the public services analysis examines whether the Project would:

- *Result in or cause substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities; or result in the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire or police protection services.*

Public services including fire and police protection are currently provided to the Project area, and the Project would potentially increase demands for these services. Such potentially increased demands are addressed through the Project's physical design features, (e.g., fire protection systems such as sprinklers, and adequate security lighting), which act to reduce the extent and frequency of fire and police protection service calls. Further, fees and taxes paid by the Project will provide funds available for the purchase and maintenance of equipment and hiring of personnel commensurate with Project-related demands for fire and police services.

As supported by the discussion presented in this Section, the potential for the Project to adversely affect public services or to result in potentially adverse environmental impacts due to the construction or expansion of service facilities or systems is less-than-significant.

4.6.1 INTRODUCTION

For each of the public services discussed, existing service conditions are described, any improvements required to accommodate the proposed development are identified, and any resulting or associated impacts and required mitigation are discussed. The analysis is based on physical and operational attributes presented in the Project Description (EIR Section 3.0); information presented in the City of Moreno Valley General Plan; and information provided by the City of Moreno Valley Fire Department, and the City of Moreno Valley Police Department.

4.6.2 EXISTING CONDITIONS

4.6.2.1 Fire Protection Services

Fire protection services for the City of Moreno Valley are provided under contract with the Riverside County Fire Department. Riverside County Fire, which provides full-service fire protection along with a consolidated dispatch center for fire protection and emergency medical services, currently serves 21 contract cities as well as the unincorporated areas of Riverside County. The Riverside County Fire Chief also appoints the City's Fire Chief, who acts as the City's liaison to Riverside County Fire, and also oversees the City's Fire Prevention Bureau and Office of Emergency Management.[1]

The City of Moreno Valley is currently served by six fire stations, with a seventh station under construction and expected to open in late 2012. Of these facilities, Station 65 is nearest the subject site. This station is currently located at Kennedy Park, approximately one mile southeasterly of the Project site at 15111 Indian Avenue. Existing Station 6 (Towngate) is also located near the Project site, at 22250 Eucalyptus Avenue, approximately 1.5 miles to the northwest. Station 99 (Morrison Park), which is currently under construction but anticipated to be open prior to Project development, and Station 91 (College Park) are both located approximately three miles from the Project site. The location of these stations in relation to the Project site is illustrated in Figure 4.6-1.

[1] *Moreno Valley Fire Department Strategic Plan 2011-2022* (December 2011).

Source: Applied Planning, Inc.

Figure 4.6-1
Police and Fire Facility Locations

Station No. 65 is staffed around the clock by, at a minimum, one captain and two fire fighters (including one "fire apparatus engineer," and one "firefighter II paramedic") who operate the Station's primary "front-line" fire engine. This Station is also equipped with a reserve fire engine, which is currently unstaffed.[2] The *Moreno Valley Fire Department Strategic Plan* indicates that Station 65 is scheduled for relocation in 2015 or later. Property has been purchased by the City for the Station's new location at the northeast corner of Brodiaea Avenue and Rebecca Street, less than one-half mile east of the Project area.

4.6.2.2 Police Protection Services

Police protection for the Project site and vicinity properties is currently provided by the Moreno Valley Police Department, under contract with the Riverside County Sheriff's Department. The Police Department headquarters is located in the Public Safety Building near City Hall, at 22850 Calle San Juan de los Lagos, less than one mile northwest of the Project site. The location of the Police Department in relation to the Project site is also indicated at Figure 4.6-1.

Police protection services provided to the City in support of general law enforcement include a traffic unit; a problem-oriented policing (POP) team; a detective unit; and a school resources officers unit; in addition to a hazardous devices team, hostage negotiations team, special enforcement team, gang and narcotic investigation units, K-9 units (including narcotic detection), a bicycle team, and aviation unit. The Moreno Valley Police Department indicates current staff includes 196 sworn personnel.[3]

The Moreno Valley Police Department has implemented a strategy of "zone policing," in order to improve response times and increase officer familiarity with community areas, residents, and businesses. The Project site is located within Zone 3, Southern Moreno Valley, which includes areas south of Alessandro Avenue and west of Lasselle Street. The Crime Analyst for the Riverside County Sheriff's Department indicates that

[2] Telephone communication, August 9, 2012, Moreno Valley Fire Department administration.

[3] Telephone communication, August 15, 2012, Moreno Valley Police Department administration.

Citywide, response times for "Priority 1" calls (where circumstances involving a clearly defined threat to human life or property are involved) averaged 5.8 minutes in 2010.

Police staffing is evaluated as a ratio of sworn officers to population served. As of 2010, the City of Moreno Valley's population is estimated at 193,365 persons.[4] On this basis, the Moreno Valley Police Department currently staffs an estimated 1.01 sworn personnel per 1,000 City residents.

4.6.3 EXISTING POLICIES AND REGULATIONS

4.6.3.1 City of Moreno Valley General Plan

Applicable General Plan Objectives and supporting Policies and Programs are presented in the following Table 4.6-1. Following the Objectives and Policy/Programs statements, their applicability to the Project, as well as an assessment of Project consistency with and/or support of the stated Objectives and Policies/Programs, is provided.

Table 4.6-1
General Plan Public Services
Objectives and Policies/Programs Consistency

Objective/Policy	Applicability/Consistency
Objective 6.11 Maintain an integrated emergency management program that is properly staffed, trained, and equipped for receiving emergency calls, providing initial response, providing for key support to major incidents.	***Consistent.*** *As discussed herein, adequate emergency response (fire and police protection) services are available to the Project site. Mandated public safety improvement fees are collected prior to issuance of building permits. On this basis, the Project supports and is consistent with this General Plan Objective.*
Objective 6.14 Maintain the capacity to respond rapidly to emergency situations.	***Consistent.*** *As noted above, the Project will contribute to mandated public safety improvement fees which support the City's capital improvement goals in regard to emergency response facilities and personnel. On this basis, the Project supports and is consistent with this General Plan Objective.*
Objective 6.15 Ensure that uses within urbanized areas are planned and designed consistent with accepted safety.	***Consistent.*** *As discussed in this Section, Police and Fire Department personnel will review the Project site plan and design of proposed structures prior to the issuance of building permits to ensure their compliance with City standards.*

[4] U.S. Census Bureau, http://quickfacts.census.gov/qfd/states/06/0649270.html, accessed August 9, 2012.

4.6.4 STANDARDS OF SIGNIFICANCE

Consistent with the standards of significance outlined in the CEQA Guidelines, public services impacts resulting from implementation of the Project could be considered potentially significant if they caused or resulted in any of the following:

- Substantial adverse physical effects from the construction of new or altered government facilities needed to maintain acceptable service ratios, response times, or other performance objectives for fire or police protection services, schools, parks, or other public facilities.

4.6.5 POTENTIAL IMPACTS AND MITIGATION MEASURES

4.6.5.1 Introduction

The following discussions focus on areas where it has been determined that the Project may result in potentially significant public services impacts, based on the analysis presented within this Section and included within the EIR Initial Study (EIR Appendix A). That is, as substantiated in the Initial Study, the Project will not result in potentially significant impacts related to the provision of new or physically altered schools, parks, or other public facilities. The Project's potential to impact fire or police protection services are discussed below. Please refer also to Initial Study Checklist Items XIV, "Public Services."

4.6.5.2 Impact Statements

Potential Impact: ***Result in or cause substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities; or result in the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire or police protection services.***

Impact Analysis:

Fire Protection Services

As discussed previously in this Section, fire protection services for the Project would be provided under contract by the Riverside County Fire Department. The City of Moreno Valley is served by six active fire stations with a seventh station under construction; however, personnel and equipment from stations within other nearby areas of the County could also be dispatched to respond, if needed.

Fire Station No. 65 is nearest the subject site, and would provide first response. This station is currently located approximately one mile southeasterly of the Project site at 15111 Indian Avenue. It may be noted that this Station is planned to be relocated to a site at the northeast corner of Brodiaea Avenue and Rebecca Street, less than one-half mile east of the Project site, in 2015 (or later, depending on funding).

Each of the City's fire trucks includes a minimum of one paramedic among its staff, in order to respond to emergency medical calls and, if necessary, provide life support services. Ambulance services are currently provided under County contract and dispatched by Riverside County Fire's central dispatch. Patients in Moreno Valley are typically transported to Riverside County Regional Medical Center, a full-service hospital located approximately four miles east of the Project site.

Prior to issuance of building permits, the Project site plan and design of proposed structures will be reviewed by City and County Fire Department personnel to ensure compliance with Fire Department Conditions of Approval, to include emergency access and fire flow requirements, along with any fire prevention, protection, and/or suppression requirements (e.g., sprinkler systems, fire hydrants) as specified under existing City/County Ordinances and applicable Building Code and Fire Code provisions.

Moreover, the Project is required to comply with agency-specific criteria outlined in the Project Conditions of Approval. The Project will comply with these Conditions of

Approval and subsequent requirements of the Fire Department identified through the City's final site plan and plan check/building permit review processes. Compliance with these requirements acts to further reduce potential demands for, and impacts upon, fire department and emergency response services. It is also noted that the City's development impact fees will provide funding available to expand or enhance current fire protection services available to the Project and vicinity. The City of Moreno Valley, in consultation with Riverside County Fire, will ultimately determine the most effective use of revenues generated by the Project, and how they will be employed for the provision and enhancement of fire protection services.

Police Protection Services

For industrial facilities such as those proposed by the Project, provision and maintenance of adequate police protection services is typically realized through a combination of:

- Site and facility designs that incorporate appropriate safety and security elements; and

- Adequate Police Department funding and staffing.

The Project site plan and proposed facilities designs will be reviewed by the Moreno Valley Police Department to ensure the incorporation of appropriate safety and security elements throughout the Project, e.g., appropriate building security and alarm systems, adequate outdoor lighting, and defensible spaces. Concept designs of the Project presented at EIR Section 3.0, Project Description, illustrate site and security features such as parking area landscaping that supports visibility.

As discussed previously in this Section, police protection for the Project site and vicinity properties is currently provided by the Moreno Valley Police Department. The Police Department headquarters is located at 22850 Calle San Juan de los Lagos, less than one mile northwest of the Project site.

It is further noted that the City's required development impact fees, collected from all new development, will provide supplemental funding available to expand or enhance current police protection services available to the Project and vicinity. The City of Moreno Valley, in consultation with the Riverside County Sheriff's Department, will ultimately determine the most effective use of revenues generated by the Project, and how they will be employed for the provision and enhancement of police protection services.

Summary

Development of the Project would result in an incremental increase in the overall Citywide demand for fire protection and/or police protection services, which could result in additional staffing or equipment requirements. However, based on the availability of existing facilities and services to the subject site, the Project will not result in a potential need or requirement for new physical facilities, the construction of which would result in potentially significant environmental impacts. The Project is not anticipated to significantly affect existing response times or service ratios in regard to the provision of emergency services. Development impact fees and property tax revenues generated by the Project will provide funding sources available for support and enhancement of fire and police protection services. The City of Moreno Valley (through their contract with the Riverside County Fire Department) and the Moreno Valley Police Department administration (through their contract with the Riverside County Sheriff's Department) will ultimately determine the most effective use of revenues generated by the Project, and how these funds will be employed for the provision and enhancement of fire and police protection services.

Level of Significance: Less-Than-Significant.

Mitigation Measures: No mitigation is required.

5.0 OTHER CEQA CONSIDERATIONS

5.0 OTHER CEQA CONSIDERATIONS

This Section of the EIR addresses other environmental considerations and topics mandated under the *CEQA Guidelines (Guidelines)*. These topics include Cumulative Impacts, Alternatives to the Project, Growth Inducement, Significant and Unavoidable Environmental Effects of the Project, and Significant and Irreversible Environmental Changes that may occur as a result of the Project.

5.1 CUMULATIVE IMPACT ANALYSIS

CEQA requires that an EIR identify any significant cumulative impacts associated with a project [*Guidelines*, Section 15130 (a)]. When potential cumulative impacts are not deemed significant, the document should explain the basis for that conclusion. "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." [*Guidelines*, Section 15355 (a l)]. Thus, a legally adequate cumulative impact analysis is an analysis of a particular project viewed over time and in conjunction with other related past, present and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the project at hand. CEQA notes that the discussion of cumulative impacts should be guided by standards of practicality and reasonableness [*Guidelines*, Section 15130 (b)]. Only those projects whose impacts might compound or interrelate with those of the project under consideration require evaluation. CEQA does not require as much detail in the analysis of cumulative environmental impacts as must be provided for the project alone.

Potential cumulative impacts of the Project are considered in the context of known or probable development proposals, as well as anticipated generalized ambient growth of the region. As identified at Table 5.1-1, and illustrated in Figure 5.1-1, numerous (52) current or anticipated "related projects" have been identified within the cumulative scope of the RPT Centerpointe West Project. Related projects have been identified in consultation and coordination with the Lead Agency.

In addition to the related projects listed subsequently, the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis considers impacts that could be considered cumulatively considerable when viewed in the context of impacts from known or probable related projects, and impacts from generalized ambient growth of the City and region.

The cumulative impacts analysis considers the following environmental topics, either addressed within this EIR, or identified as potentially significant within the EIR Initial Study (EIR Appendix A):

- Land Use and Planning;
- Traffic and Circulation;
- Air Quality;
- Noise;
- Hazards/Hazardous Materials;
- Public Services (Fire and Police Protection); and
- Biological Resources.

With the exception of certain Project-related traffic, air quality, and noise impacts, which are forecast to remain significant and unavoidable even after application of all feasible mitigation, impacts under all EIR topical concerns are less-than-significant or less-than-significant as mitigated. Please refer also to the summary of impacts and mitigation measures presented at Draft EIR Table 1.10-1.

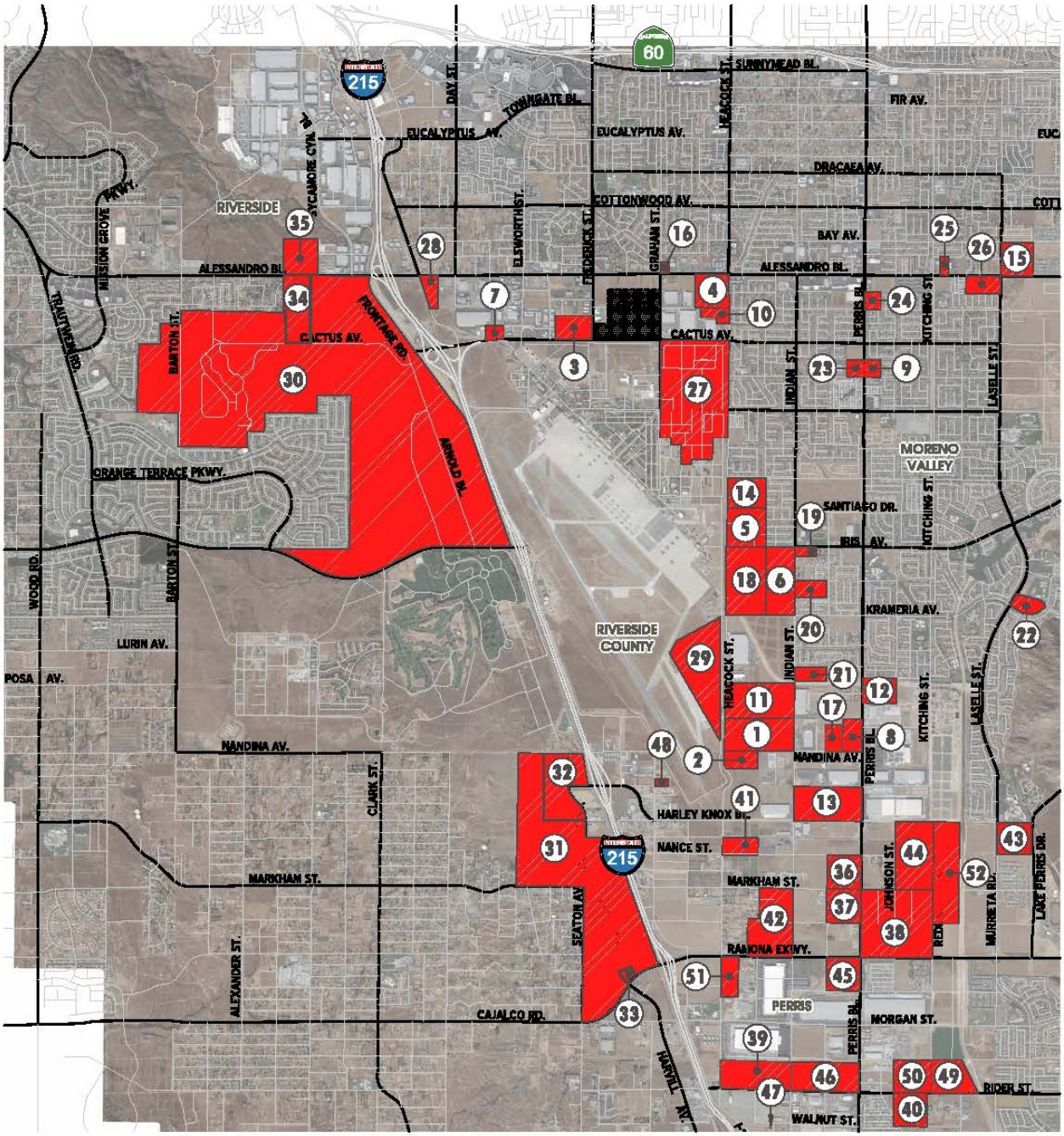
Table 5.1-1
Related Projects

TAZ	Project Name	Land Use	Quantity	Units
CITY OF MORENO VALLEY				
1	PA 06-0152 & PA 06-0153 (First Park Nandina I & II)	High-Cube Warehouse	1,182.918	TSF
2	PA 06-0014 (Pierce Hardy Limited Partnership)	Lumber Yard	67.000	TSF
3	PA 08-0072 (Overton Moore Properties)	High-Cube Warehouse	520.000	TSF
4	PA 04-0063 (Centerpointe Buildings 8 and 9)	General Light Industrial	361.384	TSF
5	PA 07-0035; PA 07-0039 (Moreno Valley Industrial Park)	General Light Industrial	204.657	TSF
		High-Cube Warehouse	409.920	TSF
6	PA 07-0079 (Indian Business Park)	High-Cube Warehouse	1,560.046	TSF
7	PA 08-0047-0052 (Komar Cactus Plaza)	Hotel	110	RMS
		Fast Food w/Drive Thru	8.000	TSF
		Commercial	42.400	TSF
8	First Inland Logistics Center	High-Cube Warehouse	400.130	TSF
9	TM 33607	Condo/Townhomes	54	DU
10	PA 08-0093 (Centerpointe Business Park II)	General Light Industrial	99.988	TSF
11	PA 06-0021; PA 06-0022; PA 06-0048; PA 06-0049 (Komar Investments)	Warehousing	2,057.400	TSF
12	PA 06-0017 (Ivan Devries)	Industrial Park	569.200	TSF
13	PA 09-0004 (Vogel)	High-Cube Warehouse	1,616.133	TSF
14	TM 34748	SFDR	135	DU
15	PA 08-0079-0081 (Winco Foods)	Discount Supermarket	95.440	TSF
		Specialty Retail	14.800	TSF
16	PA 09-0031	Gas Station	12	VFP
17	First Park Nandina III	High-Cube Warehouse	691.960	TSF
18	March Business Center	General Light Industrial	16.732	TSF
		Warehousing	87.429	TSF
		High-Cube Warehouse	1,380.246	TSF
19	TM 33810	SFDR	16	DU
20	TM 34151	SFDR	37	DU
21	TM 32716	SFDR	57	DU
22	TM 32917	Condo/Townhomes	227	DU
23	TM 33417	Condo/Townhomes	10	DU
24	TM 34988	Condo/Townhomes	251	DU
25	TM 34216	Condo/Townhomes	40	DU
26	TM 34681	Condo/Townhomes	49	DU
MARCH JOINT POWERS AUTHORITY (MARCH JPA)				
27	March Lifecare Campus Specific Plan 2	Medical Offices	190.000	TSF
		Commercial Retail	210.000	TSF
		Research & Education	200.000	TSF
		Hospital	50	Beds
		Institutional Residential	660	Beds

Table 5.1-1
Related Projects

TAZ	Project Name	Land Use	Quantity	Units
28	Alessandro Metrolink Station	Light Rail Transit Station	300	SP
29	Airport Master Plan	Airport Use	559.000	TSF
30	Meridian Business Park North	Industrial Park	5,985.000	TSF
COUNTY OF RIVERSIDE				
31	SP 341; PP 21552 (Majestic Freeway Business Center)	High-Cube Warehouse	6,200.000	TSF
32	PP 20699 (Oleander Business Park)	Warehousing	1,206.710	TSF
33	Ramona Metrolink Station	Light Rail Transit Station	300	SP
34	PP 22925 (Amstar/Kaliber Development)	Office (258.102 TSF)	258.102	TSF
		Warehousing	409.312	TSF
		General Light Industrial	42.222	TSF
		Retail	10.000	TSF
CITY OF RIVERSIDE				
35	P07-1028 (Alessandro Business Park)	General Light Industrial	652.018	TSF
CITY OF PERRIS				
36	P 05-0113 (IDI)	High-Cube Warehouse	1,750.000	TSF
37	P 05-0192 (Oakmont I)	High-Cube Warehouse	697.600	TSF
38	P 05-0477	High-Cube Warehouse	462.692	TSF
39	Rados Distribution Center	High-Cube Warehouse	1,200.000	TSF
40	Investment Development Services (IDS) II	High-Cube Warehouse	350.000	TSF
41	P 07-09-0018	Warehousing	170.000	TSF
42	P 07-07-0029 (Oakmont II)	High-Cube Warehouse	1,600.000	TSF
43	TR 32707	SFDR	137	DU
44	TR 34716	SFDR	318	DU
45	P 05-0493 (Ridge I)	High-Cube Warehouse	700.000	TSF
46	Ridge II	High-Cube Warehouse	2,000.000	TSF
47	Harvest Landing Specific Plan	SFDR	717	DU
		Condo/Townhomes	1,139	DU
		Sports Park	16.700	AC
		Business Park	1,233.401	TSF
		Shopping Center	73.181	TSF
	Perris Marketplace	Shopping Center	450.000	TSF
48	P 06-0411 (Concrete Batch Plant)	Manufacturing	2.000	TSF
49	Jordan Distribution	High-Cube Warehouse	378.000	TSF
50	Aiere	High-Cube Warehouse	642.000	TSF
51	P 08-11-0005; P 08-11-0006 (Starcrest)	High-Cube Warehouse	454.088	TSF
52	Stratford Ranch Specific Plan	High-Cube Warehouse	1,725.411	TSF

Source: RPT Centerpointe West TIA
Notes: TAZ= Traffic Analysis Zone [location]; SFDR = Single Family Detached Residential; DU = Dwelling Units; TSF = Thousand Square Feet



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NOT TO SCALE

Source: Urban Crossroads

Figure 5.1-1
Cumulative Development Location Map

5.1.1 DISCUSSION OF CUMULATIVE IMPACTS

Potential cumulative impacts by environmental concern or topical issue are discussed below. Assessments of potential cumulative impacts are based on development scenarios and growth projections presented in the City's General Plan, related analyses of cumulative impacts presented in the General Plan EIR, as well as potential cumulative effects of the previously-identified related projects.

5.1.1.1 Cumulative Impacts Related to Land Use and Planning

Implementation of the RPT Centerpointe West Project would result in the introduction of a new industrial use in an area of the City that is currently developed with similar uses. It is acknowledged that development of the Project would result in a permanent change to the vacant and undeveloped character of the Project area. Nonetheless, the Project is consistent with business park and light industrial land uses permitted by the site's existing General Plan designation. That is, the Project site is designated as "Business Park/Light Industrial" under the City's General Plan Community Development Element Land Use Map (Moreno Valley General Plan, Page 2-4), and is anticipated to develop with business park, light industrial, or similar uses. In order to allow for the comprehensive and cohesive development of warehouse distribution uses proposed by the Project, and establish consistency of the proposed uses with the City Zoning Ordinance, a change of zone (from Business Park Mixed Use to Light Industrial, LI) is requested for approximately 7.6 acres of the Project site (APN 297-120-027). The remainder of the Project site (approximately 48.6 acres) is zoned LI and currently permits or conditionally permits uses proposed by the Project. The zone change requested by the Project is consistent with the underlying General Plan Land Use designation and would not result in individually or cumulatively adverse land use impacts as discussed below.

As noted above, the Project proposes a zone change from Business Park Mixed-Use to Light Industrial for 7.6 acres of the 56.2-acre Project site, and the City General Plan envisions and allows for implementation of either or both types of land uses. General

Plan Business Park/Light Industrial Land Use designations exist along the northerly edge of Cactus Avenue, extending from the I-215/Cactus Avenue interchange westerly to Heacock Street, a distance of approximately 2.1 miles. The Project site's frontage along Cactus Avenue represents an approximately one-quarter mile component of these Business Park/Light Industrial land uses. In this regard, proposed development of the Project site with light industrial uses is consistent with envisioned General Plan buildout of the site and surrounding areas.

While the Project site in total is General Plan-designated for Business Park/Light Industrial Land Uses; and the majority of the Project site (48.6 of 56.2 acres) is zoned Light Industrial allowing for the Project uses, that portion of the Project site (7.6 acres, APN 297-120-027) that is zoned Business Park Mixed-Use (BPX) does not permit development of warehouse uses greater than 50,000 square feet as ultimately envisioned for this portion of the Project site. Nor does the BPX zoning designation allow for interim use of the affected site as a vehicle storage area as proposed by the Project. However, the Applicant-requested zone change to Light Industrial for the subject property would permit single structures of more than 50,000 square feet and would allow for use and improvement of the subject 7.6 acres as an improved vehicle parking area. The proposed zone change would not affect overall land use compatibilities or General Plan consistency, but would allow for development specific to the Project.

Key to compatibility of the Project's proposed Light Industrial zoning with adjacent land uses is design, implementation, and operation of the Project in a manner consistent with the enhanced performance standards required of uses proposed within the City's Light Industrial zone district. The Project design concepts and operational programs currently reflect requirements and performance standards of the Light Industrial zone district, or can reasonably accommodate these requirements and performance standards. All development plans will be reviewed by the City prior to the issuance of Building Permits to ensure that final designs are consistent with and support the City's Light Industrial zone district standards and requirements. Similarly, constructed

buildings within the Project site will be inspected prior to issuance of Certificate(s) of Occupancy to ensure compliance with Light Industrial zone requirements and standards. With approval of requested zone change from BPX to LI for 7.6 acres of the Project site (APN 297-120-027), potential Project-related land use impacts related to zoning consistency are determined individually to be less-than-significant.

As discussed in this EIR, the Project is further determined to be consistent with applicable areawide and regional plans, including the Riverside County-Multiple Species Habitat Conservation Plan (MSHCP); Southern California Association of Governments (SCAG) Regional Comprehensive Plan (RCP) and SCAG Regional Transportation Plan (RTP); Santa Ana Regional Water Quality Control Board-Basin Water Quality Plan (SARWQCB-Basin Plan); and South Coast Air Quality Management District-Air Quality Management Plan (SCAQMD-AQMP). In this regard, the Project will not discernibly nor cumulatively result in adverse impacts related to implementation of the identified regional plans.

As supported by the preceding discussion, the Project's potential contribution to cumulative land use impacts is not considerable, and the cumulative effects of the Project are determined to be less-than-significant.

5.1.1.2 Cumulative Impacts Related to Traffic and Circulation

Project-Specific Traffic and Circulation Impacts Are Less-Than-Significant

Potential Project-specific traffic impacts are addressed through implementation of on-site and off-site improvements and traffic impact Mitigation Measures 4.2.1 through 4.2.6. Project on-site improvements and implemented Mitigation Measures are required to be complete (or Mitigation fees are required to be paid) prior to issuance of the first Certificate of Occupancy for the Project. With completion of these improvements and implementation of required Mitigation Measures, all Project-Specific traffic impacts would be less-than-significant.

Certain Cumulative Traffic Impacts are Considered Significant Pending Completion of Planned/Programmed Areawide Improvements

As further discussed at EIR Section 4.2, under Opening Year Cumulative conditions, traffic generated by the Project, in combination with traffic resulting from area-wide development and "related projects," will result in potential LOS deficiencies at certain Study Area intersections and roadway segments, summarized below.

Intersections

Under Opening Year Cumulative conditions, Project traffic will incrementally contribute to cumulatively significant traffic impacts at the following locations:

- I-215 Southbound Ramps at Cactus Avenue;
- I-215 Northbound Ramps at Cactus Avenue;
- Elsworth Street at Cactus Avenue;
- Frederick Street at Cactus Avenue; and
- Graham Street at Cactus Avenue.

As discussed within this EIR and supporting Traffic Impact Analysis (Draft EIR Appendix B), area-serving traffic improvements are funded by fees collected and allocated under established programs (the Traffic Uniform Mitigation Fee [TUMF] Program; City of Moreno Valley Development Impact Fee [DIF] Program; and Project-related fair-share participation) which collectively provide for construction of necessary traffic improvements within the Study Area. To mitigate incremental contributions to cumulative traffic impacts affecting off-site roadways and intersections within the Study Area, the Project Applicant will pay requisite fees toward the construction of necessary improvements. Notwithstanding, payment of traffic impact fees does not ensure timely completion of those traffic improvements necessary to mitigate potentially significant cumulative traffic impacts affecting the Study Area. Moreover, neither the City nor the Applicant may autonomously or independently construct extra-jurisdictional traffic improvements, such as would be necessary to mitigate impacts to California Department of Transportation (Caltrans) facilities within the Study Area.

In these instances, while Project-specific traffic impacts would not be individually significant, no feasible means exist to mitigate these impacts, and the Project contributions to cumulative impacts would therefore be considered cumulatively considerable. On this basis, pending completion of required improvements, the Project's incremental contributions to Opening Year Cumulative traffic impacts at the following intersections are cumulatively considerable, significant and unavoidable (jurisdictional control of affected facilities is indicated parenthetically):

- ***I-215 Southbound Ramps at Cactus Avenue***(Caltrans jurisdiction);
- ***I-215 Northbound Ramps at Cactus Avenue***(Caltrans);
- ***Elsworth Street at Cactus Avenue*** (City of Moreno Valley jurisdiction);
- ***Frederick Street at Cactus Avenue*** (City of Moreno Valley); and
- ***Graham Street at Cactus Avenue*** (City of Moreno Valley).

Similarly, pending completion of the required improvements, the Project's contributions to Opening Year Cumulative traffic impacts at the following roadway segments are cumulatively considerable, significant and unavoidable:

- ***Cactus Avenue, I-215 Northbound Ramps to Commerce Center Drive***(Caltrans)**;**
- ***Cactus Avenue, Commerce Center Drive to Elsworth Street*** (City of Moreno Valley)**;**
- ***Cactus Avenue, Elsworth Street to Veterans Way*** (City of Moreno Valley)**;**
- ***Cactus Avenue, Veterans Way to Frederick Street*** (City of Moreno Valley)**;**
- ***Cactus Avenue, Frederick Street to Driveway 3*** (City of Moreno Valley)**;**
- ***Cactus Avenue, Driveway 3 to Driveway 4*** (City of Moreno Valley)**;** and
- ***Cactus Avenue, Driveway 4 to Graham Street*** (City of Moreno Valley)**.**

Cumulative Freeway Ramp Impacts and Mitigation

As also discussed in this Section, under Opening Year Cumulative Conditions, certain freeway ramp queues within the Study Area are projected to operate under deficient conditions, with or without the Project. The Project would contribute additional traffic to these already deficient conditions. Mitigation of freeway facility impacts is under extra-jurisdictional control (all freeway ramps in the Study Area are under Caltrans jurisdiction), and this is a regional/state responsibility beyond the control and scope of the Project. There are no feasible means for the Project to mitigate these impacts. ***As such, pending completion of planned improvements to I-215, the Project's contributions to Opening Year Cumulative freeway ramp queues at the following locations are cumulatively considerable, significant and unavoidable:***

- ***I-215 Southbound Ramps at Cactus Avenue, Westbound Left-turn (evening peak hour period);***
- ***I-215 Northbound Ramps at Cactus Avenue, Northbound Left-turn (morning and evening peak hour periods); and***
- ***I-215 Northbound Ramps at Cactus Avenue, Westbound Through Lane (morning peak hour only.***

All other potential cumulative impacts of the Project, at or affecting Study Area intersections and roadway segments, are less-than-significant, or are less-than-significant as mitigated.

Other Access and Circulation Considerations

As discussed at Draft EIR Section 4.2, emergency access to the Project site and vicinity would be unimpaired by Project development. More specifically, to ensure appropriate design and implementation of all Project access improvements; and that adequate emergency access has been provided, the final design of the Project site plan, to include locations and design of proposed driveways, shall be reviewed and approved by the City Traffic Engineer. Efficient and safe operations of the Project are provided by on-site and localized circulation and intersection improvements included as components of the

Project (see also EIR Section 3.0, Project Description, 3.6.4). Therefore, the Project's potential contribution to cumulative emergency access impacts is not considerable, and the cumulative effects of the Project with regard to emergency access are determined to be less-than-significant.

5.1.1.3 Cumulative Impacts Related to Air Quality

EIR Section 4.3, "Air Quality," and EIR Appendix C address potential air quality impacts of the Project. Conclusions and findings of the Project air quality analyses and any resulting cumulative impacts are summarized below.

Construction Source Air Quality Impacts

As discussed, with the application of mitigation, Project construction activities will not generate air pollutant emissions that would exceed applicable SCAQMD regional or localized thresholds. Impacts of Project construction source air pollutant emissions within regional and localized contexts are therefore not cumulatively considerable.

Operational Source Air Quality Impacts

Even after compliance with all rules and regulations, and implementation of Project design features and programs acting to control and reduce air pollutant emissions, operations of the Project will result in long-term emissions of volatile organic compounds (VOC) and oxides of nitrogen (NOx) that will exceed applicable SCAQMD regional thresholds. The Project's operational VOC and NOx emissions are therefore determined to be significant, long-term air quality impacts that would violate air quality standards (i.e., exceedances of SCAQMD VOC and NOx regional emissions thresholds). Cumulative impacts are similarly considered to be significant. ***VOC and NOx emissions regional threshold exceedances resulting from long-term operations of the Project are therefore determined to be individually significant and cumulatively considerable.***

The Project Air Quality Impact Analysis demonstrates further that localized impacts of operational air pollutant emissions are less-than-significant. Impacts of Project operational source air pollutant emissions within a localized context are therefore not cumulatively considerable.

Non-Attainment Impacts

Moreover, the Project site is located within non-attainment areas for ozone, NOx, and $PM_{10}/PM_{2.5}$. The fact that the Project generates long-term emissions of VOC and NOx in excess of SCAQMD thresholds (VOC and NOx collectively as ozone precursors, and NOx alone as an individually significant pollutant) indicates that the Project would also contribute considerably to cumulatively significant air quality impacts within the encompassing ozone and NOx non-attainment areas. ***On this basis, Project operational exceedances of VOC and NOx emissions thresholds will result in a cumulatively considerable net increase of these pollutants within the encompassing ozone and NOx non-attainment areas.***

Greenhouse Gas (GHG)/Global Climate Change (GCC) Impacts

In regard to the emission of greenhouse gases, the Project's Greenhouse Gas (GHG) Analysis (EIR Appendix C) indicates that Project design features, operational programs, and compliance with existing and anticipated GHG regulatory measures will act to limit and reduce Project GHG emissions consistent with applicable state strategies, including the California Air Resources Board (CARB) Scoping Plan's recommended measures, and the greenhouse gas emission reduction strategies set forth in the 2006 Climate Action Team (CAT) report. Project compliance with the Scoping Plan measures and CAT report strategies collectively implement and support the California Climate Solutions Act of 2006 (AB 32). Therefore, the Project would not hinder or delay implementation of AB 32. On this basis, the Project's individual impact on climate change is less-than-significant. Moreover consistency with the CARB Scoping Plan and the 2006 CAT Report supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

CO Hotspot Impacts

The Project will generate additional vehicular traffic, and therefore could generate mobile source emissions that could cause or contribute to adverse CO concentrations (CO "hotspots"). Potential CO hotspot impacts were evaluated in the Project Air Quality Impact Analysis (EIR Appendix C), and were determined to be less-than-significant. Less-than-significant CO hotspot impacts at the Project level are not cumulatively considerable.

HRA Impacts

Project operations could also result in or cause health risks/hazards due to mobile source diesel emissions (diesel particulate matter [DPM]) generated by Project truck traffic. Potential DPM source health risks (carcinogenic and non-carcinogenic) were evaluated in the Project HRA (EIR Appendix C), and were determined to be less-than-significant. Supplemental DPM source control and reduction measures proposed within this EIR would limit DPM source emissions locally and regionally, and in so-doing would further reduce the Project's already less-than-significant DPM impacts. Less-than-significant DPM source health risk impacts at the Project level are not cumulatively considerable.

Quantified areawide cumulative toxic air contaminant (TAC) cancer risk assessments are presented within *Multiple Air Toxics Exposure Study in the South Coast Air Basin, MATES III* (SCAQMD) 2006.[1] *The MATES III Study* shows that the region encompassing the Project site has an ambient TAC source cancer risk incidence of 641 per million persons (SCAQMD 2008, MATES III Carcinogenic Interactive Map). Cumulative DPM health risk effects of the Project in the context of existing background toxic air contaminant health risks affecting the Study Area are summarized at Table 5.1-2.

[1] DPM is included in MATES III cancer risk analysis (along with all other TAC sources) and accounts for the predominance (83.6%) of the total risk shown in MATES-III. The Project will not contribute cumulatively to TAC's other than DPM.

Table 5.1-2
Cumulative Cancer Risk Summary
(incidence per one million population)

	Background	Project Increment	Total Cumulative Risk
Maximum Impact to All Receptors Without Project	641		641
Maximum Residential Impact With Project	641	8.48	649.48
Maximum Worker Impact With Project	641	0.56	641.56
Maximum School Impact With Project	641	0.06	641.06

Sources: *RPT Centerpointe West Project Mobile Source Health Risk Assessment* (Urban Crossroads, Inc.) August 27, 2012; MATES III Carcinogenic Risk Interactive Map (SCAQMD) 2008. **(**http://www2.aqmd.gov/webappl/matesiii/)

Odor Impacts

The Project does not propose odor-generating operations or activities that would potentially adversely affect substantial populations. Any odors generated by the Project during construction or operations would be temporary and intermittent, with little or no effect at off-site land uses. Potential odor impacts were evaluated in the Project Air Quality Impact Analysis (EIR Appendix C) and were determined to be less-than-significant. Less-than-significant CO odor impacts at the Project level are not cumulatively considerable.

5.1.1.4 Cumulative Impacts Related to Noise

The cumulative impact area for noise considerations is generally defined as surrounding properties that could receive Project-generated noise (either construction or operational), and would also include roadway corridors affected by Project-related traffic and associated vehicular noise. Potential noise impacts of the Project are discussed at EIR Section 4.4, "Noise," and EIR Appendix D. As discussed within the EIR, even after compliance with regulations and application of mitigation measures, the Project's construction-source noise levels received at proximate receptor land uses will represent a substantial temporary periodic increase in ambient noise conditions compared to conditions without the Project. ***As such, Project construction source noise***

impacts are recognized as significant. Project contributions to cumulative noise impacts for the duration of construction activities are also recognized as cumulatively considerable. It is further recognized, however, that individual and cumulative construction noise impacts will be intermittent and transient, and will dissipate entirely at the conclusion of construction activities.

The Project's operational noise from area/stationary sources are less-than-significant, and there are no known potentially significant off-site noise sources that would interact with, or compound noise generated by Project operations, and so be determined to be cumulatively significant. Project operational noise generated by area/stationary sources is not cumulatively considerable

Project mobile source noise (traffic) will also contribute to area noise levels. Cumulative effects of Project mobile source noise are demonstrated by comparing roadway segment noise levels without the Project to those with the Project. To this end, Table 5.1-3 presents minimum and maximum cumulative noise impacts resulting from the Project's contributions to areawide mobile source noise levels. As indicated in Table 5.1-3, the Project's contributions to cumulative increases in noise levels along roadways within the Study Area would range from no increase to 3.9 dB.

As discussed at EIR Section 4.4, outside of controlled laboratory conditions, increases of less than 3.0 dB are considered inaudible. The Project's contributions of less than 3.0 dB to cumulative traffic noise exposure levels would therefore not be incrementally discernible. However, in those instances where the Project contributes more than 3.0 dB, the incremental increase in noise levels may be perceptible. Within the Study Area however, the resultant aggregate noise levels would not exceed City/State land use/noise compatibility standards; and in no instance would the resultant aggregate noise level cause an exceedance of the threshold condition of 65 CNEL.[2] The effects of

[2] In instances where the ambient conditions already exceed 65 dBA CNEL, additional mobile source noise contributed by the Project would range from 0.0 dBA to 0.4 dBA, and would not be perceptible.

Project traffic noise while potentially audible in certain instances, would not be significant or cumulatively considerable.

It is further noted that cumulative vehicular noise increases are broadly anticipated to occur within the Study Area due to long-term areawide traffic growth. These noise increases would occur irrespective of the Project. Any potential future noise impacts that would potentially affect land uses along the City's roadways would be mitigated on a development-specific basis, consistent with the City's Development Code and Building Code requirements.

Table 5.1-3
Incremental and Cumulative Traffic Noise Exposure Levels

Street	Segment	CNEL AT 100 FEET (dBA)							
		Existing			Opening Year (2017)				
		No Project	With Project	Project Increment	No Project	With Project	Project Increment	Cumulative Increase Existing to 2017 w/Project	Project Increment of Cumulative Increase
Alessandro Boulevard	West of Frederick Street	68.1	68.1	0.0	68.8	68.8	0.0	0.7	0.0
Brodiaea Avenue	East of Frederick Street	49.2	53.0	3.9	49.8	53.3	3.5	4.1	3.5
Brodiaea Avenue	Dwy. 6 to Graham Street	51.5	55.2	3.7	51.9	54.7	2.8	3.2	2.8

Source: *Harbor Freight Expansion* [RPT Centerpointe West] *Project Noise Impact Analysis, City of Moreno Valley, California* (Urban Crossroads) August 9, 2012

As supported by the preceding discussions, the Project's potential contribution to long-term cumulative noise impacts is not considerable, and the long-term cumulative effects of Project operational source noise are determined to be less-than-significant.

5.1.1.5 Cumulative Impacts Related to Hazards/Hazardous Materials

For the purposes of this analysis, the cumulative impact area when considering potential hazards and hazardous materials issues generally includes the area to be developed within the Project site, as well as off-site locations that might be affected by, or could contribute to, hazards or hazardous conditions resulting from the Project and its operations. These areas generally include properties abutting or adjacent to the Project site and those properties identified within the Project Phase I/Phase II Environmental Site Assessments (Phase I/II ESAs, EIR Appendix E). The cumulative hazards and hazardous materials impact discussions presented here summarize potentially hazardous effects or implications of the Project, and reflect long-term buildout conditions within the cumulative impact area.

As discussed at EIR Section 4.5, "Hazards and Hazardous Materials," historic and present uses within the Project site have not resulted in any hazards/hazardous conditions that would be considered potentially significant.

The Project does not propose uses or activities that would require substantive handling or use of hazardous materials, hazardous substances, or hazardous waste that could result in potential adverse effects. To the extent that such materials or substances may be present during Project construction or operations, they will be transported, stored, used, and disposed of consistent with the multiple and broad regulatory requirements.

It is further assumed that other development projects within the cumulative impact area will be subject to similar regulations regarding the handling and transport of hazardous materials, thereby avoiding or reducing the extent and scope of potential cumulative impacts in regard to hazardous materials exposure or release.

Potential air pollutant emissions hazards and associated health effects are also evaluated in this EIR and are determined to be less-than-significant, and not

cumulatively considerable. Please refer also to EIR Section 4.3, "Air Quality," and the technical air quality studies presented at EIR Appendix C.

Based on the preceding discussions, the Project's potential contribution to cumulative hazards/hazardous materials impacts is not considerable, and the cumulative effects of the Project are less-than-significant.

5.1.1.6 Cumulative Impacts Related to Public Services

As discussed at EIR Section 4.6, Public Services, the Project would not result in or cause potentially significant impacts to public services or utilities. Topical considerations under the general heading of Public Services are discussed below.

Police and Fire Protection Services

The cumulative impact areas for fire and police protection services are generally defined by respective fire protection and police protection service boundaries, though such agencies also provide extra-jurisdictional mutual support allowing for additional and supplemental services under emergency situations.

Cumulatively, the Project and other development in the City and surrounding communities will add to demands on fire protection, law enforcement, and emergency medical response services. Cumulative demands for these services are reduced through review and coordination of development projects with potentially affected service providers, and incorporation of appropriate design and construction elements which act to enhance safety and minimize potential hazards. The Project site and building plans are subject to review and approval by responsible fire protection and law enforcement agencies, acting to reduce or avoid potential increased demands on fire protection and law enforcement services.

Equipment, facilities, and staffing necessary to meet cumulative areawide demands for fire protection and law enforcement services are funded through payment of taxes and fees to support government services. Tax revenues and fees generated by the Project

will contribute to City funds available to improve facilities and equipment, and to hire and train additional staff and officers. Service providers, in combination with City decision-makers, will ultimately determine the most effective use of revenues generated by the Project, and how these may be employed for the provision and enhancement of police and fire protection services.

With specific regard to cumulative demand for fire protection services in the Project area, these services will be enhanced by planned construction of a new fire station to be located approximately one-quarter mile easterly of the Project site, at the northeast corner of Rebecca Street and Brodiaea Avenue.

It is assumed that, like the Project, other development proposals within the public services cumulative impact areas will similarly participate in the funding and improvement of area services; and that all development will be designed, implemented, and operated consistent with applicable agency requirements, thereby reducing potential cumulative impacts. Based on the preceding discussion, the Project's potential contribution to cumulative public services impacts is not considerable, and the cumulative effects of the Project are determined to be less-than-significant.

5.1.1.7 Cumulative Impacts Related to Biological Resources

The cumulative impact areas for biological resources are generally defined by available habitat, species' range(s), physical constraints, and various other limiting or defining factors. As discussed at Item IV. "Biological Resources" within the EIR Initial Study (*see*: Draft EIR Appendix A):

> The Project site is currently developed and/or disturbed by human activities, and has been substantially altered from its natural state. The site is devoid of any substantive natural habitat and in general has no significant biological resource value. Notwithstanding, the Project site and surrounding areas also serve as potential urban habitat for ground-nesting

> birds, and the area in general is also considered to have a low potential for the presence of the burrowing owl. Moreover, the Project site is located within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) burrowing owl survey area.
>
> Nesting birds in general, and the burrowing owl specifically, are federally protected under the Migratory Bird Treaty Act (MBTA). Additionally, the burrowing owl is a protected California Species of Concern (CSC). Accordingly, mitigation measures are incorporated in the Project to ensure protection of nesting birds (generally) and the burrowing owl specifically. Please refer to Mitigation Measures BR-1 and BR-2. With incorporation of proposed mitigation, potential impacts to migratory birds and the burrowing owl are less-than-significant. The Project does not otherwise have the potential to cause or result in a substantial adverse effect on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

Mitigation Measures BR-1 and BR-2, which were identified in the EIR Initial Study and are carried forward into this Draft EIR, reduce potential impacts to biological resources to levels that are less-than-significant. In this regard, mitigation of Project-specific biological resources impacts will also reduce the Project's potential incremental contributions to cumulative biological resources impacts within the region.

To the extent that each development proposal within the cumulative impact area(s) provides appropriate mitigation, cumulative impacts to biological resources are reduced to levels that are less-than-significant. Pursuant to the provisions of CEQA, each development project within the cumulative impact area that requires a discretionary action by a public agency will be assessed for its potential impacts on biological resources. Appropriate biological resources mitigation will also be required of other projects within the cumulative impact area(s).

With the application of Mitigation Measures BR-1 and BR-2, the Project's potential contribution to cumulative biological resources impacts is not considerable, and the cumulative effects of the Project are determined to be less-than-significant.

5.2 ALTERNATIVES ANALYSIS

Pursuant to *CEQA Guidelines* §15126.6, an EIR must describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain most of the basic Project Objectives, but would avoid or substantially lessen any of the significant environmental effects of the proposal. As further presented in the *Guidelines*, an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation. To this end, the *Guidelines* indicate that the range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision.

Consistent with the preceding provisions, the analysis presented here evaluates a reasonable range of alternatives to the Project that would potentially lessen the Project's environmental effects while allowing for attainment of most of the basic Project Objectives. As a point of departure, and for ease of reference in developing alternatives to the Project, the Project's significant environmental impacts and the Project Objectives are summarized and restated at Table 5.2-1.

In light of the Project's significant impacts and stated Objectives, the discussions presented at Section 5.2.2 provide supporting reasoning behind the selection of alternatives, together with a summary description of each alternative. Additionally, the rationale underlying the rejection of certain alternatives, including an alternative site for the Project, is discussed at Section 5.2.2, "Alternatives Considered and Rejected." The merits of the selected alternatives compared with the Project are subsequently described and evaluated at Section 5.2.3, "Comparative Impacts of Evaluated Alternatives."

Table 5.2-1
Summary of Significant Impacts and Project Objectives

Significant Environmental Impacts	
Environmental Consideration	**Comments**
TRAFFIC	The Project will construct, or pay required fees toward, completion of all necessary Study Area circulation system improvements. At the significantly-impacted locations noted below, the Project cannot feasibly construct the required improvements, and/or payment of fees will not assure their timely completion. **Project-Specific Significant Impacts** All Project-specific traffic impacts are less-than-significant, or are mitigated to levels that are less-than significant through application of the EIR Mitigation Measures. **Cumulative Intersection and Roadway Segment Impacts** Pending completion of required improvements, the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting the following intersections are cumulatively considerable, significant and unavoidable (jurisdictional control of affected facilities is indicated parenthetically)**:** • I-215 Southbound Ramps at Cactus Avenue (Caltrans); • I-215 Northbound Ramps at Cactus Avenue (Caltrans); • Elsworth Street at Cactus Avenue (City of Moreno Valley); • Frederick Street at Cactus Avenue (City of Moreno Valley); and • Graham Street at Cactus Avenue (City of Moreno Valley). Similarly, pending completion of required improvements, the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting the following roadway segments are cumulatively considerable, significant and unavoidable: • Cactus Avenue, I-215 Northbound Ramps to Commerce Center Drive (Caltrans); • Cactus Avenue, Commerce Center Drive to Elsworth Street (City of Moreno Valley); • Cactus Avenue, Elsworth Street to Veterans Way (City of Moreno Valley); • Cactus Avenue, Veterans Way to Frederick Street (City of Moreno Valley); • Cactus Avenue, Frederick Street to Driveway 3 (City of Moreno Valley); • Cactus Avenue, Driveway 3 to Driveway 4 (City of Moreno Valley); and • Cactus Avenue, Driveway 4 to Graham Street (City of Moreno Valley). **Cumulative Freeway Ramp Impacts** **P**ending completion of required improvements, the Project's contributions to Opening Year Cumulative freeway ramp queues at the following locations are cumulatively considerable, significant and unavoidable: • I-215 Southbound Ramps at Cactus Avenue, Westbound Left-turn (evening peak hour period); • I-215 Northbound Ramps at Cactus Avenue, Northbound Left-turn (morning and evening peak hour periods); and • I-215 Northbound Ramps at Cactus Avenue, Westbound through Lane (morning peak hour period).

Table 5.2-1
Summary of Significant Impacts and Project Objectives

Significant Environmental Impacts	
Environmental Consideration	**Comments**
AIR QUALITY	**Operational Pollutant Emissions Exceedances** Even after compliance with South Coast Air Quality Management District (SCAQMD) rules and regulations, and the application of EIR mitigation measures, operational pollutant emissions would exceed applicable SCAQMD regional emission thresholds for VOC and NOx. These impacts are therefore considered to be individually significant and unavoidable. **Cumulatively Significant Impacts** The above-noted Project-specific operational pollutant emissions exceedances are also cumulatively considerable, significant and unavoidable impacts. **Regional Non-Attainment Area Impacts** Project exceedances of regional emissions thresholds for VOC and NOx (ozone precursors), in combination with VOC and NOx emissions generated by other sources affecting regional non-attainment areas will result in a cumulatively significant air quality impacts within the encompassing ozone and NOx non-attainment areas. This is a cumulatively considerable, significant and unavoidable impact.
NOISE	**Project-Specific Significant Impacts** The EIR's noise analysis indicates that construction-related noise may temporarily and intermittently exceed the City's thresholds of significance at sensitive receptors in the Project vicinity. This is considered a significant Project-specific temporary noise impact. **Cumulatively Significant Impacts** Construction noise impacts when considered with ambient noise conditions would be cumulatively considerable and significant for the duration of Project construction.

Project Objectives

- Expand on the existing productive uses within the Project vicinity;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's proximate regional freeway access;
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation; and
- Develop a project that is compatible with surrounding land uses.

5.2.1 Description of Alternatives

Descriptions and the rationale for Alternatives to the Project considered in this EIR are presented below.

5.2.1.1 No Project Alternatives

The *CEQA Guidelines* specifically require that the Draft EIR include an evaluation of a No Project Alternative. Within this alternatives analysis, two different "No Project" scenarios have been evaluated. The first, referred to as the No Project/No Build Alternative, assumes the site would remain in its current undeveloped state. The second, referred to as the No Project/Existing Zoning Alternative, assumes future development of the subject site as allowed under the site's existing zoning. The "No Project" Alternatives are further described as:

No Project/No Build Alternative

The Project site is currently a vacant and predominantly undeveloped property.[3] Under the No Project/No Build Alternative (referred to hereafter as simply the No Build Alternative), the site would remain in its current, largely undeveloped state. Few, if any, changes would occur, and resulting environmental conditions under the No Build Alternative would largely correspond to the existing conditions/setting described throughout this Draft EIR.

No Project/Existing Zoning Alternative

The Project site is located in an area designated for business and industrial uses. The general vicinity is identified by existing site monumentation as a geographic portion of the recently constructed Centerpointe Business Park. If not developed under the Project considered here, continuing long-term vacancy of the subject property is considered unlikely in the context of the site's Business Park/Light Industrial General Plan Land Use designation; and continuing proximate development of light industrial/distribution warehouse facilities. If not occupied by development pursuant to the Project, the site

[3] A portion the Project site (approximately 9 acres located northerly of the existing Harbor Freight Tools warehouse) is improved for vehicle parking and exhibits surface improvements and security fencing.

would likely transition to some other business or employment-generating use considered desirable to the City.

Based on the preceding, the No Project/Existing Zoning Alternative (referred to hereafter as simply the No Project Alternative) describes the environmental conditions that will occur if the subject site is developed consistent with its existing zoning designations. That is, all but 7.59 acres of the 56.2-acre Project site is designated for Light Industrial uses. A single parcel, located at the northeast corner of Cactus Avenue and Frederick Street, has an existing zoning designation of "Business Park-Mixed Use," or "BPX." The No Project Alternative assumes that this parcel is developed with uses consistent with the BPX zone and at a conservative floor-area-ratio of 0.35, for a total of 115,717 square feet of BPX uses.

In order to allow for quantified comparison of potential traffic impacts and related vehicular-source air quality and noise impacts, the Project TIA has provided an estimate of trips based on the above-described existing zoning scenario. Table 5.2-2 compares trip generation under the existing zoning scenario to that projected to occur with the Project, for the 7.59-acre parcel only.

Table 5.2-2
Trip Generation Comparison (Project and No Project Alternative)

Description	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Total	
NO PROJECT ALTERNATIVE: Business Park-Mixed Use (BPX) (115.717 thousand square feet, TSF)[1]							
Passenger Cars	139	27	165	35	115	149	1,477
BPX Development Subtotal	**139**	**27**	**165**	**35**	**115**	**149**	**1,477**
PROJECT: High-Cube Warehouse Use (Building 2 only, 164.270 TSF)							
Passenger Cars	4	2	7	2	5	8	109
Truck Trips:							
2-axle	1	0	1	0	1	2	22
3-axle	3	1	4	2	3	5	66
4+axle	10	5	15	6	11	17	241

Table 5.2-2
Trip Generation Comparison (Project and No Project Alternative)

Description	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Net Truck Trips (PCE)	13	7	21	8	15	23	329
Building 2 Subtotal (PCE)	**18**	**10**	**27**	**10**	**20**	**30**	**437**
VARIANCE (PCE)	**(121)**	**(17)**	**(138)**	**(25)**	**(94)**	**(119)**	**(1,039)**

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.
Notes:
[1] Square footage based on 7.59-acre site and FAR (floor-to-area-ratio) of 0.35.
[2] Subtotals and Total Trips = passenger cars plus net truck trips (PCE).

As seen in Table 5.2-2, under the existing zoning, development of the 7.59-acre parcel with BPX uses would generate an estimated 1,039 more daily trip ends (on average) than would otherwise occur if the site were developed with distribution/warehouse uses proposed under the Project. On this basis, development of the entire site under existing zoning would result in a total of 4,449 average daily trips, compared to 3,409 average daily trips under the Project. The No Project Alternative would therefore result in a 30 percent increase over Project trip generation.

Based on the increase in vehicular trips described above, operational (mobile source) air pollutant emissions would also increase under the No Project Alternative. The resulting increase in operational emissions would be approximately proportional to the 30 percent increase in trip generation described above. Table 5.2-3 provides a comparison of operational emissions under the considered No Project Alternative and the Project. Because the total building area under the No Project Alternative is estimated to be similar to that of the Project (1,231,717 square feet versus the Project's 1,281,000 square feet), no adjustment has been made to area source emissions estimates.

As seen in Table 5.2-3, operational air pollutant emissions would increase under the No Project Alternative. It is acknowledged that fewer large truck trips would be generated under this Alternative. This reduction would result in a corresponding reduction in diesel particulate emissions as compared to the Project. However, generation of VOCs and NOx would continue to exceed SCAQMD thresholds.

Further, although no additional threshold exceedances would occur under the No Project Alternative, the emissions of criteria pollutants in total would be increased when compared to the Project.

Table 5.2-3
Summary of Operational Source Emissions (Maximum, Pounds Per Day)
Comparison of Project and No Project Alternative

Operational Activities	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
NO PROJECT ALTERNATIVE						
Area Source Emissions-Maintenance/Other	33.46	--	--	--	--	--
Area Source Emissions-Building HVAC	0.08	0.74	0.62	--	0.06	0.06
Mobile Source Emissions	63.26	621.41	479.67	1.52	135.08	24.30
Maximum Daily Emissions	**96.80**	**622.15**	480.29	1.52	135.14	24.36
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded	**YES**	**YES**	**No**	**No**	**No**	**No**
PROJECT						
Area Source Emissions-Maintenance/Other	33.46	--	--	--	--	--
Area Source Emissions-Building HVAC	0.08	0.74	0.62	--	0.06	0.06
Mobile Source Emissions	48.66	478.01	368.98	1.17	103.91	18.69
Maximum Daily Emissions	**82.20**	**478.75**	369.6	1.17	103.97	18.75
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded	**YES**	**YES**	**No**	**No**	**No**	**No**

Source: *RPT Centerpointe West Project Air Quality Impact Analysis* (Urban Crossroads, Inc.) August 2012.
Note: Worst case summer/winter emissions estimates from the Project Air Quality Impact Analysis are presented. Mobile source emissions levels have been adjusted proportionally (+30 %) to approximate increased trip/traffic generation conditions under the No Project Alternative.

As indicated in the preceding discussions, an aggregate increase in environmental impacts could be expected under the considered No Project Alternative. The significant and unavoidable impacts of the Project would not be reduced under the No Project Alternative.

5.2.1.2 Reduced Intensity Alternative

The Reduced Intensity Alternative assumes the same type of distribution warehouse land use proposed by the Project, but at a development intensity that is able to reduce or eliminate one or more of the Project's significant impacts. More specifically, the Reduced Intensity Alternative has been designed to reduce the intensity and scope of significant air quality impacts that would otherwise result from the Project. In that the same type of development is proposed under this Alternative, most of the Project Objectives would be achieved, albeit to a lesser extent.

The Air Quality Analysis prepared for the Project identified regionally significant operational air quality exceedances of SCAQMD thresholds for VOC and NOx. More specifically, even with application of mitigation, the Project operational VOC exceedance is approximately 1.47 times greater than the applicable SCAQMD regional threshold, and the Project's operational NOx exceedance is more than eight times greater than the applicable SCAQMD regional threshold. Operational emissions for both VOC and NOx are predominantly mobile source-generated, and are proportional to trip generation. Within a given land use type, trip generation is largely a function of development scope. As such, a reduction in Project VOC and NOx emissions could be achieved through a reduction in Project scope and resultant reduction in trip generation.

While it is not considered feasible to reduce the Project to one-eighth of the original scope, it is reasonable to evaluate a reduced development intensity that is approximately 66 percent of the Project intensity. At this reduction, the Project could achieve the applicable SCAQMD regional threshold for VOC. An alternative developed to achieve the previously-cited SCAQMD VOC emissions threshold would therefore require a minimum 34 percent reduction in development intensity when compared to the Project. This reduction in development intensity would provide decision-makers with a recognizably different alternative to the Project which would result in comparative reductions in environmental impacts.

In order to provide for ready visualization of the Reduced Intensity Alternative, this Alternative is assumed to provide for expansion of the existing Harbor Freight Tools facility (508,000 square feet) and the construction of Building 2 (165,000 square feet), for a total of 673,000 square feet of new warehouse distribution uses. Building 1, proposed to total an additional 608,000 square feet of building area, would not be constructed under this Alternative. On this basis, the Reduced Intensity Alternative would result in an approximate 47 percent reduction in development intensity when compared to the Project, and would therefore reduce VOC emissions to a less-than-significant level. It is also noted that the reduction in development intensity would also incrementally reduce operational NOx emissions otherwise occurring under the Project. Operational-source NOx emissions threshold exceedances would, however, persist as seen in Table 5.2-4.

Table 5.2-4
Summary of Operational Source Emissions (Maximum, Pounds Per Day)
Comparison of Project and Reduced Intensity Alternative

Operational Activities	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
PROJECT						
Area Source Emissions-Maintenance/Other	33.46	--	--	--	--	--
Area Source Emissions-Building HVAC	0.08	0.74	0.62	--	0.06	0.06
Mobile Source Emissions	48.66	478.01	368.98	1.17	103.91	18.69
Maximum Daily Emissions	**82.20**	**478.75**	369.6	1.17	103.97	18.75
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded	**YES**	**YES**	**No**	**No**	**No**	**No**
PROJECT						
Area Source Emissions-Maintenance/Other	17.73	--	--	--	--	--
Area Source Emissions-Building HVAC	0.04	0.39	0.33	--	0.03	0.03
Mobile Source Emissions	25.79	253.35	195.56	0.62	55.07	9.91
Maximum Daily Emissions	**43.56**	**253.74**	195.89	0.62	55.10	9.94
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded	**No**	**YES**	**No**	**No**	**No**	**No**

Source: *RPT Centerpointe West Project Air Quality Impact Analysis* (Urban Crossroads, Inc.) August 2012.
Note: Maximum summer/winter emissions estimates from the Project Air Quality Impact Analysis are presented. Mobile source emissions levels have been adjusted proportionally (-47 %) to approximate reduced trip/traffic generation under the Reduced Intensity Alternative.

Based on its overall reduced trip generation characteristics, the Reduced Intensity Alternative would also reduce the Project's incremental contributions to significant traffic impacts projected to occur within the Study Area. Table 5.2-5 provides a comparison of trip generation estimates for this Alternative with total trip generation for the Project.

Table 5.2-5
Trip Generation Comparison (Project and Reduced Intensity Alternative)

Description	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Total	
PROJECT: High-Cube Warehouse Use (1,281 thousand square feet)							
Total Trips (PCE)	**138**	**75**	**213**	**78**	**159**	**237**	**3,409**
REDUCED INTENSITY ALTERNATIVE: High Cube Warehouse Use (673 thousand square feet)[1]							
Total Trips (PCE)	73	39	112	41	83	124	1,789
VARIANCE (PCE)	**(65)**	**(36)**	**(101)**	**(37)**	**(76)**	**(113)**	**(1,620)**

Source: *Harbor Freight Expansion Project Traffic Impact Analysis* (Urban Crossroads, Inc.) August 6, 2012.
Notes:
[3] Square footage based on expansion of Harbor Freight Tools facility and construction of Building 2 only.
[4] Subtotals and Total Trips = passenger cars plus net truck trips (PCE).

By reducing the Project's vehicular trips, the Reduced Intensity Alternative would diminish, but not completely avoid Project-specific impacts anticipated at the intersection of Cactus Avenue and Elsworth Street under Opening Year conditions. Further, with or without the Project, cumulative impacts within the Study Area would remain significant pending completion of required improvements. The Reduced Intensity Alternative would also tend to reduce the duration and intensity of construction-related noise impacts; however, impacts would remain significant. Other long-term environmental effects considered in this Draft EIR (i.e., Land Use, Hazards and Hazardous Materials, and Public Services), although found to be less-than-significant, would be further diminished under the Reduced Intensity Alternative.

5.2.2 Alternatives Considered and Rejected

5.2.2.1 Alternative Site Considered and Rejected

As stated at *Guidelines* Section 15126.6 (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location." As discussed in the body of the Draft EIR and summarized previously in Table 5.2-1, the Project will result in the following significant impacts:

- Individually and cumulatively significant traffic impacts;
- Long-term regional operational air pollutant emissions exceedances, and related cumulative air quality impacts; and
- Temporary construction-source noise impacts, also considered to be cumulatively significant for the duration of construction activities.

All other potential Project impacts are determined to be either less-than-significant, or less-than-significant after mitigation.

In the case of the proposed Project, relocation to an Alternative Site within the City of Moreno Valley is not likely to achieve any measurable reduction in the Project's cumulative traffic impacts. Traffic to/from distribution warehouses inherently relies on and employs regional transportation facilities (e.g., regional and interstate freeways). For warehouse uses within the City, traffic arrives and departs via freeways under the jurisdiction and control of Caltrans. Certain of the Project's significant cumulative traffic impacts would occur at, or would require improvement of, Caltrans jurisdictional freeway facilities. Ultimately, planned and programmed improvements to Caltrans facilities would alleviate regionally and locally cumulatively significant impacts, including the Project's contributions to these impacts. Such improvements however are beyond the scope and purview of the Lead Agency and the Applicant. If not implemented at the current site, the Project uses would still contribute essentially the same volumes and types of traffic to Caltrans facilities, resulting in significant traffic impacts similar to those of the current Project at its current location; the impacts

differentiated principally (if not solely) by their location(s) within the freeway system serving the City.

Similarly, the widening of local roadways to General Plan Circulation Element standards is an ongoing process, undertaken in conjunction with the development of vacant or underutilized properties throughout the City. As such, it is highly unlikely that a suitable Alternative Site could be identified that would distribute Project trips only to roadways that already been improved to their ultimate RCTC and/or Moreno Valley General Plan configurations, thus avoiding the Project's significant impacts at intersection, roadway segment, and freeway ramps.

In regard to air quality impacts, the Project's vehicular operational emissions may be incrementally reduced by relocating the Project closer to I-215; however, because the Project site is located less than one mile from the freeway, it is not anticipated that the resulting trip length reductions would be sufficient to achieve regional emissions thresholds. Moreover, trip length functions of the Project and resulting modeled emissions are more a product of the type of use proposed, rather than its location proximate to any given transportation facility.[4]

In regard to noise impacts, the Project's long-term, operational noise levels were found to be within those allowed under the City's noise standards. Temporary exceedances of noise standards are anticipated to result from Project construction. Construction-source noise resulting from development of the Project is not atypical in degree or intensity and is a common consequence of building activity. However, this type of noise would likely exceed City thresholds wherever the Project was located, since sensitive receptors (including homes, schools, community centers, churches, medical facilities, and hotels) are located throughout the community.

[4] Consistent with SCAQMD guidance, a weighted average one-way trip length of 40.76 miles is applied to trip lengths for vehicles accessing the distribution warehouse land use proposed by the Project. This trip length is reflected in the CalEEMod estimates of Project vehicular source emissions.

Additionally, the Project has been proposed primarily in order to expand the ongoing operations of the existing Harbor Freight Tools facility. Because this facility operates successfully from its current, fixed location, the relocation of the Project to an Alternate Site would not allow for the benefits of this expansion, and would obviate the need for the Project. Based on the preceding considerations, the analysis of an Alternative Site was not considered further.

5.2.2.2 No Threshold Exceedance Alternative for Traffic Considered and Rejected

While specific improvements identified in the TIA and summarized in Draft EIR Section 4.2 could provide a physical solution to identified significant traffic impacts at Caltrans facilities, the recommended improvements cannot be feasibly implemented due to jurisdictional constraints. Under the Opening Year Cumulative scenario, which reflects traffic from ambient growth as well as the cumulative effect of traffic from related development projects, any measurable Project-related traffic contributed to already congested locations would result in significant traffic impacts, requiring some manner of currently infeasible mitigation. In that any distribution-related development of the subject site would generate trips affecting some Caltrans facilities, an alternative to the Project developed specifically to alleviate significant traffic impacts was not further evaluated.

5.2.2.3 No Threshold Exceedance Alternative for Air Quality Considered and Rejected

As reflected in the Project's Air Quality Impact Analysis, (Draft EIR Appendix C) and summarized at Draft EIR Section 4.3, "Air Quality," even after application of all feasible mitigation, Project operations would generate approximately 450.43 pounds per day of NOx emissions, and would therefore exceed SCAQMD's regional emissions threshold for NOx (55 pounds per day) by a factor of approximately 8.19. Reductions of Project NOx emissions by more than 80 percent would therefore be required in order to comply with SCAQMD regional thresholds for NOx emissions. In that Project NOx emissions are predominantly generated by mobile sources (Project traffic), comparable >80 percent reductions in Project traffic generation would be required. While maintaining the Project function as a distribution warehouse, this reduction in traffic generation would require a comparable >80 percent reduction in Project scope.

While it is recognized that not all Project operations and activities contribute equally to the above-noted exceedances, Project operations and activities are interdependent to the extent that reductions in capacity or operations leading to a corresponding reduction in vehicular trips would be necessary to substantively reduce air pollutant emissions. In gross terms, Project Operations would need to be reduced by more than 80 percent in order to achieve the SCAQMD operational threshold for NOx. At such a significant reduction in scope, the Project would be economically unviable, and would bear little in common with the initial Project concept. Further, at such reductions in scope, none of the Project Objectives would be realized in any meaningful sense. In terms of its practical application, such a reduction in scope would constitute a "no build" condition. For these reasons, an alternative based on a scenario developed specifically to achieve SCAQMD operational emissions thresholds for NOx was not further considered.

5.2.2.4 No Threshold Exceedance Alternative for Noise Considered and Rejected

As discussed at Draft EIR Section 4.4, "Noise," even after compliance with all regulations, and application of proposed mitigation measures, noise generated by Project construction activities will temporarily result in exceedance of the City's Noise Ordinance Standards criteria at sensitive receptors located nearest the Project site. This impact is recognized as significant.

Although construction noise impacts are currently recognized as significant, in all likelihood such exceedances will occur intermittently and would be of limited duration, occurring only during Project construction. Moreover, these impacts peak initially with the use of heavy equipment in areas proximate to sensitive receptors in the early construction stages, will diminish of the course of construction activities, and will dissipate entirely at Project completion. Based on the above considerations, an alternative based on a scenario developed specifically to address these temporary and interim construction noise impacts was not further considered.

5.2.3 Comparative Impacts of Evaluated Alternatives

For each environmental topic addressed in the Draft EIR, the following discussions present a narrative assessment of comparative impacts. The environmental impacts of each of the considered Alternatives are described relative to the identified impacts of the Project. Relative attainment of the Project Objectives is also discussed as part of the evaluation of Alternatives.

For ease of reference, the following Table 5.2-6 summarizes the development capacity, trip generation, and employment generating potentials of the Project (provided as a baseline) and the alternatives that have been selected for evaluated within this Section. Trip generation has been summarized based on the Trip Generation Factors provided in the Project TIA (Draft EIR Appendix B).

Factors from the Riverside County Integrated Plan's 2003 General Plan (available for review at http://www.rctlma.org/genplan/content/appendix/appendixe.html) have been utilized to determine employment-generating potential. For warehouse/distribution uses, the County's Light Industrial factor of one job per 1,030 square feet of development has been employed; and for Business Park uses, the Commercial Office factor of one job per 300 square feet of development has been used.

Table 5.2-6
Development Capacity Summary for Project and Evaluated Alternatives

Description	Development Type	Total Area (sq. ft.)	Trip Generation	Estimated Employees[1]
Project	Warehouse/Distribution Uses	1,281,000	3,409	1,244
No Build Alternative	None	0	0	0
No Project Alternative	Warehouse/Distribution Uses	115,717	2,972	386
	Business Park Uses	1,116,000	1,477	1,083
	Total	1,231,717	4,449	1,469
Reduced Intensity Alternative	Warehouse/Distribution Uses	673,000	1,789	653

Source: Applied Planning, Inc.
Notes:
[1] Employment generation factors provided by *Riverside County Integrated Project,* adopted October 7, 2003, General Plan Appendix E: "Buildout Assumptions and Methodology."

As indicated in the following discussions, under the No Build Alternative, the Project site would remain in its undeveloped state, and few (if any) environmental concerns would be created and/or impacted. However, employment and economic benefits otherwise accruing to the City and region would not be realized.

The No Project Alternative would likely increase the extent and/or intensity of significant air quality and traffic and impacts otherwise occurring under the Project. The basic Project Objectives would be achieved under the No Project Alternative. This alternative would increase the total number of jobs anticipated to be created (1,469 jobs) when compared to the Project (1,244 jobs).

The Reduced Intensity Alternative would diminish the extent of significant traffic, air quality, and noise impacts otherwise occurring under the Project. However, these impacts would likely remain significant. The Reduced Intensity Alternative would achieve the basic Project Objectives, with substantially curtailed jobs (approximately 653 jobs, based on a 47 percent reduction in size), tax and related economic benefits to the City and the region.

5.2.3.1 Comparative Land Use Impacts

In order to implement the Project, while precluding or reducing potential land use impacts, the following discretionary actions by the City of Moreno Valley are necessary:

- Certification of the EIR;
- A zone change from Business Park to Light Industrial will be necessary to accommodate the Project;
- Joy Street Right-of-Way Vacation (may be included as an element of the proposed Parcel Map);
- Development Plan Review; and
- Parcel Map Approval.

In addition, approvals may also be required by the South Coast Air Quality Management District (SCAQMD) for equipment to be temporarily employed during construction, and/or permanently used over the life of the Project. Approval of the requested actions, together with Project compliance with requirements incorporated therein, will reduce potential land use impacts of the Project below levels of significance.

No Build Alternative

The No Build Alternative assumes the site would remain in its current undeveloped state for the foreseeable future. The No Build Alternative would not require discretionary actions or mitigation measures necessary to preclude or reduce potential land use impacts. Implementation of the No Build Alternative would not require a zone change as requested under the Project. Potential land use impacts of the No Build Alternative would be reduced when compared to the Project.

No Project Alternative

The No Project Alternative assumes development of the subject site consistent with the existing zoning designations. These include "Light Industrial" for the majority of the site, and "Business Park-Mixed Use" for a single, 7.59-acre parcel located northeasterly of the intersection of Cactus Avenue and Frederick Street. For illustrative and comparative purposes, the No Project Alternative considered herein assumes that the parcel zoned for BPX uses (identified under the Project for the proposed development of "Building 2") would instead be developed with a mix of compatible business support and convenience commercial uses. As indicated in Table 5.2-3, the overall intensity of development under this Alternative (1,231,717 total square feet of new construction compared to 1,281,000 square feet under the Project) would be decreased slightly.

It is assumed that, like the Project, the No Project Alternative would incorporate all other actions and mitigation measures necessary to preclude or reduce potential land use impacts. Implementation of the No Project Alternative would not require a zone

change as requested under the Project. In this sense, potential land use impacts of the No Project Alternative would be reduced when compared to the Project.

Reduced Intensity Alternative

Implementation of the Reduced Intensity Alternative assumes that the intensity of the Project would be reduced by approximately 47 percent, based on the elimination of the Project's proposed Building 1 from the Project site. This reduction in development intensity would result in approximately 673,000 square feet of new warehouse/distribution uses within the approximately 56-acre site. In this regard, more than one-quarter of the subject site would remain vacant, which may not be considered the "highest and best use" for this property. As with the Project, the Reduced Intensity Alternative would require a zone change for the parcel supporting the proposed Building 2, from Business Park-Mixed Use to Light Industrial. It is assumed that, like the Project, the Reduced Intensity Alternative would incorporate all other actions and mitigation measures necessary to preclude or reduce potential land use impacts. Potential land use impacts of the Reduced Intensity Alternative would be comparable to the Project.

Comparative Land Use Impacts Summary

Under all of the considered Alternatives or the Project, potential land use impacts are determined to be less-than-significant. Under the No Build Alternative, no discretionary action or zone change would be required. Under the No Project Alternative a zone change would not be required. Other necessary actions would be comparable to the Project. Under the Reduced Intensity Alternative, necessary actions, including a zone change from "Business Park-Mixed Use" to "Light Industrial" for a parcel within the site would be similar to those requested by the Project. Total development within the subject property would be discernibly reduced (by approximately 47 percent) under the Reduced Intensity Alternative.

5.2.3.2 Comparative Traffic/Transportation Impacts

As discussed in Draft EIR Section 4.2, "Traffic and Circulation," implementation of the Project would result in an increase of approximately 3,409 new trips (PCE) on the Study Area roadway system. Of these additional trips, 213 would occur during the morning peak-hour period, and 237 would occur during the evening peak-hour period.

Improvements required of the Project, together with implementation of programmed areawide traffic improvements, to which the Project is a participatory contributor, will ultimately provide adequate Level-of-Service (LOS) conditions along potentially affected Study Area roadway segments and at Study Area intersections. Project traffic impacts occurring at certain intersections, roadway segments and freeway ramps within the Study Area are projected to be cumulatively significant under Opening Year Cumulative conditions. In this regard, the Project would contribute additional traffic to pre-existing deficiencies, and these deficiencies would occur irrespective of the Project.

No Build Alternative

Under the No Build Alternative, the Project site would not generate any additional traffic. No mitigation would be required, nor would the Project Applicant provide funding toward future off-site roadway improvements. Significant impacts at Study Area intersections, roadway segments, and freeway ramps under cumulative conditions would, however, persist under the No Build Alternative due to the addition of traffic from ambient growth and the development of related projects.

No Project Alternative

The No Project Alternative assumes development of the subject site consistent with existing zoning designations. As indicated previously at Table 5.2-2, the Project TIA's estimate of trip generation under the No Project (existing zoning) Alternative shows that daily trip generation would be approximately 30 percent greater than would be generated by the Project. Proportional increases in AM and PM peak hour trip generation could also be expected.

Reduced Intensity Alternative

The Reduced Intensity Alternative would realize approximately 673,000 square feet of distribution warehouse facilities within the subject site. Trip Generation under the Reduced Intensity Alternative represents a reduction of approximately 47 percent in daily trips compared to the Project, with a similar reduction in peak-hour trips, as reflected in the preceding Table 5.2-5.

Comparative Traffic Impacts Summary

No traffic impacts would occur as a result of the No Build Alternative. However, no fees toward future improvements would be collected from the Project Applicant. Deficiencies on Study Area roadway facilities resulting from cumulative growth would persist under implementation of the No Build Alternative.

Potential traffic impacts could be substantively increased under the No Project Alternative, and when compared to the Project, would likely require additional mitigation and increased fair share fee payments. Significant traffic impacts under Opening Year Cumulative conditions would persist and likely be exacerbated due to increased traffic generation under the No Project Alternative.

Based on projected decreases in daily and peak-hour trip generation, area-wide traffic impacts under the Reduced Intensity Alternative would likely be decreased compared to the Project. The extent of area-wide traffic improvements and required traffic impact mitigation would also likely decrease under this Alternative. Significant traffic impacts under Opening Year Cumulative conditions would persist with or without development under the Reduced Intensity Alternative. This Alternative would contribute additional traffic, though less than the Project, affecting cumulative deficiencies that are anticipated to affect Study Area roadway facilities.

5.2.3.3 Comparative Air Quality Impacts

Future development of the site as proposed under the Project would result in increased local and regional air pollutant emissions. Project-related construction emissions as well as operational emissions, including greenhouse gas emissions, from motor vehicles and area sources, would be generated. As presented at Draft EIR Section 4.3, "Air Quality," certain emission levels resulting primarily from vehicular operations of the Project would be considered significant (SCAQMD VOC and NOx regional threshold exceedances). Regional air quality impacts involving cumulative contributions to ozone and NOx non-attainment conditions are also determined to be significant impacts of the Project. No feasible mitigation has been identified that would reduce these impacts below significance thresholds. On this basis, Project-specific operational impacts, and associated cumulative regional air emissions impacts are determined to be significant.

Construction Emissions Summary

Under the No Build Alternative, the site would remain in its current state and no construction would occur. Under the No Project Alternative, total building area would be similar to that of the Project (1,231,717 square feet versus the Project's 1,281,000 square feet), so construction-related emissions would be similar to those of the Project. Under the Reduced Intensity Alternative, although the scale of development would be substantially reduced, the maximum construction emissions levels would likely be comparable to the Project, since similar increments of daily site disturbance and phased construction would occur. While this Alternative could be constructed within a shorter time frame, construction-source emissions would likely remain similar to those estimated to occur under the Project. Potential construction source emission impacts would therefore likely be less-than-significant under any of the considered Alternatives.

Operational Emissions

The Project's significant operational air quality impacts consist of exceedances of SCAQMD regional thresholds for VOC and NOx emissions. Approximately 97 percent of the Project's operational air pollutant emissions (total pollutants by weight) are generated by mobile sources (vehicles) as opposed to area sources (e.g., building HVAC

systems, site maintenance activities). Proportionally, vehicular sources account for approximately 60 percent of the Project's operational VOC emissions, and virtually 100 percent of NOx emissions.

Also, as documented in the Project Health Risk Assessment (presented in Draft EIR Appendix C), the Project does not exceed risk thresholds for toxic air contaminants as established by the SCAQMD. Supplemental mitigation measures proposed within this EIR will further reduce the Project's already less-than-significant DPM source emissions impacts. These measures are consistent with attributes of contemporary distribution warehouses in the Basin, and are recommended as means to generally reduce local and regional DPM-source cancer risk impacts.

The project would not result in or cause any potentially significant localized air pollutant emissions impacts including potential creation of CO "hot spots." Applicable SCAQMD localized significance thresholds (LSTs) would not be exceeded, nor would the Project generate CO concentrations, or otherwise cause CO concentrations within the Study Area to exceed applicable CAAQS/NAAQS.

No Build Alternative

No Project-related emissions would occur under the No Build Alternative. The regional SCAQMD threshold exceedances resulting from operations under the Project would be avoided under the No Build Alternative.

No Project Alternative

As noted above, air pollutant emissions generated by the Project are predominantly the product of motor vehicle use. The No-Project Alternative would generate approximately 30 percent more traffic than that generated by the Project. Proportional increases in mobile source pollutant emissions would be expected. However, based on the implementation of Business Park-Mixed Use facilities on a portion of the site, the vehicle mix under the No Project Alterative may reflect a decrease in heavy truck traffic, with related decreases in diesel emissions when compared to the Project. Other

individual pollutant profiles would likely be unaffected or would proportionally increase compared to the Project. LSTs would not be exceeded, nor would CO hot spots result. However, significant VOC and NOx emissions regional thresholds exceedances occurring under the Project would persist, and such exceedances would be incrementally greater under the No Project Alternative.

Reduced Intensity Alternative

Compared to the Project, the Reduced Intensity Alternative was specifically developed to achieve at least a 34 percent reduction in operational VOC emissions and thereby realize the SCAQMD operational emissions regional threshold for VOC. The preceding Table 5.2-4 provides comparison of operational emissions under the Reduced Intensity Alternative and the Project. There would be no substantive qualitative or quantitative differences in area source emissions generated by the Project and the other considered Alternatives, and area emissions are assumed to be approximately equal in all cases.

As indicated at Table 5.2-4, the Reduced Intensity Alternative would avoid the VOC emissions threshold exceedances otherwise occurring under the Project, and would result in generally lower emissions levels under all criteria pollutant categories. NOx threshold exceedances that would occur under the Project would also occur under the Reduced Intensity Alternative, but the degree of exceedance would be decreased. Already less-than-significant LST and CO hot spot impacts would be further reduced.

Health Risk Assessment Summary

Under the No Build Alternative, diesel particulate emissions would not be generated onsite because no development would occur. Under the No Project Alternative, although overall trip generation would increase, the number of diesel trucks would decrease, since a portion of the site would be developed with Business Park-Mixed Use facilities, which generate a greater percentage of passenger car trips (rather than truck trips) when compared to the Project. More specifically, under the Reduced Intensity Alternative, truck trips would be reduced by nearly half when compared to the Project, with corollary reductions in diesel emissions. As such, potential health risk impacts

related to diesel particulate emissions would likely be considered less-than-significant under any of the considered alternatives.

Greenhouse Gas Emissions Summary

Under the No Build Alternative, the site would remain in its current state and no new greenhouse gas emissions would be created. Although trip generation (the primary source of a land use project's emissions) would vary substantially between No-Project and Reduced Intensity alternatives, development under either of these alternatives would likely result in a redistribution of existing mobile emissions, rather than the generation of new vehicle trip emissions. Construction and operational emissions would be limited through mandated compliance with applicable greenhouse gas reduction strategies similar to those discussed in this Draft EIR. As such, potential greenhouse gas emission impacts would likely be considered less-than-significant under any of the considered alternatives.

Odor Impact Summary

Substantive odor-producing facilities or operations would not occur under any of the considered Alternatives. Odor impacts would not occur or would be less-than-significant.

Comparative Air Quality Impacts Summary

Potential air pollutant emissions relative to construction, diesel particulate matter, and greenhouse gases were found to be less-than-significant for the Project, and would be similarly less-than-significant under each of the examined Alternatives. Project-related operational emissions of VOC and NOx, which were identified as cumulatively significant, would not occur under the No Build Alternative, but would be increased under the No Project Alternative. Under the Reduced Intensity Alternative, which was scoped specifically to reduce the Project's VOC exceedance, reductions in all criteria pollutants would occur; however, NOx emissions would continue to exceed SCAQMD thresholds. All other operational-source air pollutant emissions would be less-than-significant under the Reduced Intensity Alternative.

5.2.3.4 Comparative Noise Impacts

Construction Noise

Under the Project, construction noise would likely affect proximate sensitive land uses, and would be considered a temporary and intermittent significant impact. Construction-source noise levels would tend to diminish as construction progresses and heavy equipment operations within the site, and particularly at the site boundaries, is concluded. It also recognized that construction-related noise would be appropriately regulated by established City ordinances so as to be reduced to the extent feasible.

No Build Alternative

Under the No Build Alternative, the current noise environment would remain unchanged. Construction noise would not occur and mitigation would not be required.

No Project Alternative

The intensity of development assumed for the No Project Alternative is similar to that of the Project; therefore, construction noise impacts are considered equivalent to those of the Project.

Reduced Intensity Alternative

Given that the level of construction activity under the Reduced Intensity Alternative would be reduced, this Alternative may yield some reduction in the duration of construction noise otherwise resulting from the Project; however, peak noise levels would likely be similar to those of the Project, resulting in similar significant impacts.

Operational Noise

Evaluated operational source noise sources include on-site, stationary noise generators, such as HVAC units and loading dock activities, as well as mobile-source noise generated by passenger cars and trucks as they enter, drive through, and exit the Project site and the Study Area. With the implementation of mitigation to limit on-site noise

generation, the Project's potential to result in operational noise impacts was found to be less-than-significant.

No Build Alternative

Under the No Build Alternative, operational noise would not occur. The noise environment would remain unchanged from its existing state.

No Project Alternative

Mobile-source operational noise levels (traffic noise) would likely increase under the No Project Alternative based on increased trip generation under this Alternative. As with the Project, it is considered unlikely that sensitive receptors would be affected by potential vehicular noise levels, since the number of heavy trucks utilizing the Project site would be reduced.

Reduced Intensity Alternative

Under the Reduced Intensity Alternative, traffic volumes would be decreased when compared to the Project, with correlating decreases in vehicular noise. The Reduced Intensity Alternative would further reduce operational noise impacts of the Project.

Comparative Noise Impacts Summary

Significant noise impacts would not occur under the No Build Alternative. Construction noise impacts under the No-Project and Reduced Intensity Alternatives would be temporarily significant, similar to the Project. Under the No Project Alternative, due to increased vehicular-source noise, operational noise impacts may increase compared to the Project, but would likely remain less-than-significant. In contrast, the Reduced Intensity Alternative would tend to reduce operational noise impacts of the Project by reducing Project-related traffic. Less-than-significant operational noise impacts of the Project would be further diminished under the Reduced Intensity Alternative.

5.2.3.5 Comparative Hazards and Hazardous Materials Impacts

As discussed at Draft EIR Section 4.5, compliance with existing regulations will ensure that the Project site is not be substantively affected by hazardous materials or hazardous conditions. The potential for the Project operations to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment was similarly determined less-than-significant. Further, as documented in the Project Health Risk Assessment (HRA), the Project does not exceed risk thresholds for toxic air contaminants as established by the SCAQMD. On the basis, the potential hazards/ hazardous materials impacts of the Project have been determined to be less-than-significant.

No Build Alternative

The No Build Alternative would generate no potential impacts related to hazardous materials, since no development would take place onsite.

No Project Alternative

Under the No Project Alternative, as with the Project, development of the subject site would not be substantively affected by hazardous materials or hazardous conditions. Development intensities would not increase, and the uses that could be implemented under the site's existing Business Park-Mixed Use zoning would not increase the potential for exposure to existing sources of hazardous materials; nor would increases in operational hazards or hazardous materials risks result from the No Project Alternative development concept.

Reduced Intensity Alternative

Under the Reduced Intensity Alternative, development of the subject site would not be substantively affected by hazardous materials or hazardous conditions. Development intensities would be decreased, as would the magnitude of Project-related traffic, including diesel trucks. This would result in lower levels of diesel particulate emissions

when compared to the Project. As such, the potential for generation of toxic air contaminants, which was found to be less-than significant under the Project, would be further reduced under the Reduced Intensity Alternative.

Comparative Hazards and Hazardous Materials Impacts Summary

Under any of the considered Alternatives, potential impacts related to hazards and hazardous materials would be less-than-significant based on compliance with existing, applicable regulations.

5.2.3.6 Comparative Public Services Impacts

Potentially increased demands for services such as fire protection and police protection services are addressed in part through the Project's physical design features, (e.g., fire protection systems, security systems), which act to reduce the extent and frequency of fire and police service calls. Further, Development Impact Fees (DIF) and taxes paid by the Project will provide funds available for the purchase and maintenance of equipment and hiring of personnel that are commensurate with Project-related demands. As such, Project-related public services were determined less-than-significant.

No Build Alternative

Under the No Build Alternative, no increase in demand for public services would occur. The site would remain unchanged from its existing state.

No Project Alternative

As indicated in Table 5.2-6, the No Project Alternative would increase the number of employees on the subject site. As such, demands for fire and police protection services could be incrementally greater than those experienced under the Project. However, as with the Project, fire protection systems and security features would be required as part of the development and operation of the No Project Alternative. No new or substantively different impacts to public services are anticipated to result from implementation of this Alternative when compared to the Project.

Reduced Intensity Alternative

The Reduced Intensity Alternative, because it would result in development of similar land uses at a lower intensity than that of the EIR Project, can be expected to have similar, though reduced, public service/utilities impacts. Potential public services/utilities impacts of the Project are determined to be less-than-significant. The Reduced Intensity Alternative would further diminish these potential impacts.

Comparative Public Services Impacts Summary

With the exception of the No Build Alternative, potential impacts related to the provision of public services would be less-than-significant under any of the considered Alternatives, based on the implementation of mandated fire protection and security systems; and the payment of DIF and taxes to provide funding to public service agencies.

5.2.3.7 Comparative Biological Resources Impacts

As discussed in the Project Initial Study (Draft EIR Appendix A), the burrowing owl is the only special-status wildlife species with a probability to occur on the proposed site. Nesting birds in general, and the burrowing owl specifically, are federally protected under the Migratory Bird Treaty Act (MBTA). Additionally, the burrowing owl is a protected California Species of Concern (CSC). Accordingly, Mitigation Measures BR-1 and BR-2 have been incorporated in this Draft EIR to ensure protection of nesting birds (generally) and the burrowing owl specifically. Please refer to Table 1.10-1, "Mitigation Summary Table," presented in Draft EIR Section 1.0. With incorporation of proposed mitigation, potential impacts to migratory birds and the burrowing owl are less-than-significant. The Project does not otherwise have the potential to cause or result in a substantial adverse effect on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

No Build Alternative

Under the No Build Alternative, current on-site conditions would remain unchanged and no impacts would occur.

No Project Alternative

Potential impacts in regard to biological resources would be comparable to the Project under the No Project Alternative, in that development activity would generally potentially affect the same locale and resources.

Reduced Intensity Alternative

Despite the reduced scale of this alternative, the area of disturbance would be similar to the Project. As such, potential impacts in regard to biological resources would be comparable to the Project.

Comparative Biological Impacts Summary

Under the Project or any of the considered alternatives (with the exception of the No Build Alternative), potential impacts to protected species would be mitigated pursuant to requirements of the Riverside County MSHCP (and, if necessary, the California Department of Fish & Game). The Project and the considered Alternatives are also required to comply with provisions of the Migratory Bird Treaty Act (MBTA). The MBTA serves to protect any migratory birds and their nests which may be present within the subject site. Under the Project or the considered Alternatives, potential impacts relative to biological resources would be less-than-significant with mitigation.

5.2.3.8 Comparative Attainment of Project Objectives

The stated Project Objectives, (see Project Description, Draft EIR Section 3.0) are as follows:

- Expand on the existing productive uses within the Project vicinity;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;

- Capitalize on the site's proximate regional freeway access;
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation; and
- Develop a project that is compatible with surrounding land uses.

No Build Alternative

Under the No Build Alternative, the subject site would remain in its current undeveloped state and none of the Project Objectives would be achieved.

No Project Alternative

Development of the subject site consistent with site's existing zoning designations under the No Project Alternative could substantially achieve the Project's development objectives for the site. Like the Project, it is anticipated that new development under the No Project Alternative would be designed and implemented so as to be compatible with neighboring land uses. The No Project Alternative would effectively capitalize on the site's regional freeway accessibility and visibility. New jobs, including support commercial and office employment opportunities would be created by the No Project Alternative. Based on the likely mix of uses realized, the extent of light industrial uses implemented would be proportionally reduced when compared to the Project. This Alternative would also provide additional tax revenues available to the City. On the basis of the preceding discussion, the No Project Alternative would substantively realize the stated Project Objectives, though the extent of industrial uses realized would be reduced when compared to the Project.

Reduced Intensity Alternative

The Reduced Intensity Alternative would also realize the stated Project Objectives. However, because the scale of the development would be diminished under this Alternative, the resulting generation of development impact fees, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term construction jobs, and facilities

maintenance employment opportunities) would likely be reduced when compared to the Project.

5.2.4 Comparison of Alternatives

The *CEQA Guidelines* require that the environmentally superior alternative (other than the No Project Alternatives) be identified among the Project and other Alternatives considered in an EIR. Based on comparative reductions in traffic generation, and associated reductions in noise and air emissions, and generally reduced scale, among the Alternatives considered, the Reduced Intensity Alternative would result in the greatest reduction in environmental effects, and is thus considered the environmentally superior alternative.

Notwithstanding, the scope and total overall development would be substantively reduced under the Reduced Intensity Alternative. The resulting diminishment of the Project Objectives, to include substantive reduction in economic benefits to the City and region, and limited jobs creation would act to substantially reduce the feasibility of this Alternative.

5.3 GROWTH-INDUCING IMPACTS OF THE PROPOSED ACTION

5.3.1 Overview

The California Environmental Quality Act (*CEQA*) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); *CEQA Guidelines*, §§ 15126, subd. (d), 15126.2, subd (d).) The *CEQA Guidelines* identify a project as growth-inducing if it would foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. New employees from commercial or industrial development and new population from residential development represent direct forms of growth. These direct forms of growth secondarily expand local markets and induce additional economic activity in the area. Under *CEQA*, growth inducement is not considered necessarily detrimental, beneficial, or of little significance to the environment.

A project could indirectly induce growth or create a potential for growth by reducing or removing barriers to development, or by creating a condition that attracts additional population or new economic activity. However, substantive growth can only happen through capital investment in new economic opportunities by the private or public sectors. Economic investment in an area can also secondarily induce growth by creating development pressures affecting other local properties. These pressures act to structure the local politics of growth and the local jurisdiction's posture on growth management and land use policies. The land use policies of local municipalities and counties regulate growth at the local level.

Impacts related to growth inducement would also be realized if a project provides infrastructure or service capacity which accommodates growth beyond the levels required for the development under consideration and currently permitted by local or regional plans and policies. In general, growth induced by a project is considered a significant impact if it directly or indirectly affects the ability of agencies to provide needed public services, or if it can be demonstrated that the potential growth significantly affects the environment in some other way.

5.3.2 Direct Growth-Inducing Effects

The Project does not propose creation of housing. As such, new residential uses leading to additional population growth will not occur. Creation of new jobs is also a potential direct growth-inducing effect. The extent to which new jobs created by a project are filled by existing residents tends to reduce any growth-inducing effect of a project.

The Project would result in the creation of new light industrial/distribution warehouse uses. However, additional employment opportunities (an estimated 1,244 jobs)[5] which

[5] *Riverside County Integrated Project,* General Plan Appendix E, "Buildout Assumptions and Methodology." The Light Industrial employment multiplier indicates that approximately one job is generated per 1,030 square feet of light industrial development.

may be created by the Project fall well within the aggregate employment projections for the City and region as reflected in adopted growth forecasts developed by Southern California Association of Governments (SCAG), which in turn are based on local General Plan growth forecasts. More specifically, SCAG employment projections indicate that employment within the City will essentially double between the years 2008 and 2035, increasing from 32,300 jobs to 64,400 jobs.[6] Jobs created by the Project are one component of this anticipated increase in employment. Construction employment generated by the Project is not expected to have a significant growth-inducing effect.

As previously discussed at Draft EIR Section 4.1, "Land Use and Planning," the City of Moreno Valley is projected to be "jobs poor and housing rich" through at least 2035. That is, the ratio of employment to households is projected at less than 1.0, indicating a number of persons not actively employed and or/commuting beyond the City limits to their place(s) of employment. However, substantial job creation is anticipated within the City through 2035. Employment opportunities arising from the Project represent a portion of this anticipated increase in local jobs, tending to bring the City closer to a balanced jobs/housing condition.

Based on the preceding discussion, it is unlikely that the Project would directly result in any significant population growth, and would not result in population growth for the City beyond that reflected in adopted growth forecasts. The Project, in combination with other planned or anticipated projects in the area, would contribute to the substantial cumulative growth projected for the region through 2035.

5.3.3 Indirect Growth-Inducing Effects

Investment in the Project would have local and regional economic impacts which may result in indirect growth-inducing effects. The Project's potential economic benefits could indirectly result in employment growth in the region. This growth, in combination with other anticipated employment growth in the region, could indirectly

[6] Southern California Association of Governments *2012-2035 Regional Transportation Plan/Sustainable Communities Strategy*, Growth Forecast Appendix, adopted April 2012.

result in population growth and an increased demand for housing. Such growth has a variety of potential effects on the physical environment, including but not limited to, effects on air quality, ambient noise levels, traffic impacts, and water quality. It is not anticipated that the additional employment opportunities created by the Project would be substantial enough to produce noticeable population growth within the City and region. Further, development of the site is consistent with growth envisioned under the City of Moreno Valley General Plan. Nonetheless, the Project, in combination with other planned or anticipated projects in the area, would contribute to employment and population growth which, regionally, are anticipated to be substantial.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. Infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

5.4 SIGNIFICANT ENVIRONMENTAL EFFECTS

An EIR must identify any significant environmental effects that would result from the Project. (Pub. Resources Code, §21100, subd. (b)(2)(B).) Significant environmental impacts of the Project are summarized at Table 5.4-1.

5.4.1 Other Environmental Concerns

All other potential environmental impacts of the Project are determined to be less-than-significant, or can be successfully reduced below significance thresholds through compliance with established regulations, conformance with the Project Conditions of Approval, and/or application of the mitigation measures presented in this EIR.

Table 5.4-1
Summary of Significant Impacts and Project Objectives

Environmental Consideration	Comments
TRAFFIC	The Project will construct, or pay required fees toward, completion of all necessary Study Area circulation system improvements. At the significantly-impacted locations noted below, the Project cannot feasibly construct the required improvements, and/or payment of fees will not assure their timely completion. **Project-Specific Significant Impacts** All Project-specific traffic impacts are less-than-significant, or are mitigated to levels that are less-than significant through application of the EIR Mitigation Measures. **Cumulative Intersection and Roadway Segment Impacts** Pending completion of required improvements, the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting the following intersections are cumulatively considerable, significant and unavoidable (jurisdictional control of affected facilities is indicated parenthetically)**:** • I-215 Southbound Ramps at Cactus Avenue (Caltrans); • I-215 Northbound Ramps at Cactus Avenue (Caltrans); • Elsworth Street at Cactus Avenue (City of Moreno Valley); • Frederick Street at Cactus Avenue (City of Moreno Valley); and • Graham Street at Cactus Avenue (City of Moreno Valley). Similarly, pending completion of required improvements, the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting the following roadway segments are cumulatively considerable, significant and unavoidable: • Cactus Avenue, I-215 Northbound Ramps to Commerce Center Drive (Caltrans); • Cactus Avenue, Commerce Center Drive to Elsworth Street (City of Moreno Valley); • Cactus Avenue, Elsworth Street to Veterans Way (City of Moreno Valley); • Cactus Avenue, Veterans Way to Frederick Street (City of Moreno Valley); • Cactus Avenue, Frederick Street to Driveway 3 (City of Moreno Valley); • Cactus Avenue, Driveway 3 to Driveway 4 (City of Moreno Valley); and • Cactus Avenue, Driveway 4 to Graham Street (City of Moreno Valley). **Cumulative Freeway Ramp Impacts** **P**ending completion of required improvements, the Project's contributions to Opening Year Cumulative freeway ramp queues at the following locations are cumulatively considerable, significant and unavoidable: • I-215 Southbound Ramps at Cactus Avenue, Westbound Left-turn (evening peak hour period); • I-215 Northbound Ramps at Cactus Avenue, Northbound Left-turn (morning and evening peak hour periods); and • I-215 Northbound Ramps at Cactus Avenue, Westbound through Lane (morning peak hour period).

Table 5.4-1
Summary of Significant Impacts and Project Objectives

Environmental Consideration	Comments
AIR QUALITY	**Operational Pollutant Emissions Exceedances** Even after compliance with South Coast Air Quality Management District (SCAQMD) rules and regulations, and the application of EIR mitigation measures, operational pollutant emissions would exceed applicable SCAQMD regional emission thresholds for VOC and NOx. These impacts are therefore considered to be individually significant and unavoidable. **Cumulatively Significant Impacts** The above-noted Project-specific operational pollutant emissions exceedances are also cumulatively considerable, significant and unavoidable impacts. **Regional Non-Attainment Area Impacts** Project exceedances of regional emissions thresholds for VOC and NOx (ozone precursors), in combination with VOC and NOx emissions generated by other sources affecting regional non-attainment areas will result in a cumulatively significant air quality impacts within the encompassing ozone and NOx non-attainment areas. This is a cumulatively considerable, significant and unavoidable impact.
NOISE	**Project-Specific Significant Impacts** The EIR's noise analysis indicates that construction-related noise may temporarily and intermittently exceed the City's thresholds of significance at receptors in the Project vicinity. This is considered a significant Project-specific temporary noise impact. **Cumulatively Significant Impacts** Construction noise impacts when considered with ambient noise conditions would be cumulatively considerable and significant for the duration of Project construction activities.

5.5 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

CEQA *Guidelines* §§15126, subd. (c), 15126.2, subd. (c), 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the Project be implemented. As presented at *Guidelines* §15127, the topic of Significant Irreversible Environmental Changes need be addressed in EIRs prepared in connection with any of the following activities:

> (a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;
>
> (b) The adoption by a local agency formation commission of a resolution making determinations; or
>
> (c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. 4321-4347.

The Project qualifies under *Guidelines* §15127 (a) in that a zone change is required in order to implement the Project. As such, this EIR analysis addresses any significant irreversible environmental changes which would be involved in the proposed action should it be implemented [*Guidelines*, Sections 15126(e) and 15127]. An impact would fall into this category if:

- A project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses;
- A project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy).

With regard to the above considerations, various natural resources, in the form of construction materials and energy resources, will be used in the construction of the Project, but their use is not expected to result in shortfalls in the availability of these resources.

The Project presents no significant possibility of irreversible environmental damage "from any potential environmental incidents associated with the project." The Project does not propose facilities or uses that would result in potentially significant environmental incidents. Moreover, all feasible mitigation is incorporated in the Project to reduce its potential environmental effects. As discussed herein, the Project will not result in or cause unwarranted or wasteful use of resources, including energy.

5.6 ENERGY CONSERVATION

5.6.1 Overview

Consistent with *Guidelines* Appendix F, this Section of the Draft EIR addresses the potential for the Project to result in the inefficient, wasteful, or unnecessary consumption of energy. For new development such as that proposed by the RPT Centerpointe West Project, compliance with California Title 24 energy efficiency requirements is considered demonstrable evidence of a project's efficient use of energy. As discussed below, the Project will surpass incumbent and applicable Title 24 Energy Efficiency Standards, and will provide and promote energy efficiencies beyond those required under other applicable state or federal standards and regulations. On this basis, the potential for the Project to result in the inefficient, wasteful or unnecessary consumption of energy is determined to be less-than-significant.

5.6.2 Background and Introduction

In 1975, largely in response to the oil crisis of the 1970s, the State Legislature adopted AB 1575, which created the California Energy Commission (CEC). The statutory mission of the CEC is to forecast future energy needs; license thermal power plants of 50 megawatts or larger; develop energy technologies and renewable energy resources;

plan for and direct state responses to energy emergencies; and, perhaps most importantly, to promote energy efficiency through the adoption and enforcement of appliance and building energy efficiency standards.

Germane to the Project and this Draft EIR, AB 1575 also amended Public Resources Code Section 21100(b) (3) to require EIRs to consider the wasteful, inefficient, and unnecessary consumption of energy caused by a project. To this end, the State Resources Agency created Appendix F to the *Guidelines*. Advisory guidance presented at *Guidelines* Appendix F assists EIR preparers in determining whether a project will result in the inefficient, wasteful, and unnecessary consumption of energy.

5.6.3 Regulatory Setting

Federal and state agencies regulate energy use and consumption through various means and programs. On the federal level, the United States Department of Transportation, the United States Department of Energy, and the United States Environmental Protection Agency are three federal agencies with substantial influence over energy policies and programs. On the state level, the California Public Utilities Commission (CPUC) and the CEC are two agencies with authority over different aspects of energy. Relevant federal and state energy-related laws and plans are summarized below. Project consistency with applicable federal and state regulations is also presented in *italic* text.

It should also be noted that on May 8, 2012, the City of Moreno Valley released their *Energy Efficiency and Climate Action Strategy Draft Document* to the public. At the time of preparation of this Draft EIR, the *Energy Efficiency and Climate Action Strategy Draft Document* was not adopted, and is subject to change. As such, Project consistency with the Draft Document has not been evaluated. The overall goal of the Energy Efficiency and Climate Action Strategy Draft Document is to ensure that the City is consistent with and would not otherwise conflict with the provisions of AB 32.

5.6.3.1 Federal Energy Policy and Conservation Act

The Federal Energy Policy and Conservation Act of 1975 sought to ensure that all vehicles sold in the U.S. would meet certain fuel economy goals. Through this Act, Congress established the first fuel economy standards for on-road motor vehicles in the U.S. Pursuant to the Act, the National Highway Traffic and Safety Administration, which is part of the United States Department of Transportation, is responsible for establishing additional vehicle standards and for revising existing standards. *Vehicles accessing the Project site are subject to provisions of the Federal Energy Policy and Conservation Act (Act). The Project is therefore determined to be consistent with, and will not otherwise interfere with, nor obstruct implementation of the Act.*

5.6.3.2 Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) promoted the development of inter-modal transportation systems to maximize mobility as well as address national and local interests in air quality and energy. ISTEA contained factors that Metropolitan Planning Organizations (MPOs) were to address in developing transportation plans and programs, including some energy-related factors. To meet the new ISTEA requirements, MPOs adopted explicit policies defining the social, economic, energy, and environmental values guiding transportation decisions. *Transportation and access to the Project site is provided primarily by the local and regional roadway systems. The Project will not interfere with, nor otherwise obstruct intermodal transportation plans or projects that may be realized pursuant to the ISTEA.*

5.6.3.3 The Transportation Equity Act for the 21st Century (TEA-21)

The Transportation Equity Act for the 21st Century (TEA-21) was signed into law in 1998 and builds upon the initiatives established in the ISTEA legislation, discussed above. TEA-21 authorizes highway, highway safety, transit, and other efficient surface transportation programs. TEA-21 continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of good transportation decisions. TEA-21 also provides for investment in

research and its application to maximize the performance of the transportation system through, for example, deployment of Intelligent Transportation Systems, to help improve operations and management of transportation systems and vehicle safety. *The industrial land use proposed by the Project is located proximate to existing major roadways. This site selection for the Project facilitates access to the site, acts to reduce vehicle miles traveled, and takes advantage of existing infrastructure systems. The Project therefore supports the planning processes emphasized under TEA-21. The Project is therefore determined to be consistent with, and will not otherwise interfere with, nor obstruct implementation of TEA-21.*

5.6.3.4 The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) was signed into law on August 10, 2005. With overall funding authorization totaling $244.1 billion, SAFETEA-LU represents the largest surface transportation investment in our Nation's history. The two landmark bills that brought surface transportation into the 21st century - ISTEA and TEA-21 - shaped the highway program to meet the Nation's changing transportation needs. SAFETEA-LU addresses many of the challenges facing our transportation system today, such as improving safety, reducing traffic congestion, improving efficiency in freight movement, increasing intermodal connectivity, and protecting the environment. Furthermore, it promotes more efficient and effective surface transportation programs by focusing on transportation issues of national importance, while giving State and local transportation decision-makers more flexibility to solve transportation problems in their communities. *The Project site is located proximate to existing major roadways. Transportation and access to the Project site is provided primarily by the local and regional roadway systems, taking advantage of existing infrastructure systems. The Project is consistent with, and will not interfere with, nor obstruct, efforts and actions that may be realized pursuant to SAFETEA-LU.*

5.6.3.5 State of California Energy Plan

The CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators and encouragement of urban designs that reduce vehicle miles traveled and accommodate pedestrian and bicycle access. *As noted above, the industrial land uses proposed by the Project are located proximate to existing major roadways. This site selection for the Project facilitates access to the site, acts to reduce vehicle miles traveled, takes advantage of existing infrastructure systems, and promotes land use compatibilities. The Project therefore supports urban design and planning processes identified under the State of California Energy Plan, and is determined to be consistent with, and will not otherwise interfere with, nor obstruct implementation of the State of California Energy Plan.*

5.6.3.6 California Code Title 24, Part 6, Energy Efficiency Standards

California Code Title 24, Part 6 (also referred to as the California Energy Code), was promulgated by the CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption. To these ends, the California Energy Code provides energy efficiency standards for residential and nonresidential buildings. According to the CEC, since the energy efficiency standards went into effect in 1978, it is estimated that California's building efficiency standards (along with those for energy efficient appliances) have saved more than $56 billion in electricity and natural gas costs. The CEC further estimates that by 2013, residential and nonresidential consumers will realize an additional $23 billion in energy savings.

The CEC periodically adopts new Title 24 Standards (Standards). All projects that apply for a building permits are required to comply with the then incumbent Standards. Currently applicable and proposed Standards can be accessed at http://www.energy.ca.gov/title24/. Title 24 Energy Efficiency Standards may also be

reviewed at the Energy Efficiency Division, California Energy Commission, 1516 Ninth Street, MS-29, Sacramento, CA 95814-5512. *The Project will be designed, constructed and operated so as to achieve or surpass Title 24 Energy Efficiency Standards. On this basis, the Project is determined to be consistent with, and will not interfere with, nor otherwise obstruct implementation of Title 24 Energy Efficiency Standards.*

5.6.4 PROJECT ENERGY CONSERVATION ANALYSIS

As is the case with other uniform building codes, Title 24, Part 6 is designed to provide certainty and consistency of design standards throughout the state, and concurrently ensure efficient use of energy. For new development projects, adherence to Title 24 Energy Efficiency Standards is deemed sufficient evidence to conclude that the project under consideration will not result in, nor cause, inefficient, wasteful, or unnecessary consumption of energy. The Project as a whole will be designed and developed to achieve or surpass incumbent Title 24 energy efficiency standards. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. On this basis, the Project supports and demonstrates compliance with applicable state and federal energy standards, and would not result in the wasteful use of energy.

6.0 ACRONYMS AND ABBREVIATIONS

6.0 ACRONYMS AND ABBREVIATIONS

ACOE	Army Corps of Engineers
ADP	Area Drainage Plan
ADT	Average Daily Traffic
AQMP	Air Quality Management Plan
BAAQMD	Bay Area Air Quality Management District
BMP	Best Management Practice
CAAQS	California Ambient Air Quality Standards
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CAT	Climate Action Team
CBC	California Building Code
CCAR	California Climate Action Registry
CCR	California Code of Regulations
CDFG	California Department of Fish and Game
CESA	California Endangered Species Act
CEQA	California Environmental Quality Act
cfs	cubic feet per second
CGV	Compass Growth Visioning
CMP	Congestion Management Plan
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	Carbon monoxide
CPUC	California Public Utilities Commission
CRA	Colorado River Aqueduct
CVP	Central Valley Project

CWA	Federal Clean Water Act
dB	decibel
dBA	A-weighted decibel
DBESP	Determination of Biologically Equivalent or Superior Preservation
DIF	Development Impact Fee
DPM	Diesel Particulate Matter
DU	dwelling unit
DWR	Department of Water Resources
EIR	Environmental Impact Report
EMWD	Eastern Municipal Water District
EO	Executive Order
EPA	U.S. Environmental Protection Agency
eps	emission performance standard
FCAA	Federal Clean Air Act
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
g/m3	micrograms per cubic meter
GCC	Global Climate Change
GPC	General Plan Cumulative
gpd	gallons per day
HCM	Highway Capacity Manual
HCP	Habitat Conservation Plan
HMMP	Habitat Mitigation & Monitoring Plan
IS	Initial Study
ITE	Institute of Transportation Engineers
LEED	Leadership in Energy and Environmental Design
Leq	equivalent noise level
LOS	Level(s) of Service
LST	localized significance thresholds

MBTA	Migratory Bird Treaty Act
mph	miles per hour
MPO	metropolitan planning organizations
MSHCP	Multiple Species Habitat Conservation Plan
MSL	mean sea level
MUTCD	Manual on Uniform Traffic Control Devices
MWD	Metropolitan Water District
NAAQS	National Ambient Air Quality Standards
NAIOP	National Association of Industrial and Office Properties
NEPA	National Environmental Policy Act
NOI	Notice of Intent
NOP	Notice of Preparation
NOx	Nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
O_3	Ozone
OPR	Office of Planning and Research
Pb	Lead
PCE	passenger car equivalent
$PM_{2.5}$	Particulate Matter 2.5 microns or less in diameter
PM_{10}	Particulate Matter 10 microns or less in diameter
POS	Plan of Service
ppm	parts per million
PVRWRF	Perris Valley Regional Water Reclamation Facility
RCA	Regional Conservation Authority
RCFCWCD	Riverside County Flood Control & Water Conservation District
RCTC	Riverside County Transportation Commission
ROG	reactive organic gases
RTA	Riverside Transit Agency
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RUWMP	Regional Urban Water Management Plan
RWQCB	Regional Water Quality Control Board

RWRF	Regional Water Reclamation Facilities
SARWQCB	Santa Ana Regional Water Quality Control Board
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCH	State Clearinghouse
SIP	State Implementation Plan
SOx	Sulfur oxides
SRRE	Source Reduction and Recycling Element
SWC	State Water Contractors
SWP	State Water Project
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TIA	Traffic Impact Analysis
TUMF	Transportation Uniform Mitigation Fee
UBC	Uniform Building Code
UMWP	Urban Water Management Plan
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
WQMP	Water Quality Management Plan
WRCOG	Western Riverside Council of Governments
WSA	Water Supply Assessment

7.0 REFERENCES

7.0 REFERENCES

PERSONS AND ORGANIZATIONS CONSULTED

City of Moreno Valley
Jeff Bradshaw, Associate Planner

HPA Architects, Inc.
Jaime Cruz

EIR PREPARERS

Applied Planning, Inc.
Ross S. Geller, Principal
Charly Ray, Senior Project Manager
Jani Monk, Project Manager
Amy Flores, Assistant Project Manager
Jennifer Gilbert, Staff Editor

Urban Crossroads, Inc.: Traffic Impact Analysis, Noise Assessment, Air Quality Assessment, Global Climate Change Analysis, and Health Risk Assessment
Aric Evatt, PTP, Principal, Traffic Impact Analysis
Charlene S. Hwang, PE, Traffic Impact Analysis
Haseeb Qureshi, Senior Air Quality Specialist
Bill Lawson, P.E., INCE, Noise Analysis

DOCUMENTS CONSULTED

Air Quality Management Plan (AQMP), South Coast Air Quality Management District, 2007.

City of Moreno Valley General Plan, City of Moreno Valley, July 11, 2006.

City of Moreno Valley General Plan, Program Environmental Impact Report, SCH No. 2000091075, July 2006.

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Harbor Freight Expansion Project Noise Impact Analysis, City of Moreno Valley, California (Urban Crossroads, Inc.), August 9, 2012.

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RPT Centerpointe West Project Greenhouse Gas Analysis (Urban Crossroads, Inc.), August 22, 2012.

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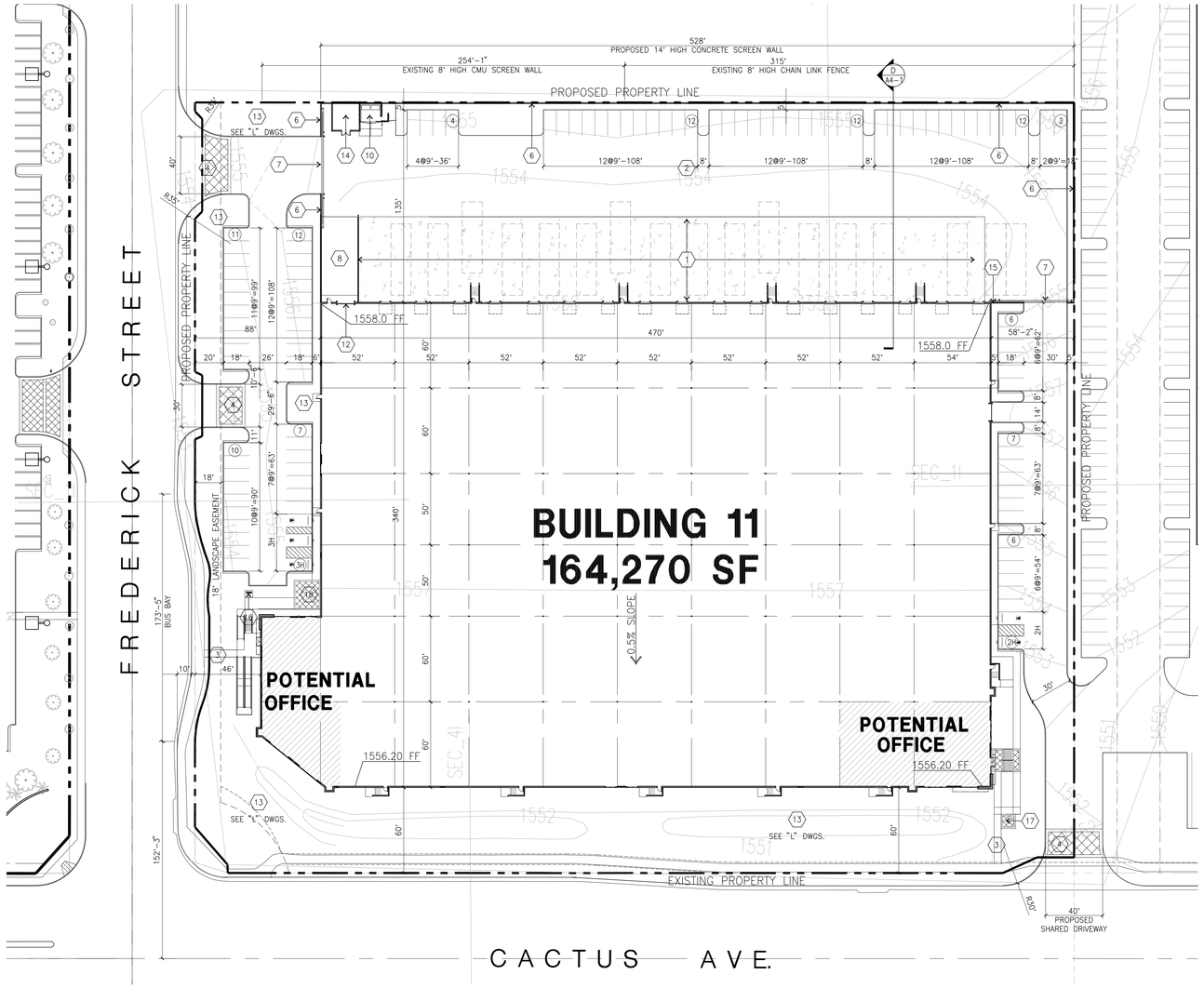
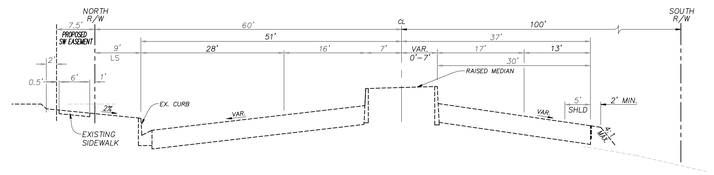
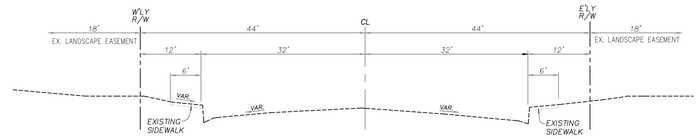


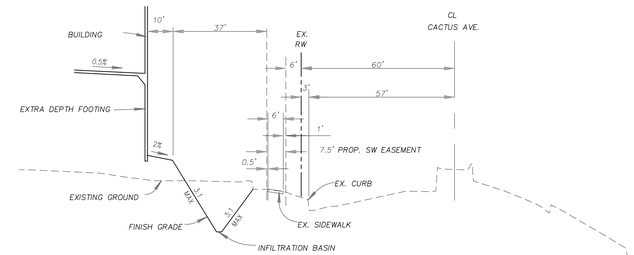
OVERALL SITE PLAN
scale: 1"=40'-0" (A) (N)



CACTUS AVENUE - TYPICAL SECTION (B)
N.T.S



FREDERICK STREET - TYPICAL SECTION (C)
N.T.S



CACTUS AVENUE - EASEMENT SECTION (D)
N.T.S

site plan general notes

1. THE SOILS REPORT PREPARED BY ASSOCIATED SOILS ENGINEERING, IS TO BE A PART OF THESE CONTRACT DOCUMENTS.
2. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.
3. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, FACE OF CONCRETE CURB OR GRID LINE U.N.O.
4. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.
5. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM. PRIOR TO INSTALLATION & AT LEAST 60 DAYS BEFORE BLDG. COMPLETION.
6. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.
7. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.
8. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS.
9. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS. SEE "C" DRAWINGS FOR FINISH GRADE ELEVATIONS.
10. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY W/ 1:20 MAX. SLOPE. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". SEE "L" DRAWINGS FOR FINISH.
11. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.
12. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE PLANNING DIVISION AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.
13. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PLANNING DIVISION.
14. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PLANNING DIVISION.
15. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB
16. APPROVED CONCEPTUAL LANDSCAPE PLAN PRIOR TO GRADING PERMIT
17. ALL ROOF DRAINS SHALL BE DIRECTED TO A LANDSCAPE AREA.

site plan keynotes

1. 6" THICK MINIMUM, REINFORCED CONCRETE TRUCK APRON, W/ #3 @ 18" O.C.E.W. 3500 PSI W. CONSTRUCTION AND/OR EXPANSION JOINTS A MAXIMUM OF 18'-0" O.C. EXPANSION JOINTS TO BE A MIN. OF 1-1/2" DEEP AND A MAXIMUM ULTIMATE WIDTH OF 1/4". VERIFY WITH SOILS ENGINEER. PROVIDE HEAVY BROOM FINISH. ALL JOINTS TO BE CLEANED AND FILLED W/ ASPHALTIC CAULKING.
2. ASPHALT CONCRETE (AC) PAVING PER SOILS ENGINEER RECOMMENDATION AS APPROVED BY THE CITY.
3. CONCRETE WALKWAY
4. DRIVEWAY APRONS TO BE CONSTRUCTED PER CITY STANDARD 118C MODIFIED. PROVIDE STAMPED CONCRETE W/ LIGHT BROOM FIN. AT ALL DRIVE LOCATIONS. PROVIDE VERTICAL & HORIZONTAL EXPANSION JOINTS AT A MAXIMUM OF 15' O.C. SPACING.
5. 5'-6"X5'-6"X4" THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY AS REQ. BY CITY INSPECTOR.
6. 14' HIGH CONCRETE TILT-UP SCREEN WALL
7. 8'H WROUGHT IRON SLIDING GATE.
8. CONCRETE RAMP
9. TRASH COMPACTOR
10. TRASH ENCLOSURE TO BE TWO BIN AND FULLY COVERED PER CITY STANDARD 627.
11. CONCRETE STAIRS AND LANDING
12. 12' X 14' DRIVE-IN DOOR
13. LANDSCAPE. SEE CONCEPTUAL LANDSCAPE PLAN
14. 20' X 20' PUMP HOUSE
15. 8' HIGH TUBULAR STEEL FENCE
16. BIKE RACK, EACH RACK HOLDS 7 BIKES
17. 10' X 10' PATIO AREA
18. 18' X 20' PATIO AREA

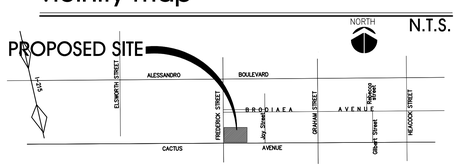
site legend

- LANDSCAPED AREA
- AC. PAVING
- CONCRETE PAVING
- STANDARD PARKING STALL 9' X 18'
- HANDICAP PARKING STALL, 9' X 18' W/ 2' O.H. SEE DETAIL 11/AD.1
- EXISTING RIGHT OF WAY
- PROPOSED PROPERTY LINE
- ADA PATH OF TRAVEL

easement notes

A RECIPROCAL ACCESS EASEMENT WILL BE REQUIRED FOR THAT PORTION OF THE PROPOSED DRIVEWAY ON CACTUS AVENUE THAT IS LOCATED PARTIALLY OUTSIDE OF THE PROJECT BOUNDARY.

vicinity map



project information

Owner / Applicant
RIDGE MORENO VALLEY, LLC
201 COVINA AVE. – STE #8
LONG BEACH, CA 90803
TEL: (562) 856-3819
CONTACT: DENNIS RICE

Architect
HPA, INC.
18831 BARDEEN AVE. SUITE #100
IRVINE, CA 92612
TEL: (949) 863-1770
CONTACT: JAIME CRUZ

Applicant's Representative
INLAND EMPIRE DEVELOPMENT SERVICES, INC.
931 MONARCH COURT
BEAUMONT, CA 92223
TEL: (951) 845-1003
CONTACT: GIL SAENZ

Civil Engineer
HUITT ZOLLARS
3990 CONCOURS STE 330
ONTARIO, CA 91764
TEL: (909) 941-7799
CONTACT: MAURICE MURAD

Landscape Architect
ENVIRONS
1746 N. BRIDGEPORT AVE.
CLAREMONT, CA 91711
TEL: (909) 626-4663
CONTACT: BRETT FRENCH

Zoning
LI (LIGHT INDUSTRIAL)

Assessors Parcel Number
297-170-027

Legal Description
LOT 5, BLK. 259 OF MAP NO. 1 BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO. AS SHOWN BY MAP ON FILE IN BK. 11, PG. 10 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA

utility information

TELEPHONE:
VERIZON
150 SO JUANITA ST.
HEMET, CA 92543
PHONE: (951) 658-7305
CONTACT: PHIL BRILLINGER

ELECTRIC
MORENO VALLEY UTILITIES
14177 FREDERICK ST.
MORENO VALLEY, CA 92552
PHONE: (951) 413-3480
CONTACT: MICHELE PIERCE

GAS
THE GAS COMPANY
26200 TRUMBLE ROAD SC 8058
ROMOLAND, CA 92380
PHONE: (951) 335-3902
CONTACT: DAVE MULLIGAN

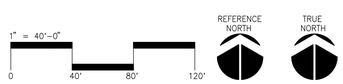
WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928 – 3777
CONTACT: NEW BUSINESS

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928-3777
CONTACT: NEW BUSINESS

CABLE – TV
TIME WARNER
1500 AUTO CENTER DR.
ONTARIO, CA 91761
PHONE: (951) 975-3380
CONTACT: MARK DAUENHAUER

tabulation

TABULATION		
site area (in sq.ft.)	**330,250**	sf
site area (in acres)	**7.58**	ac.
Warehouse area	154,270	sf
Office	10,000	sf
Total building area	**164,270**	sf
Coverage	**49.7%**	
Parking required		
1st. 20k@1/1,000 s.f.	20	stalls
2nd. 20k@1/2,000 s.f.	10	stalls
above 40k @1/4,000 s.f.	29	stalls
Office 1/250 s.f.	40	stalls
Total parking required	**99**	stalls
Parking provided		
Standard (9'x18')	101	stalls
Handicap (9'x18')	5	stalls
Total parking provided	**106**	stalls
Trailer parking required		
(1 trailer parking per dock door)		
Total dock doors	**17**	doors
Trailer Parking provided (14'x50')	**17**	stalls
Landscape provided	**56,551**	sf
% of Landscape provided	**17.1%**	
NOTE:		
**** Bike rack - 5% of total parking required***	**6 BIKES**	



OVERALL SITE PLAN

HPA architecture
hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949-863-1770
fax: 949-863-0851
email: hpa@hparchs.com

Owner:
RIDGE MORENO VALLEY, LLC C/O
RIDGE PROPERTY TRUST
201 COVINA AVE. - STE. #8
LONG BEACH, CA 90803

PH: (562) 856-3819
FAX: (562) 856-3820

Project:
CENTERPOINT BUSINESS PARK
BUILDING 11
23400 Cactus Ave.
Moreno Valley, CA 92555

Consultants:
CIVIL Huitt-Z...
STRUCTURAL
MECHANICAL
PLUMBING
ELECTRICAL
LANDSCAPE Environs
FIRE PROTECTION
SOILS ENGINEER

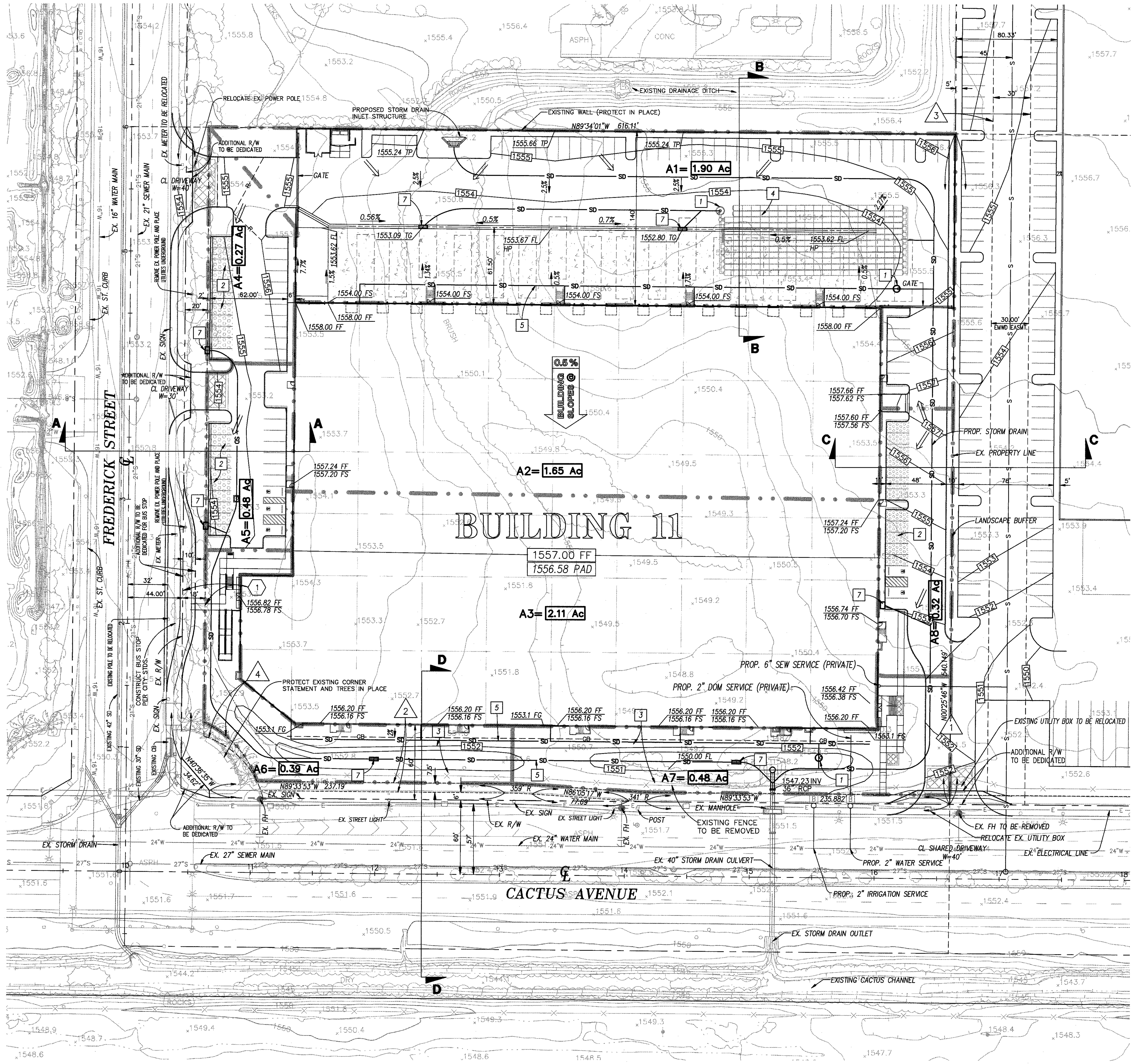
-1175-

Title:

Project Number: 9231
Drawn by: JAIME CRUZ
Date: OCTOBER 19, 2012
Revision:

PA 12-0019

Sheet:
A1.1
SITE PLAN
08/27/2012



WQMP NOTES

1. INSTALL STORM WATER CLARIFIER (CDS UNIT OR APPROVED EQUAL)
2. CONSTRUCT PERVIOUS CONCRETE PAVEMENT OVER CRUSHED WASHED STONE BEDDING
3. CONSTRUCT INFILTRATION BASIN
4. CONSTRUCT UNDERGROUND INFILTRATION CHAMBER SYSTEM
5. INSTALL UNDERGROUND ROOF DRAIN COLLECTION AND CONVEYANCE SYSTEM.
6. CONSTRUCT TRASH ENCLOSURE PER CITY OF MORENO VALLEY STANDARD 627.
7. INSTALL CATCH BASIN FILTER (BIO-CLEAN OR APPROVED EQUAL) AND PROVIDE "NO DUMPING" STENCIL PER CITY REQUIREMENTS.

VOLUME BASED BMP'S

AREA	BMP	V_{BMP}
1	UNDERGROUND INFILTRATION CHAMBER	4828 CF
4	PERVIOUS CONCRETE	284 CF
5	PERVIOUS CONCRETE	334 CF
6	INFILTRATION BASIN	54 CF
7	INFILTRATION BASIN	218 CF
8	PERVIOUS CONCRETE	441 CF

FLOW BASED BMP'S

AREA	BMP	Q_{BMP}
1	CATCH BASIN FILTER	2@ 0.072 CFS
2	CDS UNIT	0.490 CFS
3	CDS UNIT	0.801 CFS
4	CATCH BASIN FILTER	0.003 CFS
5	CATCH BASIN FILTER	0.0021 CFS
6	INFILTRATION BASIN	0.006 CFS
7	INFILTRATION BASIN	0.490 CFS

EXISTING EASEMENT TO REMAIN

⟨1⟩ DENOTES 18' EASEMENT TO THE CITY OF MORENO VALLEY FOR LANDSCAPE PURPOSES PER INSTRUMENT NO. 025804, RECORDED JANUARY 9, 1991

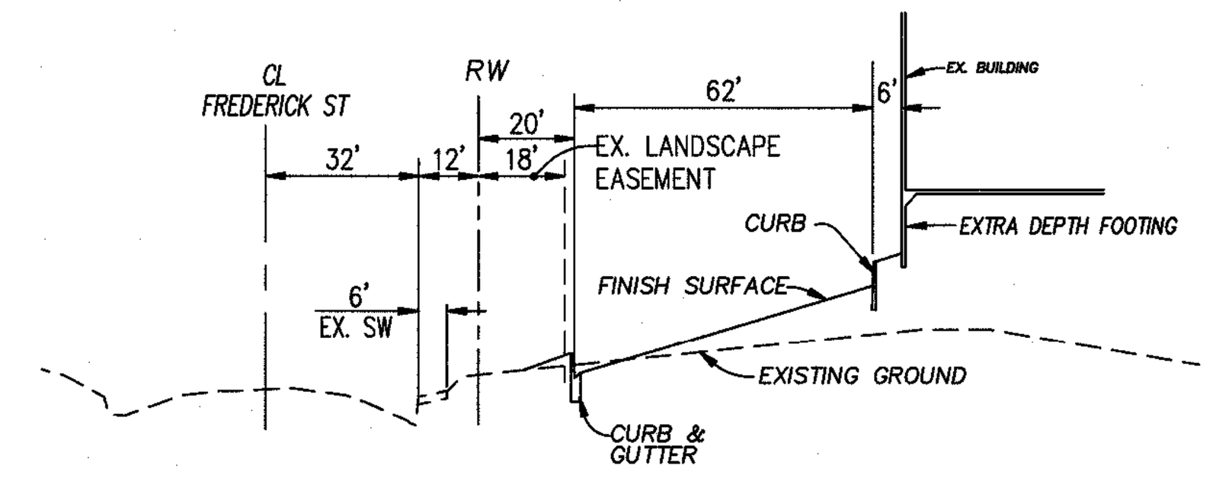
PROPOSED EASEMENT

△1 A RECIPROCAL ACCESS EASEMENT WILL BE REQUIRED FOR THAT PORTION OF THE PROPOSED DRIVEWAY ON CACTUS AVENUE THAT IS LOCATED PARTIALLY OUTSIDE OF THE PROJECT BOUNDARY.

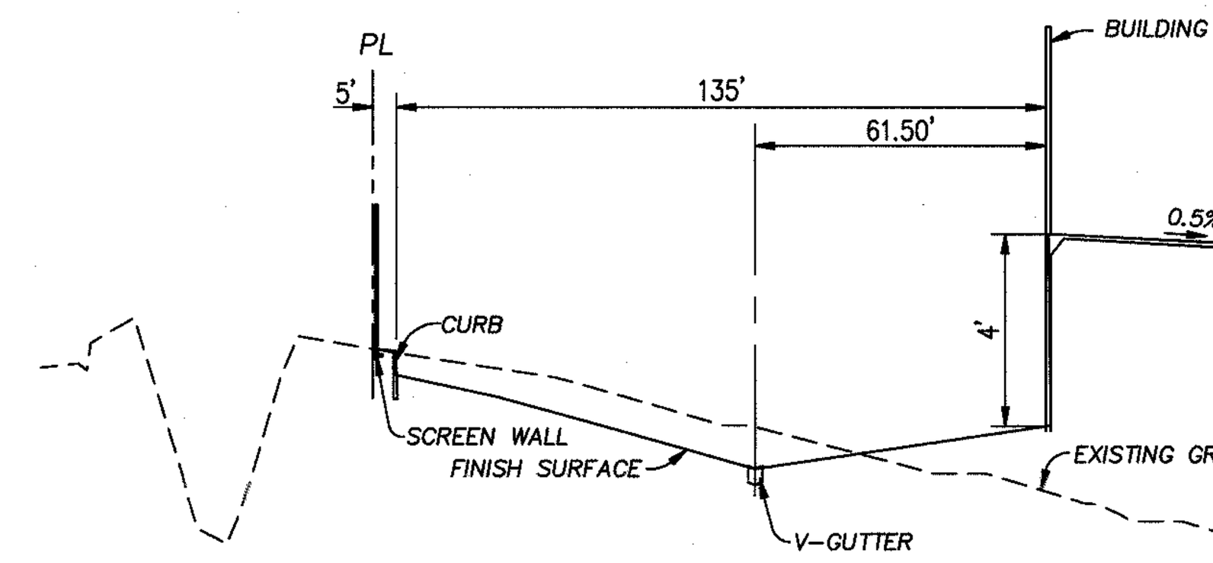
△2 7.5' EASEMENT FOR PUBLIC SIDEWALK PURPOSES TO BE DEDICATED ON PARCEL MAP

△3 DENOTES 30' EASEMENT TO EMWD FOR SEWER MAIN

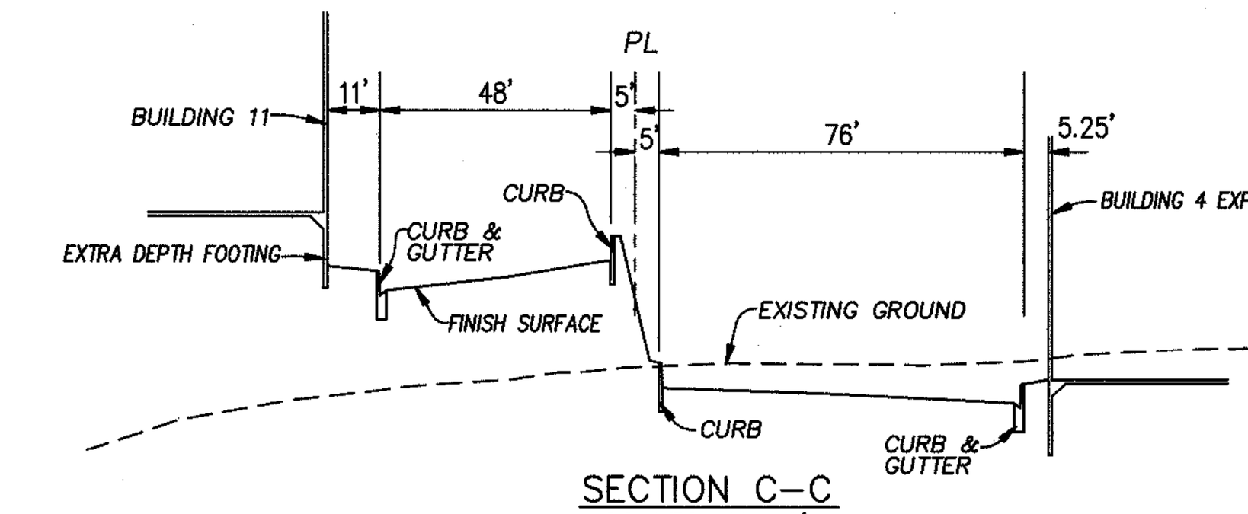
△4 ADDITIONAL EASEMENT TO BE DEDICATED FOR LANDSCAPE PURPOSES



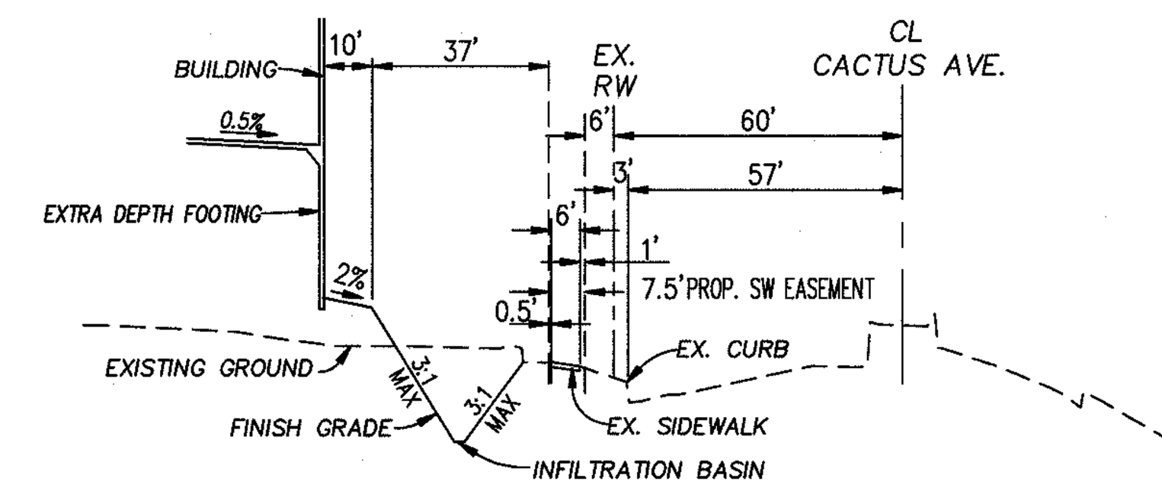
SECTION A–A
SCALES: H=40' V=4'



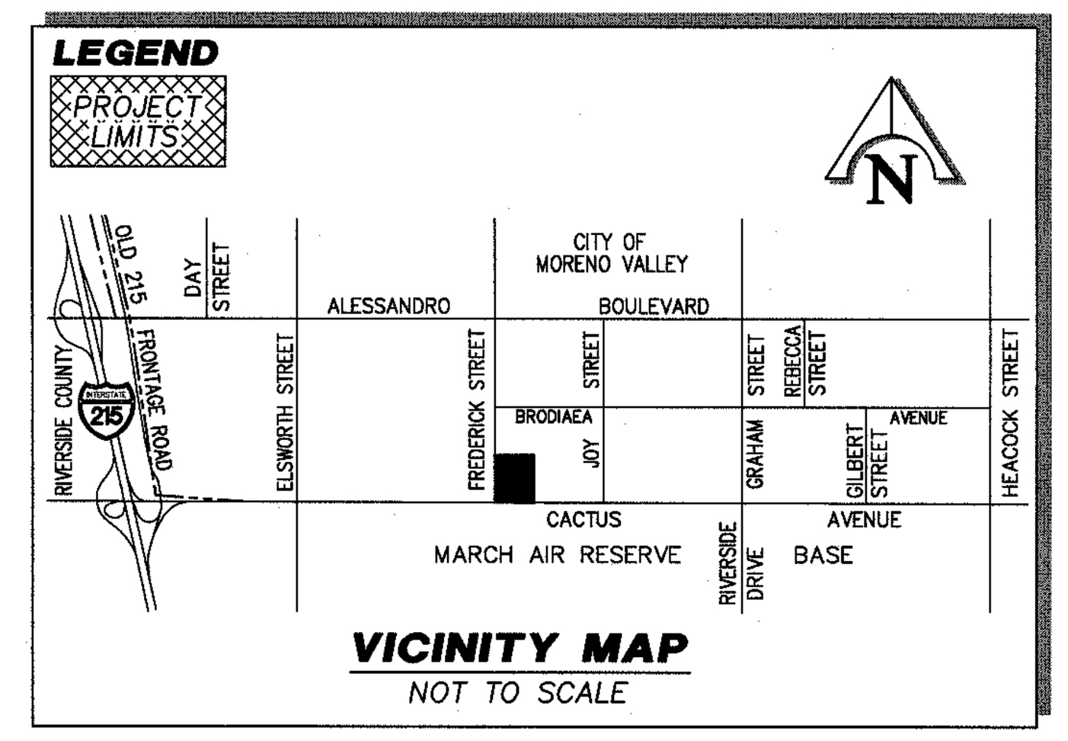
SECTION B–B
SCALES: H=40' V=4'



SECTION C–C
SCALES: H=40' V=4'



SECTION D–D
SCALES: H=40' V=4'



VICINITY MAP
NOT TO SCALE

GRAPHIC SCALE
(IN FEET)
1"=40'

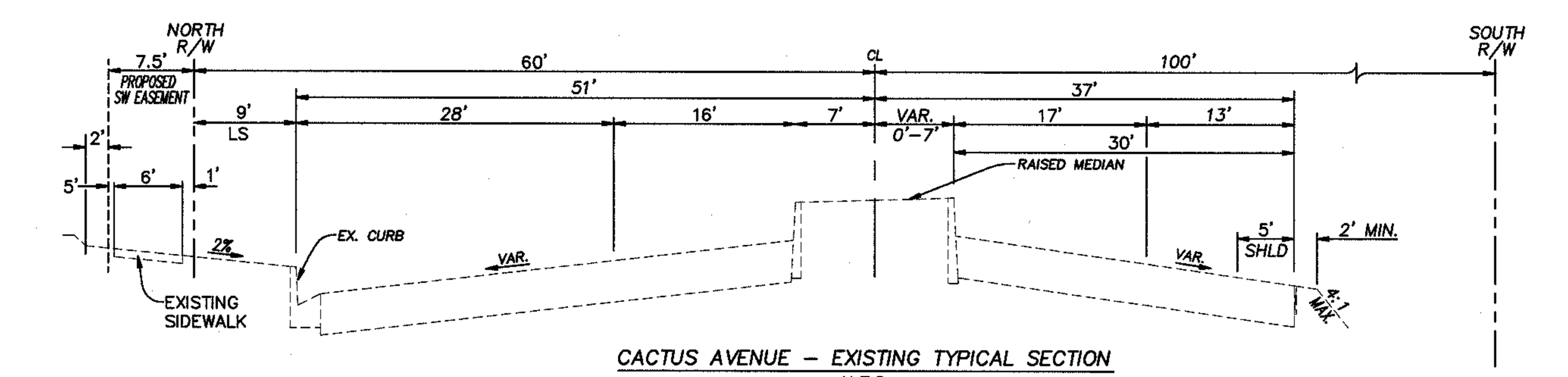
LEGEND

—SD—	PROPOSED STORM DRAIN
—S—	PROPOSED SEWER
—W—	PROPOSED WATER
– –GB– –	PROPOSED GRADE BREAK LINE
	BMP DRAINAGE BOUNDARY
	PROPOSED R/W
X.X Ac	TRIBUTARY AREA IN ACRES
	PROPOSED GRATING INLET
	PROPOSED CURB OPENING INLET
FF	PROPOSED FINISH FLOOR ELEVATION
TP	TOP OF PAVEMENT
TG	TOP OF GRATE
FL	FLOWLINE
CF	CURB FACE
FS	FINISHED SURFACE
CB	CATCH BASIN
PL	PROPERTY LINE
R/W	RIGHT-OF-WAY
CL	CENTERLINE
PROP.	PROPOSED
EX.	EXISTING
DRWY	DRIVEWAY
A#	BMP AREA DESIGNATION
⟸	DIRECTION OF FLOW
	CONCRETE
	PERVIOUS CONCRETE

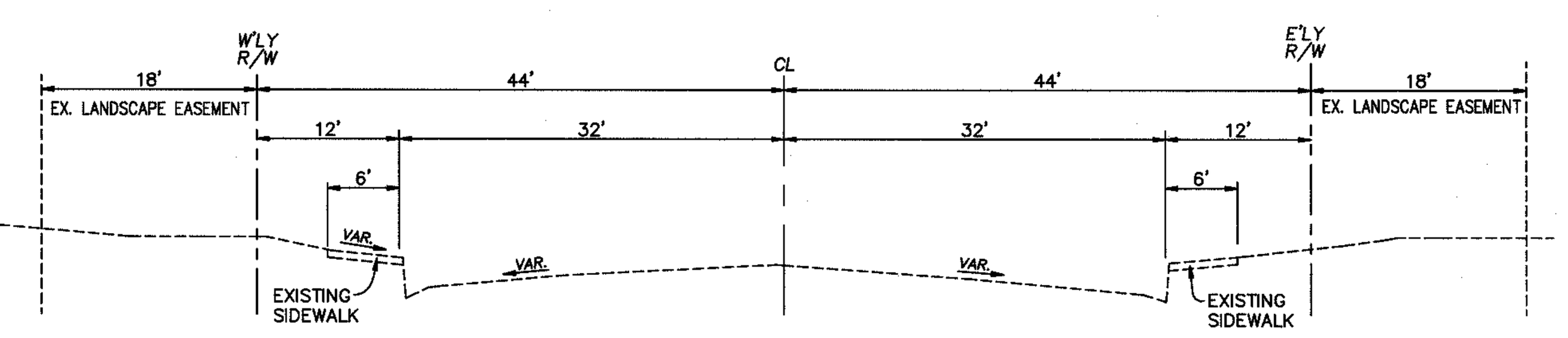
GENERAL NOTES

1. GROSS AREA
   LOT 11 = 7.59 AC
2. FLOOD ZONE X PANEL NO. 065074 0020 B
   MAP REVISED MAY 17, 1993
3. PRELIMINARY EARTHWORK
   RAW CUT = 2640 CY
   RAW FILL = 35800 CY

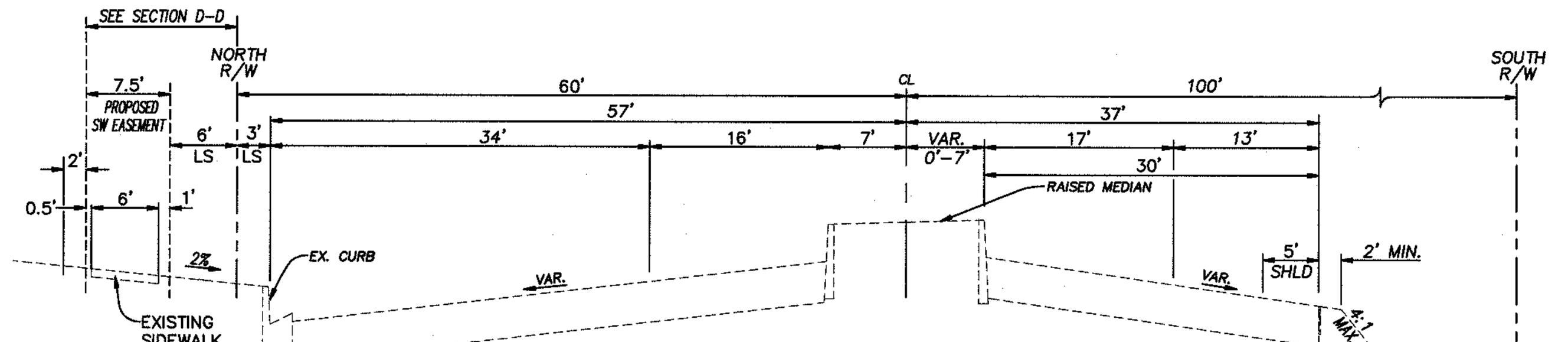
   FINAL QUANTITIES WILL BE DETERMINED AT ROUGH GRADING AND FINAL DESIGN



CACTUS AVENUE – EXISTING TYPICAL SECTION
N.T.S.



FREDERICK STREET – EXISTING TYPICAL SECTION
N.T.S.



CACTUS AVENUE – EXISTING TYPICAL SECTION
N.T.S.

EXISTING TOPOGRAPHY DEVELOPED AND SUPPLIED BY D.M.I. AERIAL TOPOGRAPHIES DATED MAY 9, 2012.

**
PAD ELEVATION IS BASED ON A PRELIMINARY 5" SLAB SECTION. FINAL DESIGN SLAB THICKNESS WILL BE BASED ON FINAL SOILS ENGINEERS RECOMMENDATIONS.

CONCEPTUAL GRADING, DRAINAGE, UTILITY & WQMP PLAN
FOR
MORENO VALLEY CENTERPOINTE - BUILDING 11 (PA12-0019)
CACTUS AVENUE & FREDERICK STREET
CITY OF MORENO VALLEY

HUITT~ZOLLARS
HUITT-ZOLLARS, INC.
3990 CONCOURS, SUITE 330 * ONTARIO, CALIFORNIA 91764 * (909) 941-7799

APPROVED BY	P.L.S.	EXPIRES	DATE
MAURICE M. MURAD (signature)	33366	6-30-14	

DESIGNED BY	MHM
DRAWN BY	MAY M.
CHECKED BY	MHM
FIELD BOOK	
SHEET	1 OF 1 SHEETS
JOB NO.	11-0244-25

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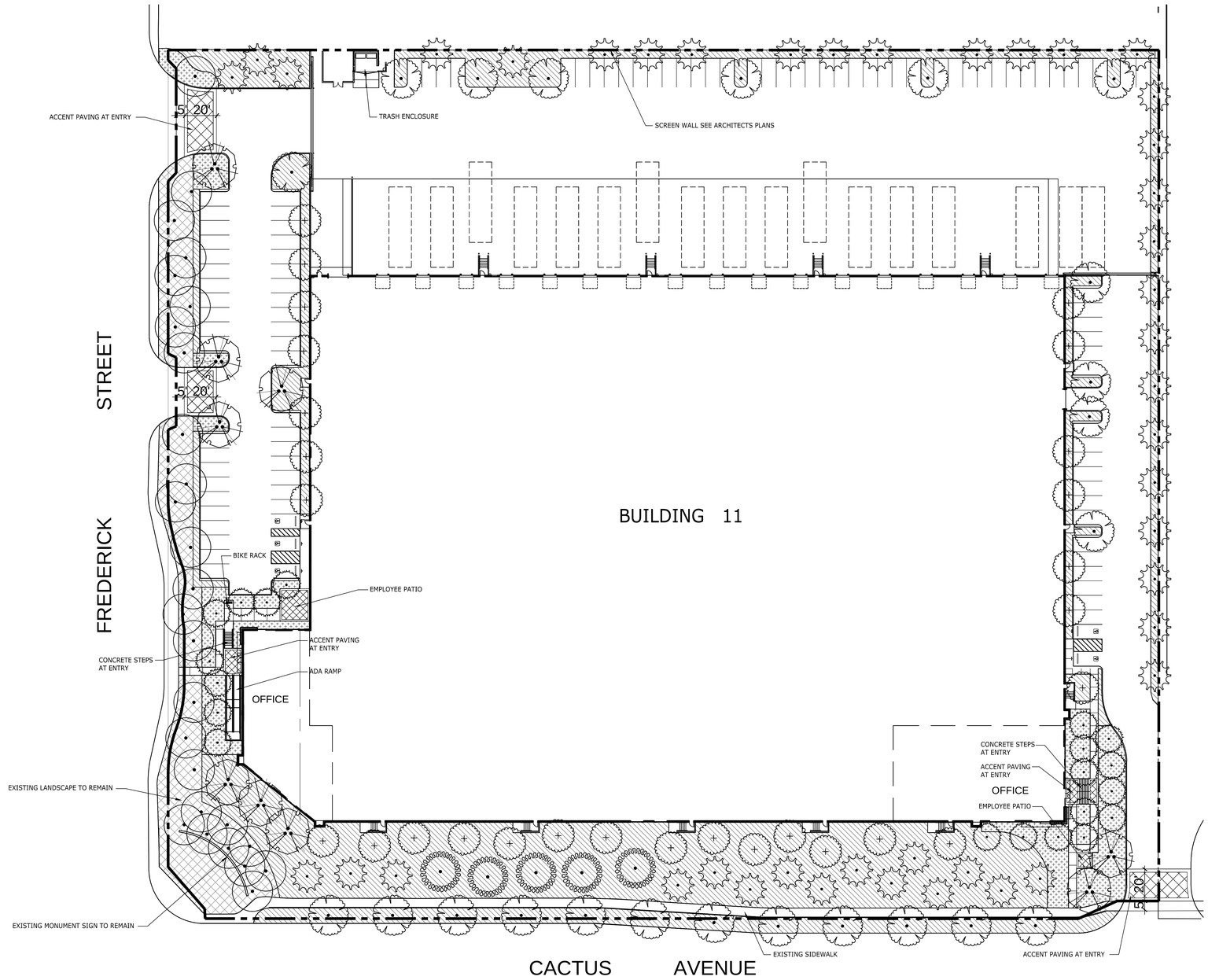


TREE PALETTE

TREES	BOTANICAL NAME	COMMON NAME	CONT	CAL	QTY
+	Eucalyptus sideroxylon `Rosea`	Red Ironbark	15 gal	Low	28
	Existing Tree To Remain	Protect In Place	Existing		27
	Koelreuteria bipinnata	Chinese Flame Tree Multi-Trunk	36"box	Med	9
	Lagerstroemia x `Muskogee`	Lavender Crape Myrtle Std.	24"box	Med	21
	Pinus eldarica	Afghan Pine	15 Gal. & 24" Box	Low	43
	Platanus racemosa	California Sycamore	15 gal	Med	5
	Rhus lancea	African Sumac	24"box	Low	23

ROOT BARRIER NOTE

ALL TREES WITHIN 8' OF HARDSCAPE SHALL BE IN A SHAWTOWN LINEAR ROOT BARRIER 24" HIGH (NOT WRAPPED AROUND). PLACE ROOT BARRIER ADJACENT TO HARDSCAPE AND CENTER ON TREE EXTENDING 5' IN BOTH DIRECTIONS FOR AN OVERALL LENGTH OF 10'.

SHRUB PALETTE

SHRUB & GROUND COVER PALETTE - LOW WATER USE 35,611 sf

Acacia redolens `Desert Carpet` TM / Bank Catclaw
Anigozanthos flavidus `Gold Velvet` / Kangaroo Paw
Arbutus unedo / Strawberry Tree Shrub
Baccharis pilularis `Pigeon Point` / Coyote Brush
Callistemon citrinus / Lemon Bottlebrush Shrub
Carex tumulicola / Berkeley Sedge
Cassia artemisioides / Feathery Cassia
Cistus x purpureus / Orchid Rockrose
Elaeagnus pungens `Fruitlandi` / Silverberry
Heteromeles arbutifolia / Toyon
Macfadyena unguis-cati / Yellow Trumpet Vine
Muhlenbergia capillans `Autumn Blush` / Pink Muhly
Muhlenbergia rigens / Deer Grass
Myoporum parvifolium `Putah Creek` / Putah Creek Myoporum
Pennisetum advena `Rubrum` / Fountain Grass
Pennisetum messiacum `Fairy Tails` / Fountain Grass
Rosmarinus officinalis `Huntington Blue` / Rosemary
Rosmarinus officinalis `Tuscan Blue` / Tuscan Blue Rosemary
Salvia greggii `Furmans Red` / Furman's Red Salvia
Westringia fruticosa / Coast Rosemary

SHRUB & GROUND COVER PALETTE - MEDIUM WATER USE 7,012 sf

Abelia x grandiflora `Edward Goucher` / Glossy Abelia
Buxus x `Green Gem` / Green Gem Boxwood
Dietes bicolor `Moraea` / Fortnight Lily
Hemerocallis x `Lemon Yellow` / Daylily
Ligustrum texanum / Texas Privet
Nandina domestica / Heavenly Bamboo
Photinia x fraseri / Photinia
Podocarpus gracilior `Column` / Fern Pine
Rhaphiolepis indica `Clara` / Indian Hawthorn
Rosa flonbunda `Iceberg` / Iceberg Rose
Rosa x `Flower Carpet Pink` / Rose
Xylosma congestum / Shiny Xylosma

EXISTING LANDSCAPE TO REMAIN

EXISTING LANDSCAPE TO REMAIN PROTECT IN PLACE

MULCH NOTE

ALL PLANTER AREAS TO RECEIVE A 2" LAYER OF COVER MULCH AVAILABLE FROM EARTHWORKS (951) 270-0081

NORTH

0 30 60 90 feet
1" = 30'

DATE
REVISIONS

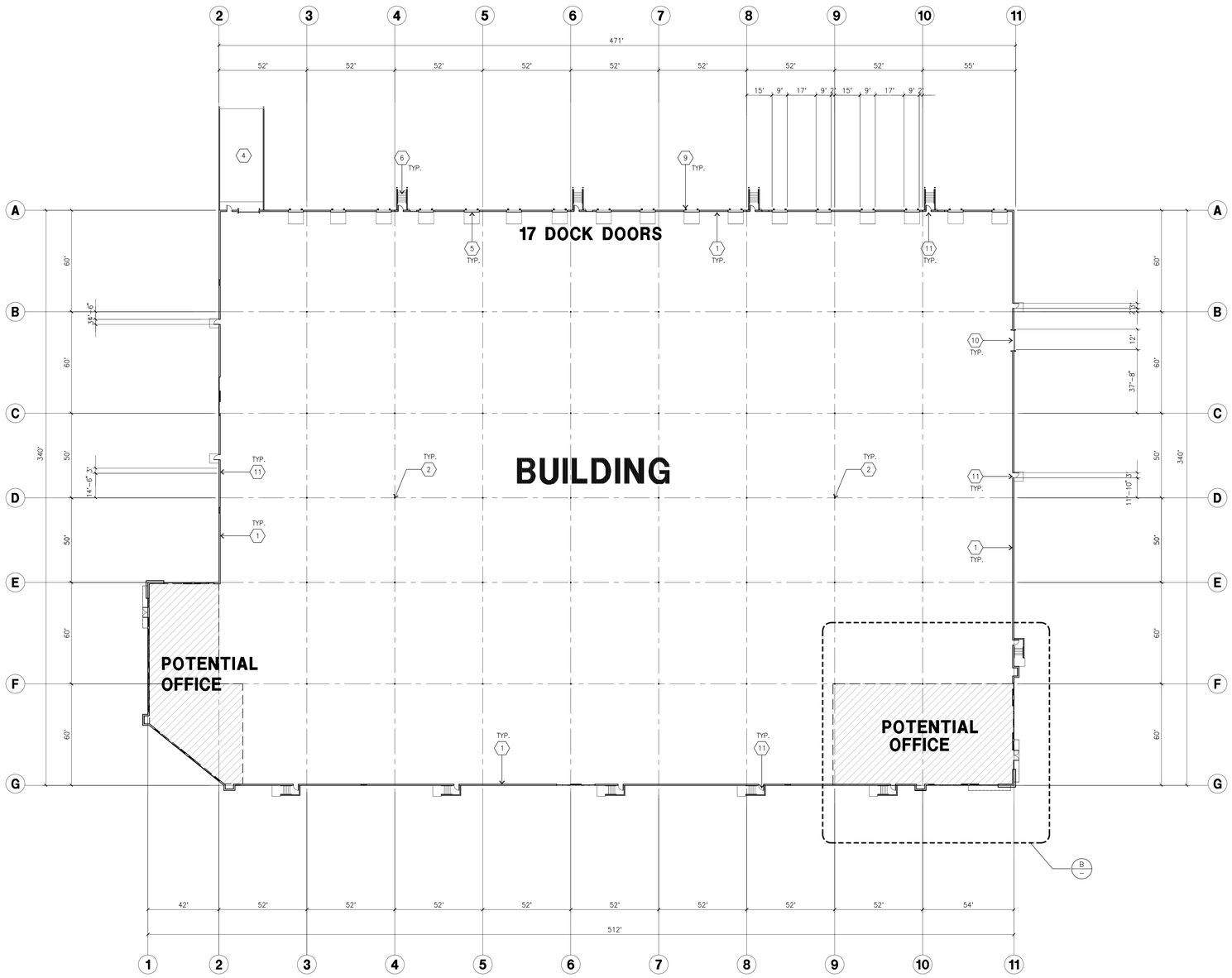
OWNER / DEVELOPER:
RIDGE MORENO VALLEY, LLC C/O
RIDGE PROPERTY TRUST
201 COVINA - STE #8 * LONG BEAC
TEL (562) 856-3819 * CONTACT: KEN

-1177-

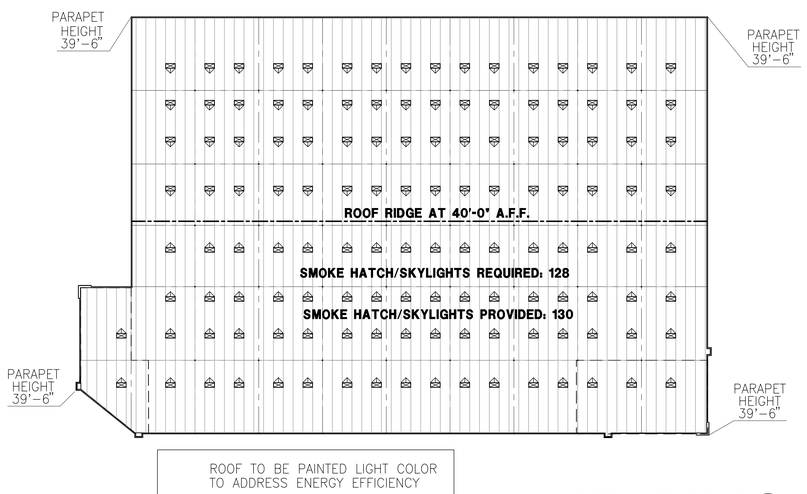
SHEET TITLE: PRELIMINARY LANDSCAPE PLAN
PROPOSED NEW BUILDING FOR:
CENTERPOINT BUSINESS PARK
Building 11
23400 Cactus Avenue, Moreno Valley, CA 92555

LICENSED LANDSCAPE ARCHITECT
BRETT K. FRENCH
3416
Signature
10/31/12
Renewal Date
STATE OF CALIFORNIA

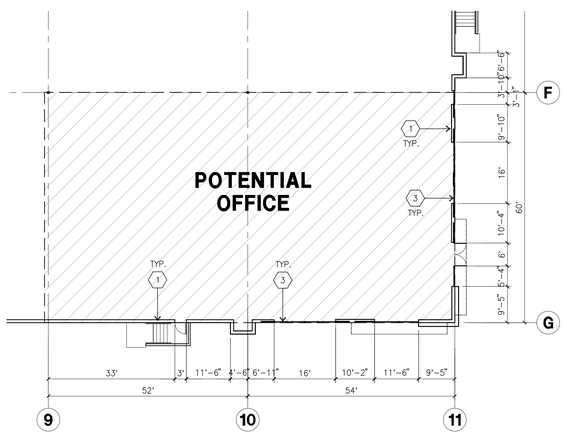
DRAWN BY DATE
BKF 4-30-12
JOB NO.
RIDGE0001
SHEET NO.
L-1
OF 1 SHTS.



OVERALL FLOOR PLAN A
scale: 1"=30'-0"



OVERALL ROOF PLAN C
scale: 1"=50'-0"



ENLARGED FLOOR PLAN B
scale: 1/16"=1'-0"

KEYNOTES - FLOOR PLAN

1. CONCRETE TILT-UP PANEL. SEE "S" DWGS. FOR THICKNESS AND STEEL REQUIREMENTS.
2. STRUCTURAL STEEL COLUMN. SEE "S" DRAWINGS FOR SIZE.
3. TYPICAL STOREFRONT SYSTEM WITH GLAZING. SEE OFFICE BLOW-UP AND ELEVATIONS FOR SIZE, COLOR AND LOCATIONS.
4. CONCRETE RAMP W/ 42"HIGH CONC TILT-UP GUARD WALL OR BUILDING WALL ON BOTH SIDE OF RAMP, SEE "S" DWG FOR DETAIL.
5. 9'-0" X 10' TRUCK DOOR, SECTIONAL O'H., STANDARD GRADE.
6. EXTERIOR CONCRETE STAIR
7. 5'-6"X5'-6"X4" THICK CONCRETE EXTERIOR LANDING PAD TYPICAL AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREA. FINISH TO BE MEDIUM BLOOM FINISH. SLOPE TO BE 1/4" - 1/2" MAX. PROVIDE WALK TO HARD SURFACE PER CITY REQUIREMENTS.
8. LOUVERED OPENING FOR VENTILATION.
9. DOCK DOOR BUMPER
10. 12' X 14' DRIVE THRU. SECTIONAL OH., STANDARD GRADE. DESIGNED TO RESIST WIND 90 MPH., EXPOSURE "C".
11. 3'X7' HOLLOW METAL EXTERIOR MAN DOOR. DESIGNED TO RESIST WIN 90 MPH., EXPOSURE "C".
12. SOFFIT LINE ABOVE
13. BRACE FRAME, SEE "S" DWGS.
14. CONC. FILLED GUARD POST. 6" DIA. U.N.O.. 42"H.
15. EXTERIOR DOWNSPOUT WITH OVERFLOW SCUPPER,
16. Z GUARD
17. APPROXIMATE LOCATION OF ROOF TOP UNIT.
18. TRASH COMPACTOR (N.I.C.) PROVIDE SPRINKLERS PER CODE REQUIREMENTS. INSTALLER SHOULD PAINT TO MATCH BUILDING

GENERAL NOTES - FLOOR PLAN

A. THIS BUILDING IS DESIGNED FOR HIGH PILE STORAGE WITH FIRE ACCESS MAN DOORS AT 100' MAXIMUM O.C. A SEPARATE PERMIT WILL BE REQUIRED FOR ANY RACKING/CONVEYER SYSTEMS.
B. FIRE HOSE LOCATIONS SHALL BE APPROVED PER FIRE DEPARTMENT.
C. THE BUILDING FLOOR SLAB IS SLOPED, SEE "C" DRAWINGS FOR FINISH SURFACE ELEVATIONS.
D. NOT USED
E. WAREHOUSE INTERIOR CONCRETE WALLS ARE PAINTED WHITE. COLUMNS ARE TO RECEIVE PRIMER ONLY. ALL GYP. BD. WALLS IN WAREHOUSE TO RECEIVE 1 COAT OF WHITE TO COVER.
F. SLOPE POUR STRIP 1/2" TO EXTERIOR AT ALL MANDOOR EXITS. SEE "S" DRAWINGS FOR POUR STRIP LOCATION.
G. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE PANEL WALL, GRIDLINE, OR FACE OF STUD U.N.O.
H. SEE CIVIL DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR TO VERIFY ACTUAL UTILITY LOCATIONS. PLUMBING/ELECTRICAL COORDINATION.
I. FOR DOOR TYPES AND SIZES, SEE DETAIL SHEET A0.4. NOTE: ALL DOORS PER DOOR SCHEDULE ARE FINISH OPENINGS.
J. CONTRACTOR TO PROTECT AND KEEP THE FLOOR SLAB CLEAN. ALL EQUIPMENT TO BE DIAPERED INCLUDING CARS AND TRUCKS.
K. ALL EXIT MAN DOORS IN WAREHOUSE TO HAVE ILLUMINATED EXIT SIGN. HARDWARE.
L. HIGHLY FLAMMABLE AND COMBUSTIBLE MATERIAL SHALL NOT BE USED OR STORED IN THIS BUILDING.
M. EACH EXTERIOR EXIT DOOR SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE WORDS "EXIT". THE MOUNTING HEIGHT FOR SUCH SIGNAGE SHALL BE 60" FROM FINISH FLOOR LEVEL TO THE CENTER OF THE SIGN.
N. NON-ACCESSIBLE DOOR. PROVIDE WARNING SIGN LOCATED IN THE INTERIOR SIDE PER CBC 11338.1.1.1
O. ALL ROOF MOUNTED MATERIALS SHALL BE FULLY SCREENED FROM PUBLIC VIEW.

FLOOR SLAB AND POUR STRIPS REQ.

THESE NOTES ARE VERY MIN. REQUIREMENT. SEE "S" DWGS FOR ADDITIONAL REQUIREMENTS

1. FLOOR COMPACTION - 95%
2. TRENCH COMPACTION - 90%
3. BUILDING FLOOR SLAB:
   A. 6" THICK MIN. UNREINFORCED CONCRETE OVER COMPACTED SOILS
   B. 3/4" - 16"LONG @ 12" O.C. DOWELS AT ALL CONSTRUCTION JOINTS
      3/4" - 16"LONG @ 24" O.C. DOWELS IN DOWEL BASKET AT ALL CONTROL JOINTS.
   C. 4,000 P.S.I. REQUIREMENT.
   D. SLUMP TO BE 4" +/- 1"
   E. JOINT SPACING PER A.C.I. 302-1R-96
   F. SAW-CUT DEPTH 1/4 T; SOFT SAW-CUTTING WITHIN 2 HRS OF FINISHING
4. CONTRACTOR TO BUILD FOR CLASS V FLOOR PER A.C.I. 302-1R-96
5. NOT USED
6. CONCRETE SLAB TO HAVE STEEL FLOAT HARD TROWEL BURNISHED FINISH.
7. CONTRACTOR TO CURE SLAB TO BE WET CURING USING BURLINE FOR 7 DAYS MIN.
8. ALL EQUIPMENT & MOVING VEHICLES SHALL BE DIAPERED.
9. NO CRANES, CONCRETE TRUCKS, OR ANYTHING HEAVIER WILL BE PLACED ON THE SLAB.
10. SLAB TO BE FF35 FL24 MEASURED WITHIN 24 HOURS.
11. NO FLY ASH IN THE CONCRETE
12. WHERE [hatch] INDICATED, PROVIDE VAPOR BARRIER (15MIL STEGO OR EQUAL) UNDER THE CONCRETE SLAB. PROVIDE SAND PER SOILS ENGINEER OR MANUFACTURER'S RECOMMENDATION.
    CONCRETE SLAB IN FUTURE OFFICE AREAS, WHERE SAND OVER VIQUEEN ARE REQUIRED, SHALL BE NATURALLY HYDRATED WITHOUT USE OF BURLENE, CURING COMPOUND, OR RELEASE AGENTS.
    CONTROL/CONSTRUCTION JOINTS SHALL NOT BE FILLED WITH MM-80 JOINT FILLER IN FUTURE OFFICE AREAS.
13. SEAL CONCRETE SLAB W/ "LIPIDOLITH" SEALER

HPA architecture
hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949·863·1770
fax: 949·863·0851
email: hpa@hparchs.com

Owner:

RIDGE MORENO VALLEY, LLC C/O
RIDGE PROPERTY TRUST
201 COVINA AVE. - STE. #8
LONG BEACH, CA 90803

PH: (562) 856-3819
FAX: (562) 856-3820

Project:

CENTERPOINT BUSINESS PARK
BUILDING 11

23400 Cactus Ave.
Moreno Valley, CA 92555

-1178-

Consultants:

CIVIL Huitt-...
STRUCTURAL
MECHANICAL
PLUMBING
ELECTRICAL
LANDSCAPE Environs
FIRE PROTECTION
SOILS ENGINEER

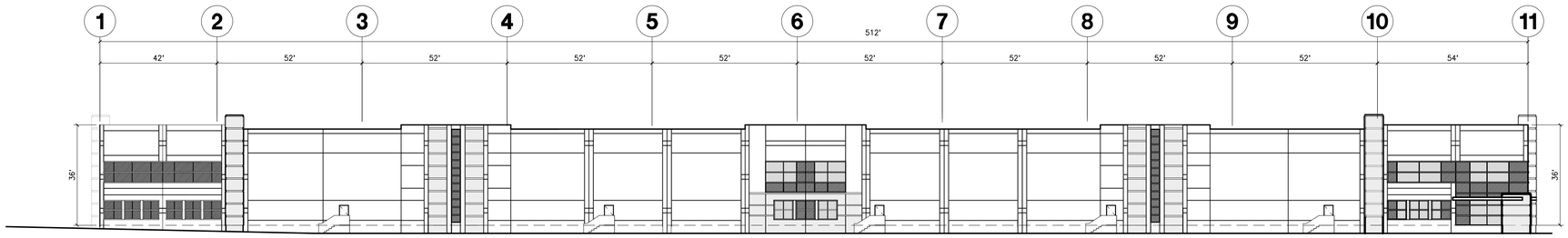
Title: FLOOR PLAN

Project Number: 9231
Drawn by: JAIME CRUZ
Date: OCTOBER 19, 2012
Revision:

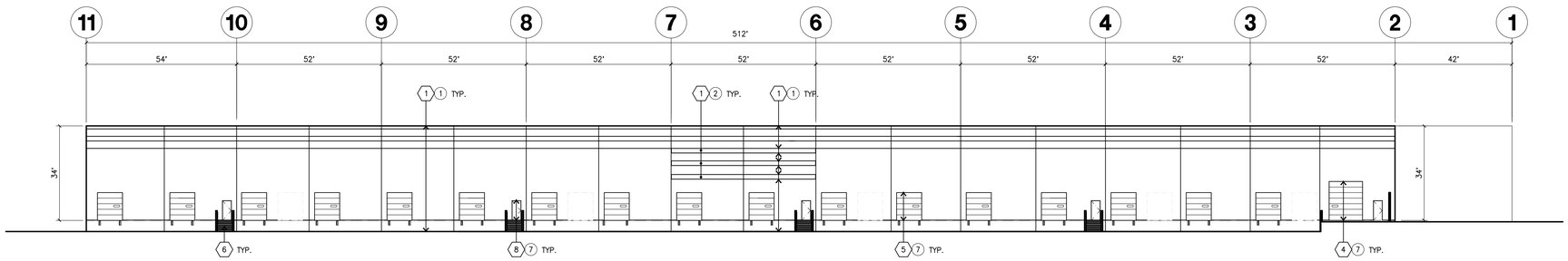
PA 12-0019

Sheet:

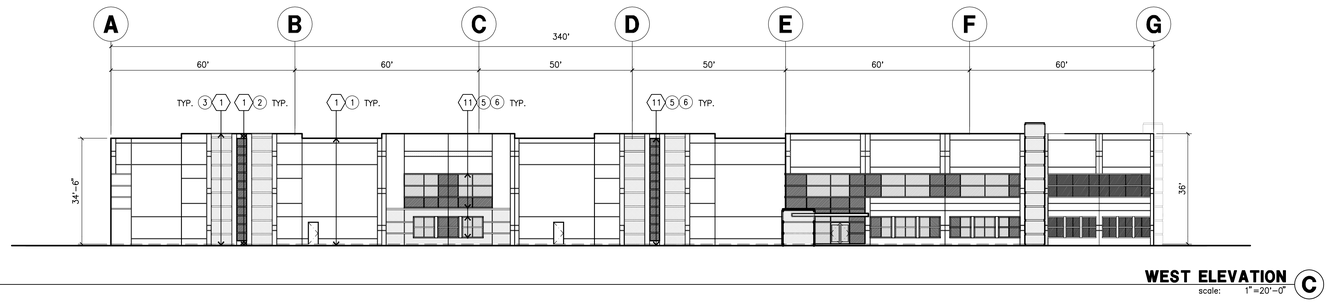
A2.1
FLOOR PLAN
08/27/2012



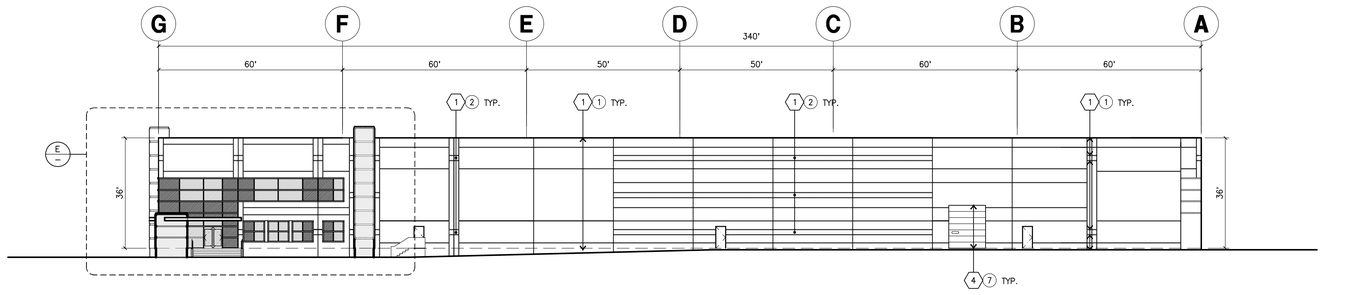
SOUTH ELEVATION (A) scale: 1"=20'-0"



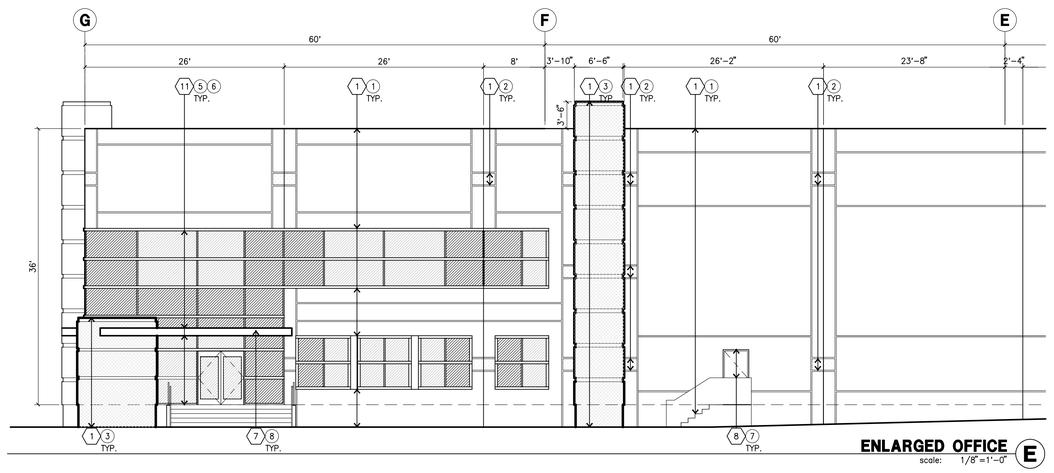
NORTH ELEVATION (B) scale: 1"=20'-0"



WEST ELEVATION (C) scale: 1"=20'-0"



EAST ELEVATION (D) scale: 1"=20'-0"



ENLARGED OFFICE (E) scale: 1/8"=1'-0"

KEYNOTES - ELEVATIONS

1. CONCRETE TILT-UP PANEL(PAINTED). FINISH GRADE VARIES. SEE "C" DRAWINGS. WATERPROOF ALL WALLS WHERE GRADE IS HIGHER AND EXPOSED TO THE WEATHER ONE SIDE. WATERPROOFING TO BE PROTECTED WITH PROTECTION BOARD AND A MIN. OF 6" OF GRAVEL. PROVIDE TRENCH DRAIN AT BOTTOM AND DAYLIGHT TO CURB OR TAKE TO STORM DRAIN. NOT REQUIRED AT DOCK HIGH CONDITION OR AT RAMP WALLS.
2. PANEL JOINT.
3. PANEL REVEAL. ALL REVEALS TO HAVE A MAX. OF 3/8" CHAMFER. REVEAL COLOR TO MATCH ADJACENT BUILDING FIELD COLOR. U.N.O.
4. OVERHEAD DOOR @ DRIVE THRU. SEE DOOR SCHEDULE. PROVIDE COMPLETE WEATHER-STRIPPING PROTECTION ALL AROUND.
5. OVERHEAD DOOR @ DOCK HIGH. SEE DOOR SCHEDULE. PROVIDE COMPLETE WEATHER-STRIPPING PROTECTION ALL AROUND.
6. CONCRETE STAIR, LANDING AND GUARDRAIL W/ METAL PIPE HANDRAIL. PROVIDE NON SKID NOSING TO MEET ADA REQUIREMENTS. PROVIDE CONTRASTING COLORED 3" WIDE WARNING STRIPE INTEGRAL TO CONCRETE AT TOP LANDING AND BOTTOM TREAD PER ADA REQUIREMENTS.
7. CANOPY
8. HOLLOW METAL DOORS, SEE DOOR SCHEDULE. PROVIDE COMPLETE WEATHER STRIPING ALL AROUND DOOR. PROVIDE FOR RAIN DIVERTER ABOVE DOOR.
9. EXTERIOR DOWNSPOUT AND OVERFLOW SCUPPER
10. DOCK BUMPER
11. ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING AT ALL DOORS, SIDELITES ADJACENT TO DOORS AND GLAZING WITH BOTTOMS LESS THAN 18" ABOVE FINISH FLOOR ELEVATION.

GENERAL NOTES - ELEVATIONS

A. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.
B. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.
C. T.O.P. EL.= TOP OF PARAPET ELEVATION.
D. F.F. = FINISH FLOOR ELEVATION.
E. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS AND LINTELS SHALL BE DESIGNED TO RESIST 90 MPH. EXPOSURE "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.
F. CONTRACTOR SHALL FULLY PAINT ONE CONCRETE PANEL W/ SELECTED COLORS. ARCHITECT AND OWNER SHALL APPROVE PRIOR TO PAINTING REMAINDER OF BUILDING.
G. BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.
H. FOR SPANDREL GLAZING, ALLOW SPACE BEHIND SPANDREL TO BREATH.
J. USE ADHESIVE BACK WOOD STRIPS FOR ALL REVEAL FORMS.
K. THE FIRST COAT OF PAINT TO BE ROLLED-ON AND THE SECOND COAT TO BE SPRAYED-ON

COLOR SCHED. - ELEVATIONS

1	CONCRETE TILT-UP PANEL	PAINT BRAND: FRAZEE 384 PEBBLE GRAY
2	CONCRETE TILT-UP PANEL	PAINT BRAND: FRAZEE 501 SHELL WHITE
3	CONCRETE TILT-UP PANEL	PAINT BRAND: FRAZEE 553 STORMY SKY
4	NOT USED	PAINT BRAND:
5	GLAZING	COLOR: BLUE REFLECTIVE
6	MULLIONS	PAINT BRAND: CLEAR ANODIZED
7	DOORS	PAINT BRAND: FRAZEE 527 MARKET BASKET
8	CANOPY	PAINT BRAND: FRAZEE 527 MARKET BASKET

GLAZING LEGEND

S SPANDREL GLASS
TV TEMPERED VISION GLASS
V VISION GLASS

PAINT AND MATERIAL LEGEND

1 2 3

HPA architecture
hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949-863-1770
fax: 949-863-0851
email: hpa@hparchs.com

Owner:

RIDGE MORENO VALLEY, LLC C/O
RIDGE PROPERTY TRUST
201 COVINA AVE. - STE. #8
LONG BEACH, CA 90803

PH: (562) 856-3819
FAX: (562) 856-3820

Project:

CENTERPOINT
BUSINESS PARK
BUILDING 11

23400 Cactus Ave.
Moreno Valley, CA 92555

Consultants:

CIVIL Huitt-Z...
STRUCTURAL
MECHANICAL
PLUMBING
ELECTRICAL
LANDSCAPE Environs
FIRE PROTECTION
SOILS ENGINEER

-1179-

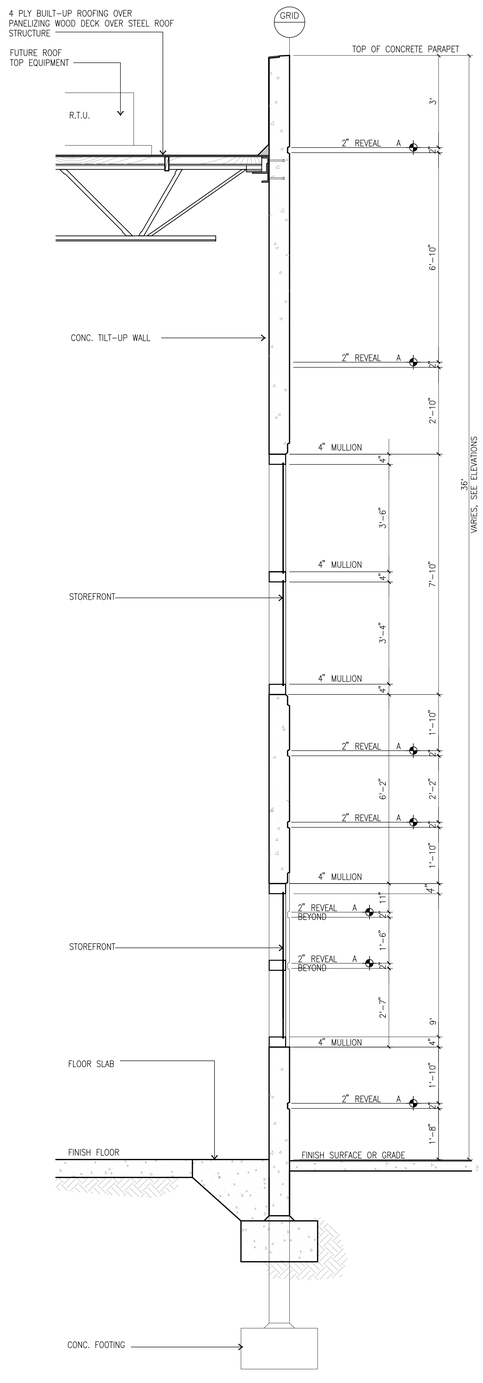
Title:

Project Number: 9231
Drawn by: JAIME CRUZ
Date: OCTOBER 19, 2012
Revision:

PA 12-0019

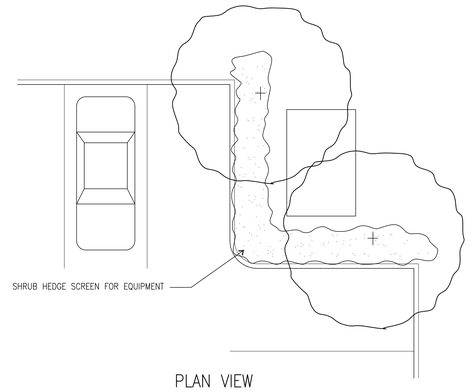
Sheet:

A3.1
ELEVATION PLAN
08/27/2012

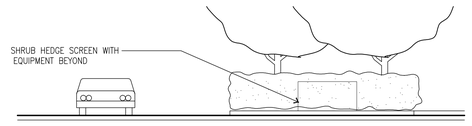


TYP. STOREFRONT ELEVATION (A)

scale: 1/2" = 1'-0"



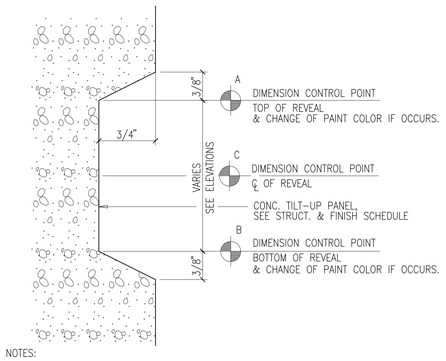
PLAN VIEW



ELEV.

GROUND MOUNTED EQUIPMENT SCREENING, TYP. (B)

scale:N.T.S.

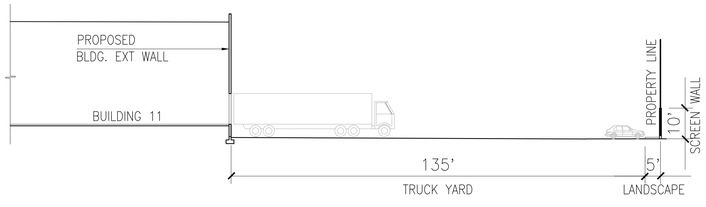


NOTES:

1. DIMENSION CONTROL POINTS AT REVEALS AND EDGE OF CONCRETE OPENINGS WHERE OCCUR, SEE WALL SECTIONS.
2. PAINT COLOR CHANGES TO ALWAYS OCCUR AT CONTROL POINT "A" OR "B"

TYP. CONCRETE REVEAL (C)

scale:N.T.S.



TRUCKYARD SECTION (D)

scale: 1" = 20'-0"

GENERAL NOTES - ELEVATIONS

A. CONTRACTOR TO VERIFY ALL GRADES W/ CURRENT "C" PLAN & VERIFY SITE CONDITIONS. VERIFY ALL TOP OF WALL HEIGHTS(T.O.W.) & FINISH SURFACE GRADES.

B. PROVIDE 2" DIA. P.V.C. WEEP HOLES @ 8' O.C. IN SCREEN WALLS @ GRADE GRADE LEVEL ON TRUCK YARD SIDE.

C. CONTRACTOR TO PROVIDE WATER-PROOFING MEMBER TO SCREEN WALL AT ALL RETAINING/ BERMING CONDITIONS. PROVIDE WATERPROOFING @ HIGHSIDE OF WALL ONLY. CONTRACTOR TO SUBMIT WATERPROOFING SPECIFICATIONS TO ARCHITECT PRIOR TO INSTALLATION.

D. SCREEN WALLS TO BE SUBMITTED UNDER SEPARATE PERMIT FROM BUILDING DEPARTMENT PER COUNTY STANDARD.

E. GATE MANUFACTURER TO PROVIDE DETAILING OF GATES TO WITHSTAND 90 MPH. WINDS, EXPOSURE "C" AND VERIFY ALL DIMENSIONS, DETAILS AND SITE CONDITIONS W/ CONTRACTOR.

ALL GATES TO BE WALL BRACED. SUB-CONTRACTOR TO SUBMIT SHOP DRAWINGS TO ARCHITECT PRIOR TO INSTALLATION.

CONTRACTOR TO VERIFY ALL CIVIL AND STRUCTURAL DRAWINGS FOR SCREEN-WALL HEIGHT. CONTRACTOR TO PROVIDE A MIN. OF 10'-0" HIGH SCREEN-WALL FROM FINISH GRADE @ STREET SIDE. CONTRACTOR TO ADJUST SCREEN-WALL HEIGHT AND FOOTING IN THE FIELD.

HPA architecture

hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949·863·1770
fax: 949·863·0851
email: hpa@hparchs.com

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LONG BEACH, CA 90803

PH: (562) 856-3819
FAX: (562) 856-3820

Project:

CENTERPOINT BUSINESS PARK BUILDING 11

23400 Cactus Ave.
Moreno Valley, CA 92555

-1180-

Consultants:

CIVIL — Huitt-...
STRUCTURAL
MECHANICAL
PLUMBING
ELECTRICAL
LANDSCAPE — Environs
FIRE PROTECTION
SOILS ENGINEER

Title:

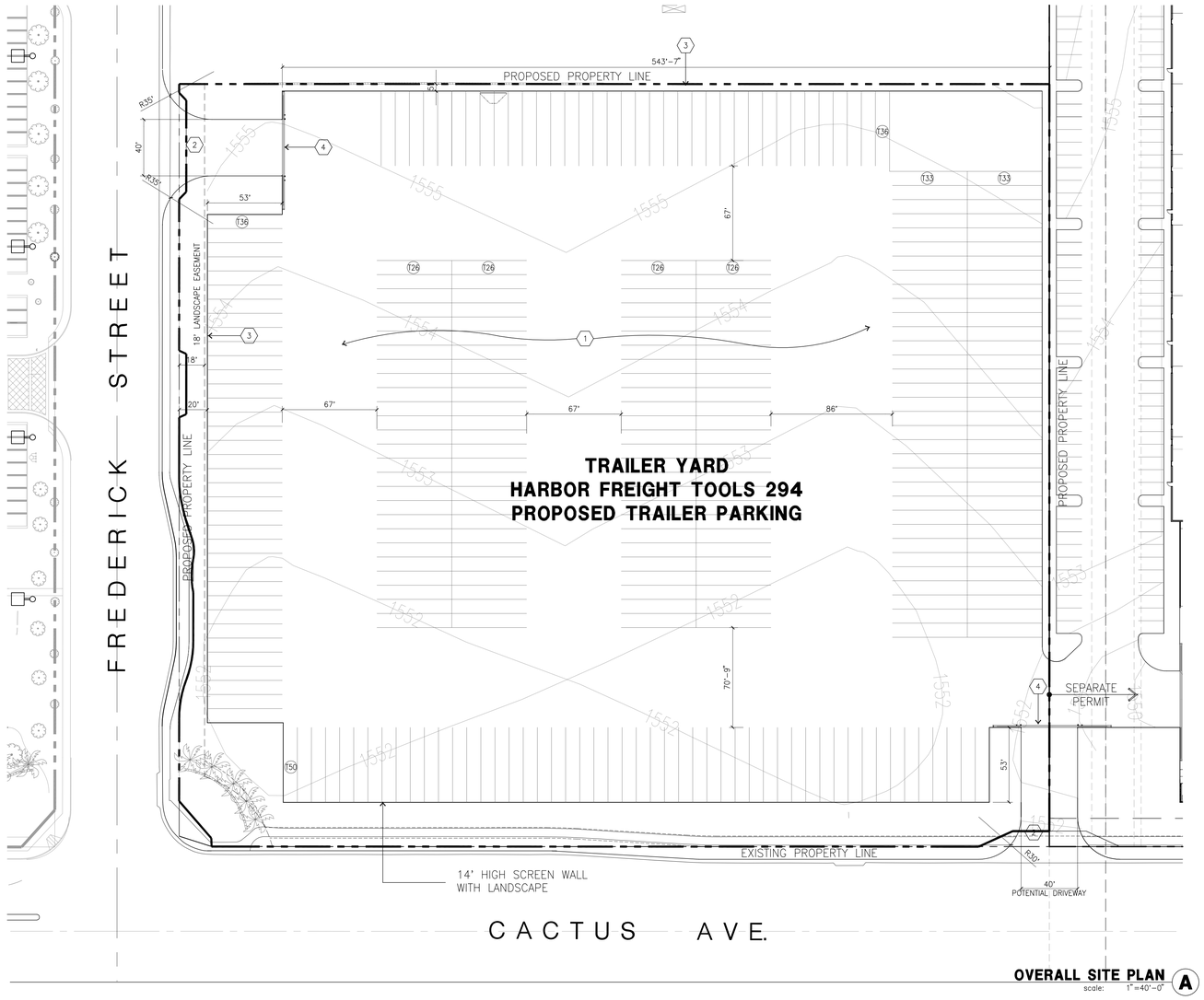
Project Number: 9231
Drawn by: JAIME CRUZ
Date: OCTOBER 19, 2012
Revision:

PA 12-0019

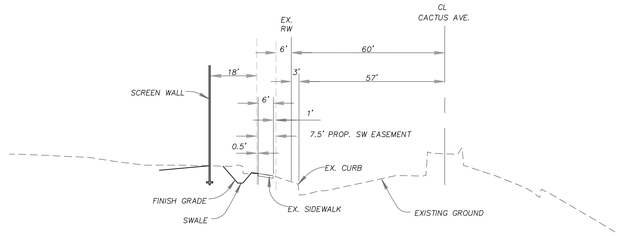
Sheet:

A4.1

SECTION
08/27/2012



OVERALL SITE PLAN
scale: 1" = 40'-0" (A) (N)



CACTUS AVENUE - EASEMENT SECTION (B)
N.T.S

site plan general notes

1. THE SOILS REPORT PREPARED BY ASSOCIATED SOILS ENGINEERING, IS TO BE A PART OF THESE CONTRACT DOCUMENTS.
2. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE
3. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM.
4. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS.
5. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS. SEE "C" DRAWINGS FOR FINISH GRADE ELEVATIONS.
6. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE PLANNING DIVISION AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.
7. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PLANNING DIVISION.
8. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PLANNING DIVISION.
9. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB
10. APPROVED CONCEPTUAL LANDSCAPE PLAN PRIOR TO GRADING PERMIT

site plan keynotes

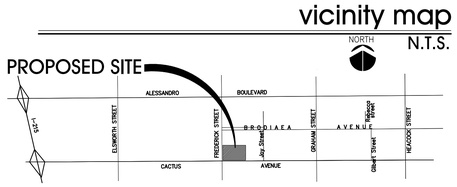
1. ASPHALT CONCRETE (AC) PAVING
2. DRIVEWAY APRONS TO BE CONSTRUCTED PER CITY STANDARD 118C MODIFIED. PROVIDE STAMPED CONCRETE W/ LIGHT BROOM FIN. AT ALL DRIVE LOCATIONS. PROVIDE VERTICAL & HORIZONTAL EXPANSION JOINTS AT A MAXIMUM OF 15' O.C. SPACING.
3. 14' HIGH CONCRETE TILT-UP SCREEN WALL
4. 8'H WROUGHT IRON SLIDING GATE.
5. LANDSCAPE. SEE CONCEPTUAL LANDSCAPE PLAN.

site legend

- LANDSCAPED AREA
- AC. PAVING
- EXISTING RIGHT OF WAY
- PROPOSED PROPERTY LINE

vicinity map

N.T.S.



project information

Owner / Applicant
RIDGE MORENO VALLEY, LLC
201 COVINA AVE. – STE. #8
LONG BEACH, CA 90803
TEL: (562) 856-3819
CONTACT: DENNIS RICE

Architect
HPA, INC.
18831 BARDEEN AVE. SUITE #100
IRVINE, CA 92612
TEL: (949) 863-1770
CONTACT: JAIME CRUZ

Applicant's Representative
INLAND EMPIRE DEVELOPMENT SERVICES, INC.
931 MONARCH COURT
BEAUMONT, CA 92223
TEL: (951) 845-1003
CONTACT: GIL SAENZ

Civil Engineer
HUITT ZOLLARS
3990 CONCOURS STE 330
ONTARIO, CA 91764
TEL: (909) 941-7799
CONTACT: MAURICE MURAD

Landscape Architect
ENVIRONS
1746 N. BRIDGEPORT AVE.
CLAREMONT, CA 91711
TEL: (909) 626-4663
CONTACT: BRETT FRENCH

Zoning
LI (LIGHT INDUSTRIAL)

Assessors Parcel Number
297-170-027

Legal Description
LOT 5, BLK. 259 OF MAP NO. 1 BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO. AS SHOWN BY MAP ON FILE IN BK. 11, PG. 10 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA

utility information

TELEPHONE:
VERIZON
150 SO JUANITA ST.
HEMET, CA 92543
PHONE: (951) 658-7305
CONTACT: PHIL BRILLINGER

ELECTRIC
MORENO VALLEY UTILITIES
14177 FREDERICK ST.
MORENO VALLEY, CA 92552
PHONE: (951) 413-3480
CONTACT: MICHELLE PIERCE

GAS
THE GAS COMPANY
25200 TRUMBLE ROAD SC 8058
ROMOLAND, CA 92380
PHONE: (951) 335-3902
CONTACT: DAVE MULLIGAN

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928 – 3777
CONTACT: NEW BUSINESS

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928-3777
CONTACT: NEW BUSINESS

CABLE – TV
TIME WARNER
1500 AUTO CENTER DR.
ONTARIO, CA 91761
PHONE: (951) 975-3380
(951) 390-4777
CONTACT: MARK DAUENHAUER

tabulation

TABULATION		
site area (in sq.ft.)	330,250	sf
site area (in acres)	7.58	ac.
Parking provided		
Trailers (10'x53')	294	stalls
Landscape provided	34,209	sf
% of Landscape provided	10.4%	

1" = 40'-0"
0 40' 80' 120'
REFERENCE NORTH
TRUE NORTH

OVERALL ALTERNATE SITE PLAN

HPA architecture
hpa, inc.
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BUILDING 11

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-1181-

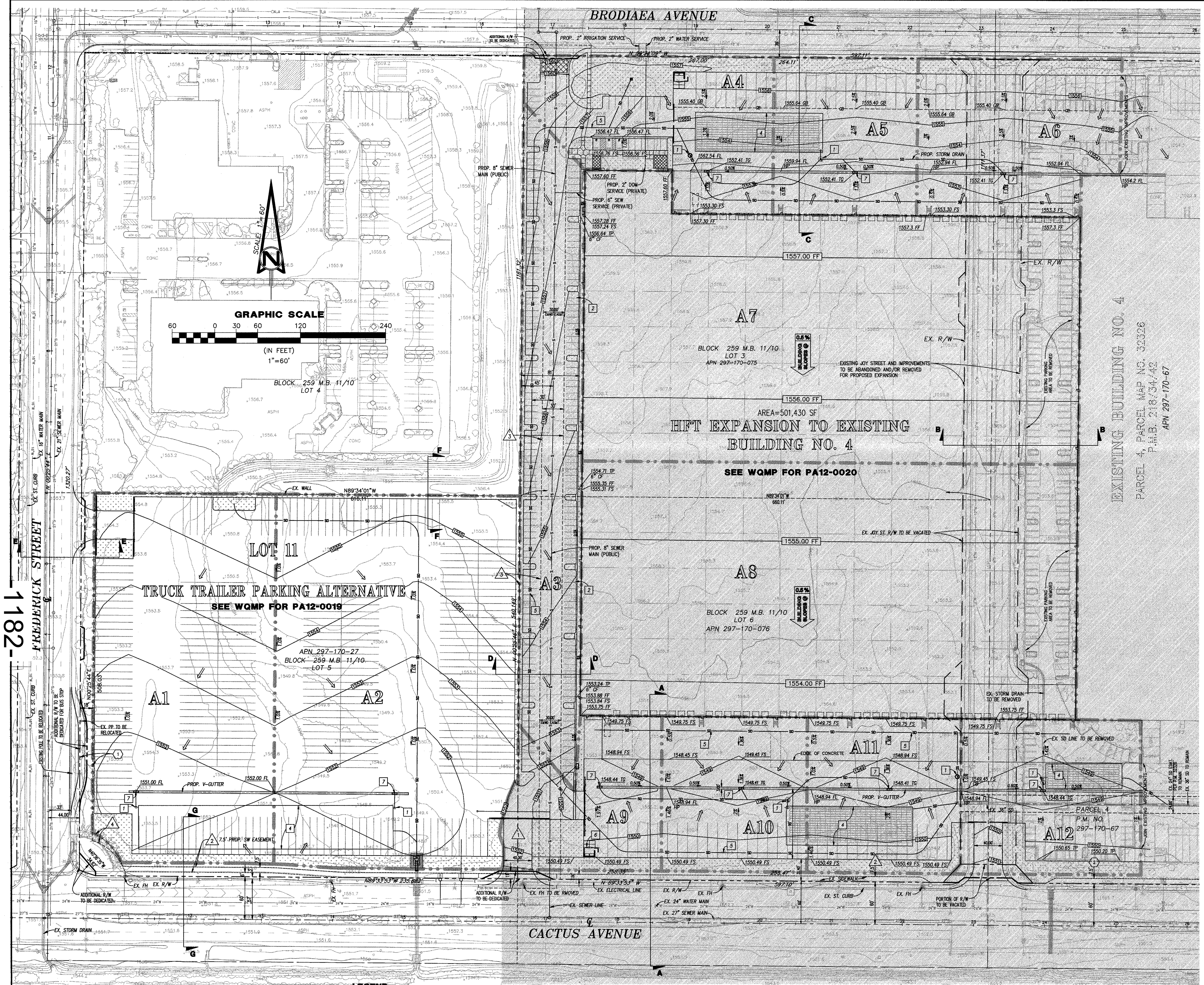
Consultants:
CIVIL Huitt-Z...
STRUCTURAL
MECHANICAL
PLUMBING
ELECTRICAL
LANDSCAPE Environs
FIRE PROTECTION
SOILS ENGINEER

Title:

Project Number: 9231
Drawn by: JAIME CRUZ
Date: OCTOBER 19, 2012
Revision:

PA 12-0019

Sheet:
A1.2
ALT. SITE PLAN
08/27/2012



EXISTING TOPOGRAPHY DEVELOPED AND SUPPLIED BY D.M.I. AERIAL TOPOGRAPHIES DATED JANUARY 2, 2012.

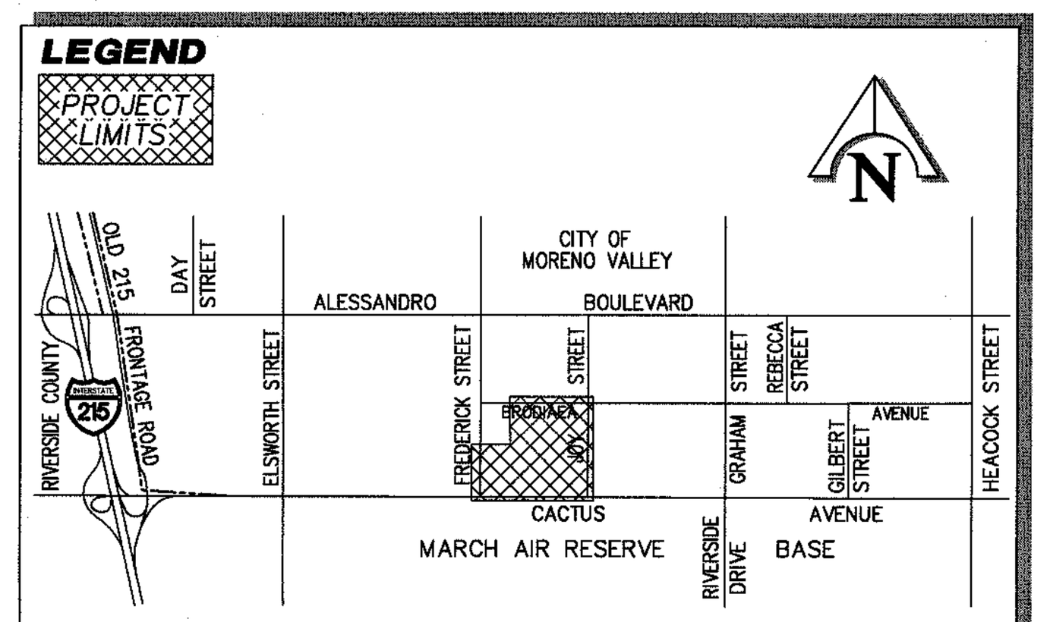
**
PAD ELEVATION IS BASED ON A PRELIMINARY 5" SLAB SECTION. CONTRACTOR TO DETERMINE ULTIMATE SLAB THICKNESS BASED ON SOILS REPORT RECOMMENDATIONS.

EXISTING EASEMENT TO REMAIN

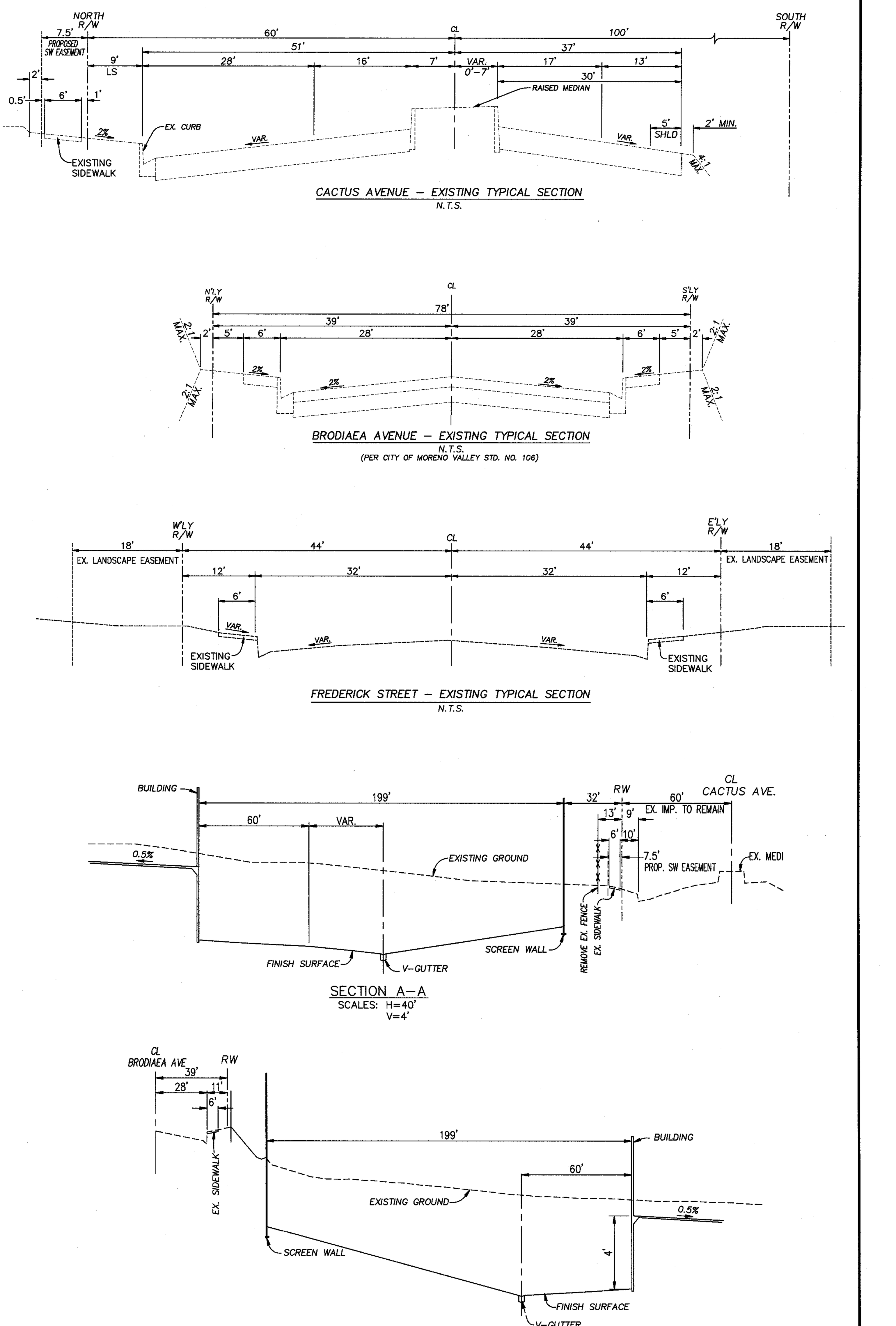
1. DENOTES 18' EASEMENT TO THE CITY OF MORENO VALLEY FOR LANDSCAPE PURPOSES PER INSTRUMENT NO. 025804, RECORDED JANUARY 9, 1991
2. 7.5' EXISTING SIDEWALK EASEMENT PER PARCEL MAP 32326, END AT JOY STREET

PROPOSED EASEMENT

1. A RECIPROCAL ACCESS EASEMENT WILL BE REQUIRED FOR THAT PORTION OF THE PROPOSED DRIVEWAY ON CACTUS AVENUE THAT IS LOCATED PARTIALLY OUTSIDE OF THE PROJECT BOUNDARY.
2. 7.5' EASEMENT FOR PUBLIC SIDEWALK PURPOSES TO BE DEDICATED ON PARCEL MAP
3. DENOTES 30' EASEMENT TO EMWD FOR SEWER MAIN FOR BUILDING ALTERNATIVE
4. ADDITIONAL EASEMENT TO BE DEDICATED FOR LANDSCAPE PURPOSES



VICINITY MAP
NOT TO SCALE



CACTUS AVENUE - EXISTING TYPICAL SECTION
N.T.S.

BRODIAEA AVENUE - EXISTING TYPICAL SECTION
N.T.S.
(PER CITY OF MORENO VALLEY STD. NO. 106)

FREDERICK STREET - EXISTING TYPICAL SECTION
N.T.S.

SECTION A-A
SCALES: H=40' V=4'

SECTION C-C
SCALES: H=40' V=4'

FLOW BASED BMP'S			
AREA	BMP	Q_{BMP}	ACRES
A1	CATCH BASIN FILTER	1.610 CFS	3.100
A2	CATCH BASIN FILTER	2.980 CFS	4.090

VOLUME BASED BMP'S			
AREA	BMP	V_{BMP}	ACRES
A1+A2	INFILTRATION BASIN	17617 CF	7.190

GENERAL NOTES

1. GROSS & DISTURB AREA FOR
   LOT 4 EXPANSION = 21.30 AC
   LOT 11 = 7.59 AC
2. FLOOD ZONE X PANEL NO. 065074 0020 B
   MAP REVISED MAY 17, 1993
3. PRELIMINARY EARTHWORK
   RAW CUT = 81005 CY
   RAW FILL = 12539 CY

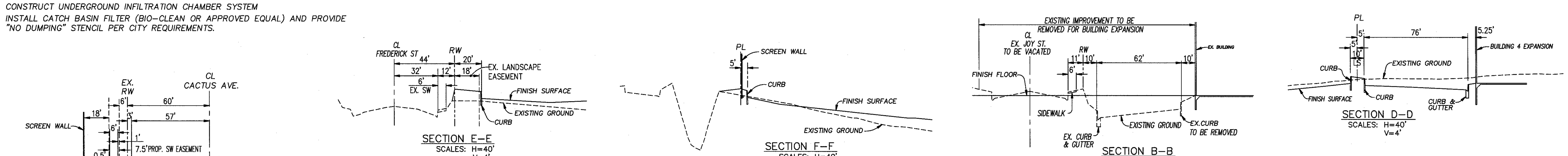
   FINAL QUANTITIES WILL BE DETERMINED AT ROUGH GRADING AND FINAL DESIGN

LEGEND

- BMP DRAINAGE BOUNDARY
- —SD— PROPOSED STORM DRAIN
- —S— PROPOSED SEWER
- —W— PROPOSED WATER
- --GB-- PROPOSED GRADE BREAK LINE
- PROPOSED R/W
- EXISTING R/W
- PROPOSED GRATING INLET
- PROPOSED CURB OPENING INLET
- FF PROPOSED FINISH FLOOR ELEVATION
- TP TOP OF PAVEMENT
- TG TOP OF GRATE
- FL FLOWLINE
- CF CURB FACE
- FS FINISHED SURFACE
- CB CATCH BASIN
- PL PROPERTY LINE
- R/W RIGHT-OF-WAY
- CL CENTERLINE
- PROP. PROPOSED
- EX. EXISTING
- DRWY DRIVEWAY
- ⟸ DIRECTION OF FLOW
- LANDSCAPED AREA
- NOT A PART

WQMP NOTES

1. INSTALL STORM WATER CLARIFIER (CDS UNIT OR APPROVED EQUAL)
4. CONSTRUCT UNDERGROUND INFILTRATION CHAMBER SYSTEM
7. INSTALL CATCH BASIN FILTER (BIO-CLEAN OR APPROVED EQUAL) AND PROVIDE "NO DUMPING" STENCIL PER CITY REQUIREMENTS.



SECTION G-G
SCALES: H=40' V=4'

SECTION E-E
SCALES: H=40' V=4'

SECTION F-F
SCALES: H=40' V=4'

SECTION B-B
SCALES: H=40' V=4'

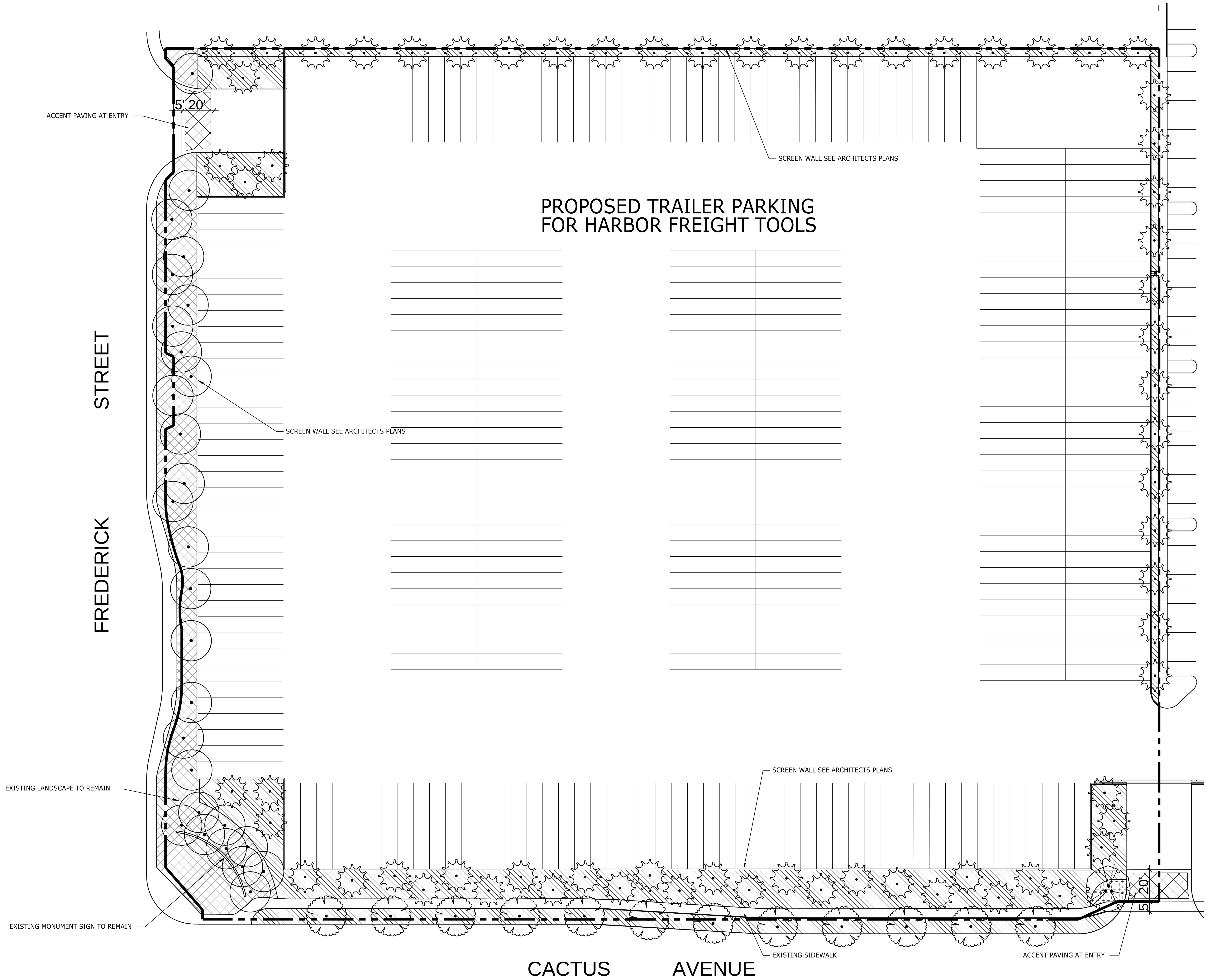
SECTION D-D
SCALES: H=40' V=4'

CONCEPTUAL GRADING, DRAINAGE, UTILITY & WQMP PLAN

FOR
MORENO VALLEY CENTERPOINTE
BUILDING 4 EXPANSION & LOT 11 PARKING ALTERNATIVE (PA12-0020 & PA12-0019)
CACTUS AVENUE & FREDERICK STREET
CITY OF MORENO VALLEY

HUITT-ZOLLARS
HUITT-ZOLLARS, INC.
3990 CONCOURS, SUITE 330 * ONTARIO, CALIFORNIA 91764 * (909) 941-7799
APPROVED BY MAURICE M. MURAD P.L.S. 33366 EXPIRES 6-30-14 DATE
DESIGNED BY MHM
DRAWN BY MAY M.
CHECKED BY MHM

FIELD BOOK
SHEET 1 OF 1 SHEETS
JOB NO. 11-0244-24



TREE PALETTE

TREES	BOTANICAL NAME	COMMON NAME	CONT	CAL	QTY
	Existing Tree To Remain	Protect In Place	Existing		32
	Koelreuteria bipinnata	Chinese Flame Tree Multi-Trunk	36"box	Med	1
	Pinus eldarica	Afghan Pine	15 Gal. & 24" Box	Low	66
	Rhus lancea	African Sumac	24"box	Low	12

ROOT BARRIER NOTE

ALL TREES WITHIN 8' OF HARDSCAPE SHALL BE IN A SHAWTOWN LINEAR ROOT BARRIER 24" HIGH (NOT WRAPPED AROUND). PLACE ROOT BARRIER ADJACENT TO HARDSCAPE AND CENTER ON TREE EXTENDING 5' IN BOTH DIRECTIONS FOR AN OVERALL LENGTH OF 10'.

CONCEPT PLANT SCHEDULE

SHRUB & GROUND COVER PALETTE - LOW WATER USE — 21,154 sf

Acacia redolens `Desert Carpet` TM / Bank Catclaw
Anigozanthos flavidus `Gold Velvet` / Kangaroo Paw
Arbutus unedo / Strawberry Tree Shrub
Baccharis pilularis `Pigeon Point` / Coyote Brush
Callistemon citrinus / Lemon Bottlebrush Shrub
Carex tumulicola / Berkeley Sedge
Cassia artemisioides / Feathery Cassia
Cistus x purpureus / Orchid Rockrose
Elaeagnus pungens `Fruitlandii` / Silverberry
Heteromeles arbutifolia / Toyon
Macfadyena unguis-cati / Yellow Trumpet Vine
Muhlenbergia capillaris `Autumn Blush` / Pink Muhly
Muhlenbergia rigens / Deer Grass
Myoporum parvifolium `Putah Creek` / Putah Creek Myoporum
Pennisetum advena `Rubrum` / Fountain Grass
Pennisetum messiacum `Fairy Tails` / Fountain Grass
Rosmarinus officinalis `Huntington Blue` / Rosemary
Rosmarinus officinalis `Tuscan Blue` / Tuscan Blue Rosemary
Salvia greggii `Furmans Red` / Furman`s Red Salvia
Westringia fruticosa / Coast Rosemary

SHRUB & GROUND COVER PALETTE - MEDIUM WATER USE — 273 sf

Abelia x grandiflora `Edward Goucher` / Glossy Abelia
Buxus x `Green Gem` / Green Gem Boxwood
Dietes bicolor `Moraea` / Fortnight Lily
Hemerocallis x `Lemon Yellow` / Daylily
Ligustrum texanum / Texas Privet
Nandina domestica / Heavenly Bamboo
Photinia x fraseri / Photinia
Podocarpus gracilior `Column` / Fern Pine
Rhaphiolepis indica `Clara` / Indian Hawthorn
Rosa floribunda `Iceberg` / Iceberg Rose
Rosa x `Flower Carpet Pink` / Rose
Xylosma congestum / Shiny Xylosma

EXISTING LANDSCAPE TO REMAIN

EXISTING LANDSCAPE TO REMAIN PROTECT IN PLACE
ANY LANDSCAPE THAT IS DAMAGED DURING
CONSTRUCTION MUST BE REPLACED WITH IN KIND

MULCH NOTE

ALL PLANTER AREAS TO RECEIVE A 2" LAYER OF COVER MULCH AVAILABLE FROM EARTHWORKS (951) 270-0081

NORTH

0 30 60 90 feet
1" = 30'

REVISIONS DATE

Environs Inc
LANDSCAPE ARCHITECTURE
Creating Sustainable & Water Conserving Solutions
1716 N. Bridgeport Avenue * Claremont, CA 91711
Ph. (909) 626-4663 * Fax (909) 626-0446

OWNER / DEVELOPER:
RIDGE MORENO VALLEY, LLC C/O
RIDGE PROPERTY T
201 COVINA., STE. #8 * LONG BEAC
TEL. (562) 856-3819 * CONTACT: KI

-1183-

SHEET TITLE: PRELIMINARY LANDSCAPE PLAN
PROPOSED NEW BUILDING FOR:
CENTERPOINT BUSINESS PARK
Building 11
23400 Cactus Avenue, Moreno Valley, CA 92555

LICENSED LANDSCAPE ARCHITECT
BRETT K. FRENCH
3416
Signature
10/31/12
Renewal Date
STATE OF CALIFORNIA

DRAWN BY	DATE
BKF	4-30-12
JOB NO.	
RIDGE0001	
SHEET NO.	
L-1	
OF 1 SHTS.	

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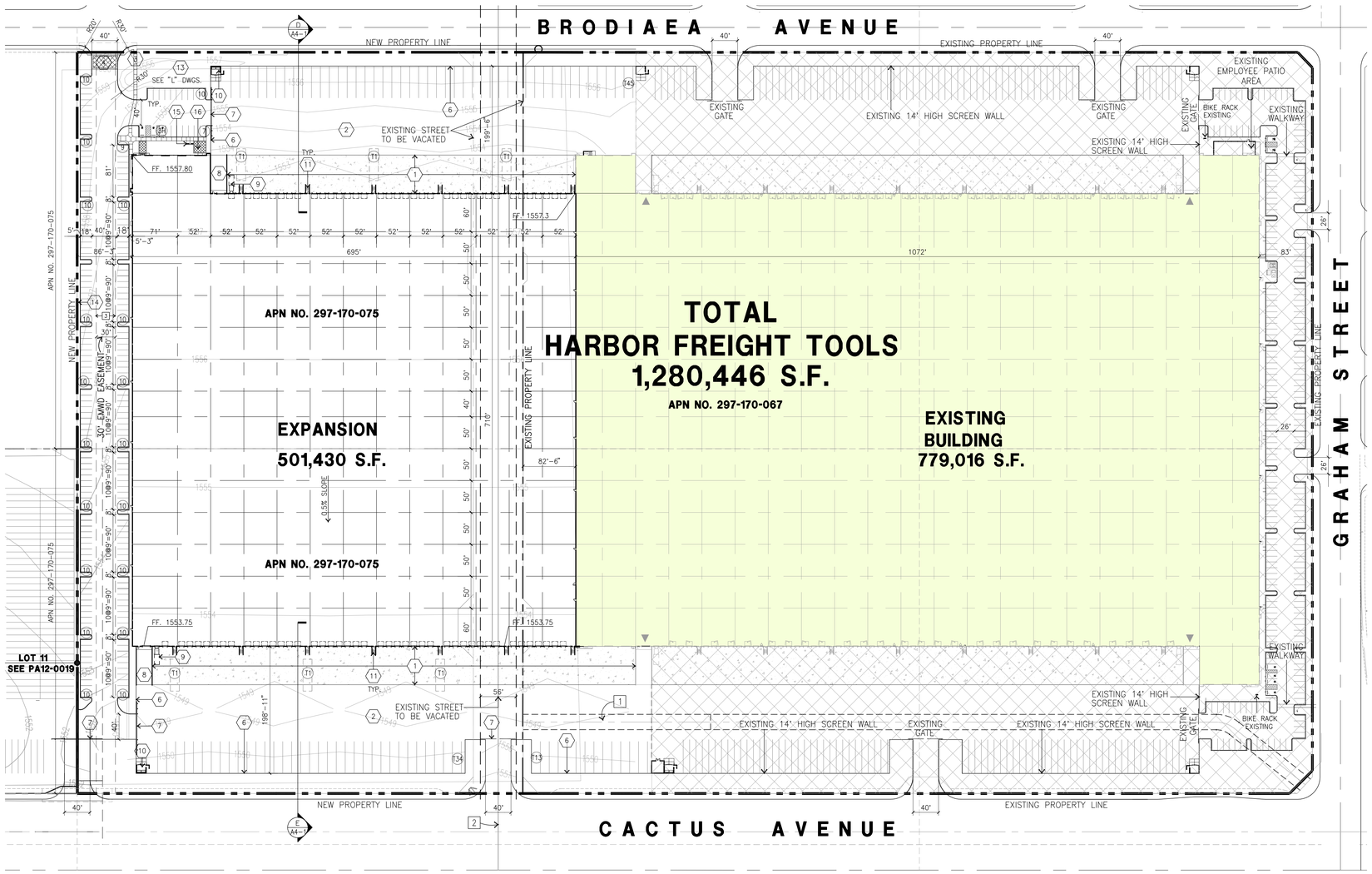
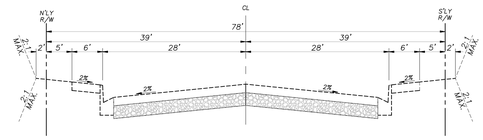
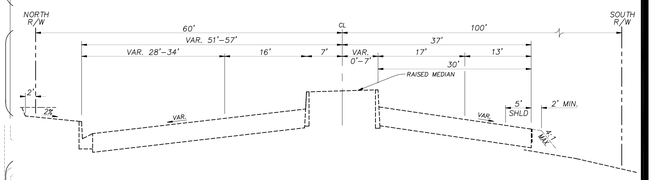


OVERALL SITE PLAN A
1"=80'-0"



BROADIAEA AVENUE - TYPICAL SECTION B
N.T.S



CACTUS AVENUE - TYPICAL SECTION C
N.T.S

site plan general notes

1. THE SOILS REPORT PREPARED BY ASSOCIATED SOILS ENGINEERING, IS TO BE A PART OF THESE CONTRACT DOCUMENTS.
2. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.
3. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, FACE OF CONCRETE CURB OR GRID LINE U.N.O.
4. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.
5. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM. PRIOR TO INSTALLATION & AT LEAST 60 DAYS BEFORE BLDG. COMPLETION.
6. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.
7. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.
8. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS.
9. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS. SEE "C" DRAWINGS FOR FINISH GRADE ELEVATIONS.
10. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA WAY W/ 1:20 MAX. SLOPE. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". SEE "L" DRAWINGS FOR FINISH.
11. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.
12. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE PLANNING DIVISION AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.
13. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PLANNING DIVISION.
14. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PLANNING DIVISION.
15. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB
16. APPROVED CONCEPTUAL LANDSCAPE PLAN PRIOR TO GRADING PERMIT
17. ALL ROOF DRAINS SHALL BE DIRECTED TO A LANDSCAPE AREA.

site plan keynotes

1. 6" THICK MINIMUM, REINFORCED CONCRETE TRUCK APRON, W/ #3 @ 18" O.C.E.W. 3500 PSI W. CONSTRUCTION AND/OR EXPANSION JOINTS A MAXIMUM OF 18'-0" O.C. EXPANSION JOINTS TO BE A MIN. OF 1-1/2" DEEP AND A MAXIMUM ULTIMATE WIDTH OF 1/4". VERIFY WITH SOILS ENGINEER. PROVIDE HEAVY BROOM FINISH. ALL JOINTS TO BE CLEANED AN FILLED W/ ASPHALTIC CAULKING.
2. ASPHALT CONCRETE (AC) PAVING PER SOILS ENGINEER RECOMMENDATION AS APPROVED BY THE CITY
3. CONCRETE WALKWAY
4. DRIVEWAY APRONS TO BE CONSTRUCTED PER CITY STANDARD 118C MODIFIED. PROVIDE STAMPED CONCRETE W/ LIGHT BROOM FIN. AT ALL DRIVE LOCATIONS. PROVIDE VERTICAL & HORIZONTAL EXPANSION JOINTS AT A MAXIMUM OF 15' O.C. SPACING.
5. 5'-6"X5'-6"X4" THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY AS REQ. BY CITY INSPECTOR.
6. 14' HIGH CONCRETE TILT-UP SCREEN WALL
7. 8'H WROUGHT IRON SLIDING GATE.
8. CONCRETE RAMP
9. TRASH COMPACTOR
10. TRASH ENCLOSURE TO BE TWO BIN AND FULLY COVERED PER CITY STANDARD.
11. CONCRETE STAIRS AND LANDING
12. 12' X 14' DRIVE-IN DOOR
13. LANDSCAPE. SEE CONCEPTUAL LANDSCAPE PLAN.
14. 8' HIGH VINYL-COATED CHAIN-LINK FENCE SHADING
15. BIKE RACK, EACH RACK HOLDS 7 BIKES
16. 20' X 20' PATIO AREA

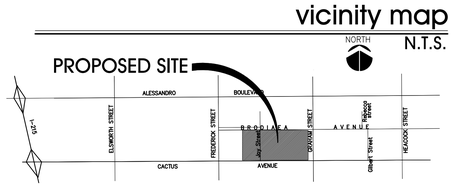
site legend

- LANDSCAPE AREA
- AC. PAVING
- CONCRETE PAVING
- STANDARD PARKING STALL 9' X 18'
- HANDICAP PARKING STALL, 9' X 18' W/ 2' O.H. SEE DETAIL 11/AD.1
- EXISTING RIGHT OF WAY
- PROPOSED PROPERTY LINE
- ADA PATH OF TRAVEL
- EXISTING SITE TO REMAIN
- EXISTING BUILDING TO REMAIN

easement notes

1. DENOTES FLOOD CONTROL EASEMENTS OF THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, PER INSTR NO. 2006-0437088, RECORDED JUNE 16, 2006 AND INSTR NO. 2006-043089, RECORDED JUNE 16, 2006.
2. A RECIPROCAL ACCESS EASEMENT WILL BE REQUIRED FOR A PORTION OF THE PROPOSED DRIVEWAY ON CACTUS AVENUE LOCATED OUTSIDE OF THE PROJECT BOUNDARY
3. 30' EMWD EASEMENT

vicinity map



project information

Owner / Applicant
RIDGE MORENO VALLEY, LLC
201 COVINA AVE. - STE. #8
LONG BEACH, CA 90803
TEL: (562) 856-3819
CONTACT: DENNIS RICE

Architect
HPA, INC.
18831 BARDEEN AVE. SUITE #100
IRVINE, CA 92612
TEL: (949) 863-1770
CONTACT: JAIME CRUZ

Applicant's Representative
INLAND EMPIRE DEVELOPMENT SERVICES, INC.
931 MONARCH COURT
BEAUMONT, CA 92223
TEL: (909) 845-1003
CONTACT: GIL SAENZ

Civil Engineer
HUITT ZOLLARS
3990 CONCOURS STE 330
ONTARIO, CA 91764
TEL: (909) 941-7799
CONTACT: MAURICE MURAD

Landscape Architect
ENVIRONS
1746 N. BRIDGEPORT AVE.
CLAREMONT, CA 91711
TEL: (909) 626-4663
CONTACT: BRETT FRENCH

Zoning
LI (LIGHT INDUSTRIAL)
Assessors Parcel Number
297-170-067
297-170-075
297-170-076

Legal Description
PARCEL 4, OF PARCEL MAP No. 32326, AS SHOWN ON MAP FILED IN BK. 218, PGS. 34 THRU 42. OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA TOGETHER WITH LOTS 3 AND 6, BLK 259, OF MAP NO. 1 BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO. AS SHOWN BY MAP ON FILE IN BK. 11, PG. 10 OF MAPS RECORDS OF SAN BERNANDINO COUNTY. CALIFORNIA

utility information

TELEPHONE:
VERIZON
150 SO JUANITA ST.
HEMET, CA 92543
PHONE: (951) 658-7305
CONTACT: PHIL BRILLINGER

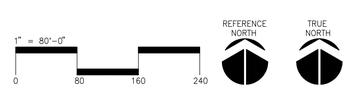
ELECTRIC
MORENO VALLEY UTILITIES
14177 FREDERICK ST.
MORENO VALLEY, CA 92552
PHONE: (951) 413-3480
CONTACT: MICHELLE PIERCE

GAS
THE GAS COMPANY
25200 TRUMBLE ROAD SC 8058
ROMOLAND, CA 92380
PHONE: (951) 335-3902
CONTACT: DAVE MULLIGAN

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928 - 3777
CONTACT: NEW BUSINESS

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928-3777
CONTACT: NEW BUSINESS

CABLE - TV
TIME WARNER
1500 AUTO CENTER DR.
ONTARIO, CA 91761
PHONE: (951) 975-3380
(951) 390-4777
CONTACT: MARK DAUENHAUER



OVERALL SITE PLAN

tabulation

	Building
Site Area	
in s.f.	**2,247,890**
in acres	51.60
Building Area	
office	11,690
warehouse	1,268,756
Total Building Area	**1,280,446**
Coverage	**57.0%**
Parking Required	
office @ 1/250	47
warehouse 1st 20K sf @ 1/1,000	20
warehouse 2nd 20K sf @ 1/2,000	10
warehouse above 20k sf @ 1/4,000	307
Total Parking Required	**384**
Parking Provided	
standard (9'x18')	422
handicap (9'X18')	9
Total Parking Provided	**431**
Trailer Parking Required	
(1 trailer parking per dock door)	
New Dock Doors	**78**
Trailer Parking Provided (14'x50')	
existing trailer (10'x53')	**131**
new trailer (14'x50')	**98**
Total trailer parking provided	**229**
Landscape Provided	**180,171**
% of Landscape Provided	**8.0%**
NOTE:	
***Bike rack - 5% of total parking required**	**22 Bikes**

HPA architecture
hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949-863-1770
fax: 949-863-0851
email: hpa@hparchs.com

Owner:
RIDGE MORENO VALLEY, LLC C/O
RIDGE PROPERTY TRUST
201 COVINA AVE. - STE. #8
LONG BEACH, CA 90803

PH: (562) 856-3819
FAX: (562) 856-3820

Project:
CENTERPOINT BUSINESS PARK
Building 4
HARBOR FREIGHT TOOLS EXPANSION
23400 Cactus Ave.
Moreno Valley, CA 92555

-1185-

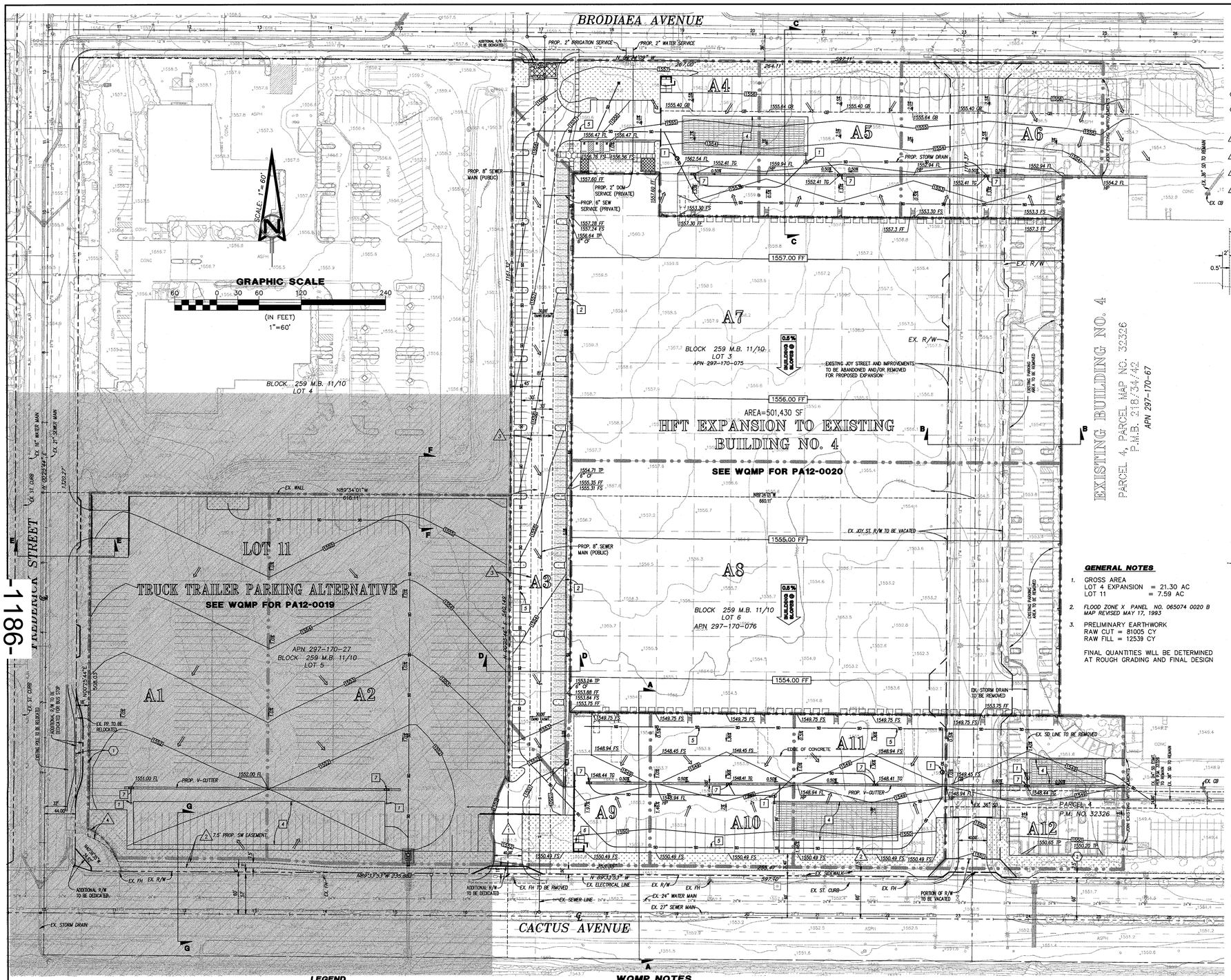
Consultants:
CIVIL — Huitt-...
STRUCTURAL
MECHANICAL
PLUMBING
ELECTRICAL
LANDSCAPE — Environs
FIRE PROTECTION
SOILS ENGINEER

Title: SITE PLAN

Project Number: 12022
Drawn by: JAIME CRUZ
Date: OCTOBER 19, 2012
Revision:

PA 12-0020

Sheet:
A1.1
SITE PLAN
09/26/2012



EXISTING TOPOGRAPHY DEVELOPED AND SUPPLIED BY D.M.I. AERIAL TOPOGRAPHIES DATED JANUARY 2, 2012.

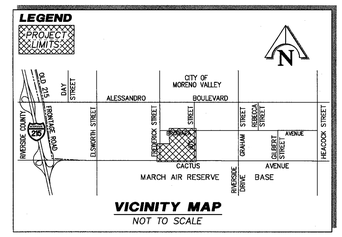
** PAD ELEVATION IS BASED ON A PRELIMINARY 5" SLAB SECTION. CONTRACTOR TO DETERMINE ULTIMATE SLAB THICKNESS BASED ON SOILS REPORT RECOMMENDATIONS.

EXISTING EASEMENT TO REMAIN

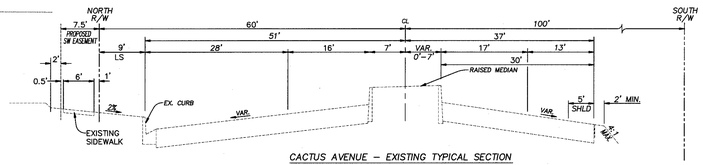
1. DENOTES 18' EASEMENT TO THE CITY OF MORENO VALLEY FOR LANDSCAPE PURPOSES PER INSTRUMENT NO. 025804, RECORDED JANUARY 9, 1991
2. 7.5' EXISTING SIDEWALK EASEMENT PER PARCEL MAP 32326, END AT JOY STREET

PROPOSED EASEMENT

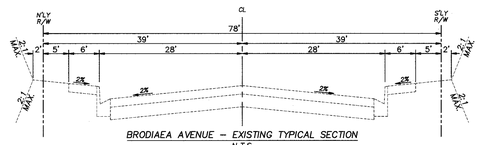
1. A RECIPROCAL ACCESS EASEMENT WILL BE REQUIRED FOR THAT PORTION OF THE PROPOSED DRIVEWAY ON CACTUS AVENUE THAT IS LOCATED PARTIALLY OUTSIDE OF THE PROJECT BOUNDARY.
2. 7.5' EASEMENT FOR PUBLIC SIDEWALK PURPOSES TO BE DEDICATED ON PARCEL MAP
3. DENOTES 30' EASEMENT TO EMWD FOR SEWER MAIN FOR BUILDING ALTERNATIVE
4. ADDITIONAL EASEMENT TO BE DEDICATED FOR LANDSCAPE PURPOSES



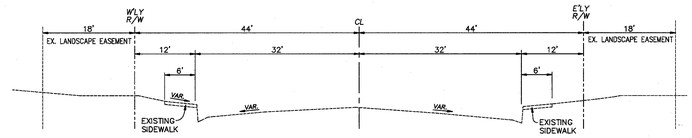
VICINITY MAP
NOT TO SCALE



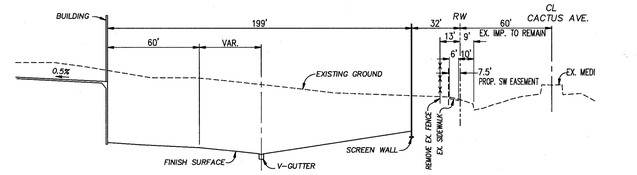
CACTUS AVENUE – EXISTING TYPICAL SECTION
N.T.S.



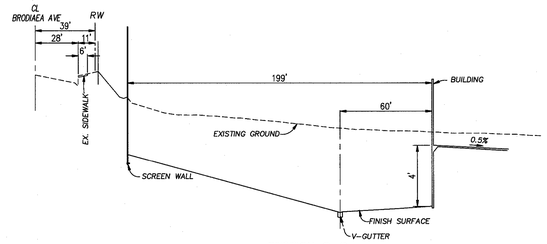
BRODIAEA AVENUE – EXISTING TYPICAL SECTION
N.T.S.
(PER CITY OF MORENO VALLEY STD. NO. 106)



FREDERICK STREET – EXISTING TYPICAL SECTION
N.T.S.



SECTION A–A
SCALES: H=40'
V=4'



SECTION C–C
SCALES: H=40'
V=4'

FLOW BASED BMP'S			
AREA	BMP	Q_{BMP}	ACRES
A3	CATCH BASIN FILTER	0.230 CFS	1.740
A4	CATCH BASIN FILTER	0.196 CFS	1.400
A5	CATCH BASIN FILTER	0.171 CFS	1.030
A6	CATCH BASIN FILTER	0.076 CFS	1.510
A7	CDS UNIT	1.180 CFS	5.750
A8	CDS UNIT	1.040 CFS	5.740
A9	CATCH BASIN FILTER	0.027 CFS	0.941
A10	CATCH BASIN FILTER	0.171 CFS	1.020
A11	CATCH BASIN FILTER	0.179 CFS	1.080
A12	CATCH BASIN FILTER	0.213 CFS	1.270

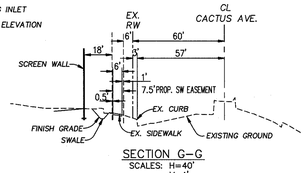
VOLUME BASED BMP'S			
AREA	BMP	V_{BMP}	ACRES
A3	PERVIOUS PAVEMENT	2400 CF	1.740
A4+A5+A6	UNDERGROUND INFILTRATION CHAMBER	7866 CF	3.940
A9+A10+A11	UNDERGROUND INFILTRATION CHAMBER	6732 CF	3.040
A12	UNDERGROUND INFILTRATION CHAMBER	2906 CF	1.270

LEGEND

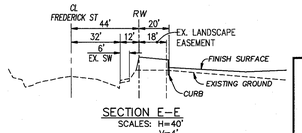
- BMP DRAINAGE BOUNDARY
- SD — PROPOSED STORM DRAIN
- S — PROPOSED SEWER
- W — PROPOSED WATER
- GB — PROPOSED GRADE BREAK LINE
- PROPOSED R/W
- EXISTING R/W
- PROPOSED GRATING INLET
- PROPOSED CURB OPENING INLET
- FF PROPOSED FINISH FLOOR ELEVATION
- TP TOP OF PAVEMENT
- TG TOP OF GRATE
- FL FLOWLINE
- CF CURB FACE
- FS FINISHED SURFACE
- CB CATCH BASIN
- PL PROPERTY LINE
- R/W RIGHT-OF-WAY
- CL CENTERLINE
- PROP. PROPOSED
- EX. EXISTING
- DRWY DRIVEWAY
- DIRECTION OF FLOW
- PERVIOUS CONCRETE
- NOT APPLIED
- LANDSCAPED AREA

WQMP NOTES

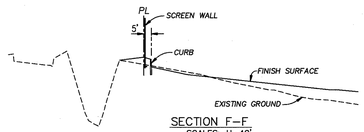
1. INSTALL STORM WATER CLARIFIER (CDS UNIT OR APPROVED EQUAL)
2. CONSTRUCT PERVIOUS CONCRETE PAVEMENT OVER CRUSHED WASHED STONE BEDDING
4. CONSTRUCT UNDERGROUND INFILTRATION CHAMBER SYSTEM
5. INSTALL UNDERGROUND ROOF DRAIN COLLECTION AND CONVEYANCE SYSTEM.
6. CONSTRUCT TRASH ENCLOSURE PER CITY OF MORENO VALLEY STANDARD 627.
7. INSTALL CATCH BASIN FILTER (BIO-CLEAN OR APPROVED EQUAL) AND PROVIDE "NO DUMPING" STENCIL PER CITY REQUIREMENTS.



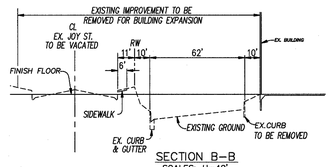
SECTION G–G
SCALES: H=40'
V=4'



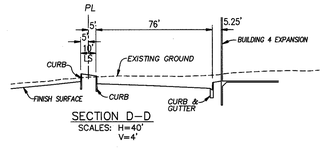
SECTION E–E
SCALES: H=40'
V=4'



SECTION F–F
SCALES: H=40'
V=4'



SECTION B–B
SCALES: H=40'
V=4'



SECTION D–D
SCALES: H=40'
V=4'

CONCEPTUAL GRADING, DRAINAGE, UTILITY & WQMP PLAN

FOR

MORENO VALLEY CENTERPOINTE
BUILDING 4 EXPANSION & LOT 11 PARKING ALTERNATIVE (PA12-0020 & PA12-0019)
CACTUS AVENUE & FREDERICK STREET
CITY OF MORENO VALLEY

HUITT-ZOLLARS
HUITT-ZOLLARS, INC.
3990 CONCOURS, SUITE 330 * ONTARIO, CALIFORNIA 91764 * (909) 941-7799
APPROVED BY MAURICE M. MURAD P.L.S. 33366 EXPIRES 6-30-14 DATE

DESIGNED BY	MHM
DRAWN BY	MAY M.
CHECKED BY	MHM
FIELD BOOK	
JOB NO.	11-0244-24
SHEET	1 OF 1 SHEETS

-1186-

H:\PROJ\11024401\CLDWG\Eng. Layout\ELM EXPANSION, Nov 13 2012 4:56pm

PLANT PALETTE

TREES	BOTANICAL NAME	COMMON NAME	CONT	WULCOL	QTY
	Eucalyptus sideroxylon `Rosea`	Red Ironbark	15 gal	Low	22
	Existing Tree To Remain	Protect In Place	Existing		304
	Koelreutena bipinnata	Chinese Flame Tree Multi-Trunk	36"box	Med	5
	Lagerstroemia x `Muskogee`	Lavender Crape Myrtle Std.	24"box	Med	8
	Pinus eldarica	Afghan Pine	15 Gal. & 24" Box	Low	42
	Platanus racemosa	California Sycamore	15 gal	Med	22
	Platanus x acerifolia `Bloodgood`	London Plane Tree	24"box		16
	Rhus lancea	African Sumac	24"box	Low	25

ROOT BARRIER NOTE

ALL TREES WITHIN 8' OF HARDSCAPE SHALL BE IN A SHAWTOWN LINEAR ROOT BARRIER 24" HIGH (NOT WRAP AROUND). PLACE ROOT BARRIER ADJACENT TO HARDSCAPE AND CENTER ON TREE EXTENDING 5' IN BOTH DIRECTIONS FOR AN OVERALL LENGTH OF 10'

SHRUB & GROUND COVER PALETTE

SHRUB & GROUND COVER PALETTE - LOW WATER USE — 15,220 sf

Acacia redolens `Desert Carpet` TM / Bank Catclaw
Anigozanthos flavidus `Gold Velvet` / Kangaroo Paw
Arbutus unedo / Strawberry Tree Shrub
Baccharis pilularis `Pigeon Point` / Coyote Brush
Callistemon citrinus / Lemon Bottlebrush Shrub
Carex tumulicola / Berkeley Sedge
Cassia artemisioides / Feathery Cassia
Cistus x purpureus / Orchid Rockrose
Elaeagnus pungens `Frutlandii` / Silverberry
Heteromeles arbutifolia / Toyon
Macfadyena unguis-cati / Yellow Trumpet Vine
Muhlenbergia capillans `Autumn Blush` / Pink Muhly
Muhlenbergia rigens / Deer Grass
Myoporum parvifolium `Putah Creek` / Putah Creek Myoporum
Pennisetum advena `Rubrum` / Fountain Grass
Pennisetum messiacum `Fairy Tails` / Fountain Grass
Rosmarinus officinalis `Huntington Blue` / Rosemary
Rosmarinus officinalis `Tuscan Blue` / Tuscan Blue Rosemary
Salvia greggii `Furmans Red` / Furman`s Red Salvia
Westrngia fruticosa / Coast Rosemary

SHRUB & GROUND COVER PALETTE - MEDIUM WATER USE — 3,332 sf

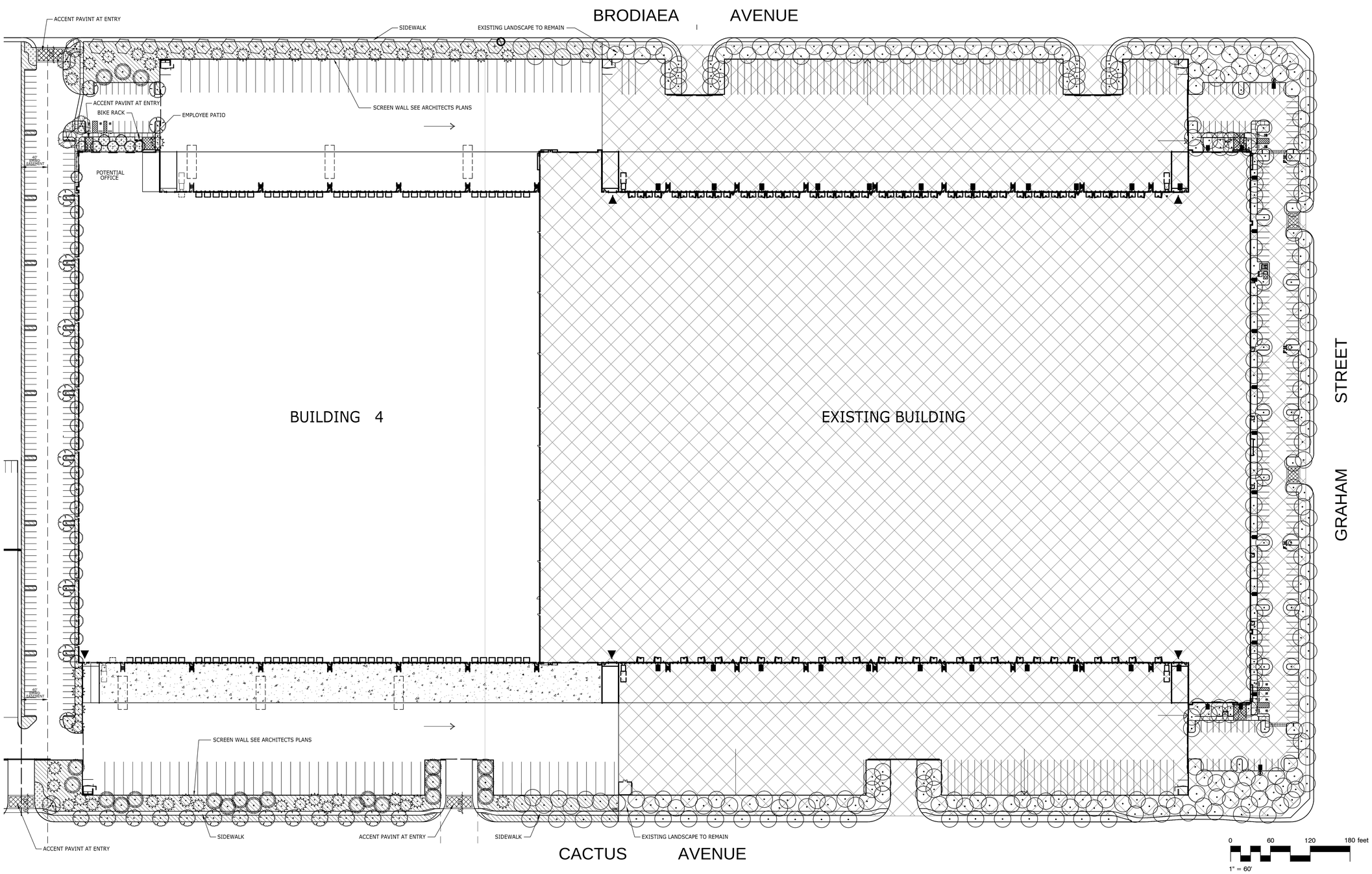
Abelia x grandiflora `Edward Goucher` / Glossy Abelia
Buxus x `Green Gem` / Green Gem Boxwood
Dietes bicolor `Moraea` / Fortnight Lily
Hemerocallis x `Lemon Yellow` / Daylily
Ligustrum texanum / Texas Privet
Nandina domestica / Heavenly Bamboo
Photinia x fraseri / Photinia
Podocarpus gracilior `Column` / Fern Pine
Rhapholepis indica `Clara` / Indian Hawthorn
Rosa floribunda `Iceberg` / Iceberg Rose
Rosa x `Flower Carpet Pink` / Rose
Xylosma congestum / Shiny Xylosma

EXISTING LANDSCAPE TO REMAIN

EXISTING LANDSCAPE TO REMAIN PROTECT IN PLACE

MULCH NOTE

ALL PLANTER AREAS TO RECEIVE A 2" LAYER OF COVER MULCH AVAILABLE FROM EARTHWORKS (951) 270-0081



DATE
REVISIONS

Environs Inc
LANDSCAPE ARCHITECTURE
Creating Sustainable & Water Conserving Solutions
1760 Chicago Ave., Suite J-1 * Riverside, CA 92507
Ph. (909) 626-4463 * Fax (909) 626-0146

OWNER/ DEVELOPER:
RIDGE MORENO VALLEY, LLC C/O
RIDGE PROPERTY TRUST
201 COVINA - STE. #8 * LONG BE
TEL. (562) 856-3819 * CONTACT: K

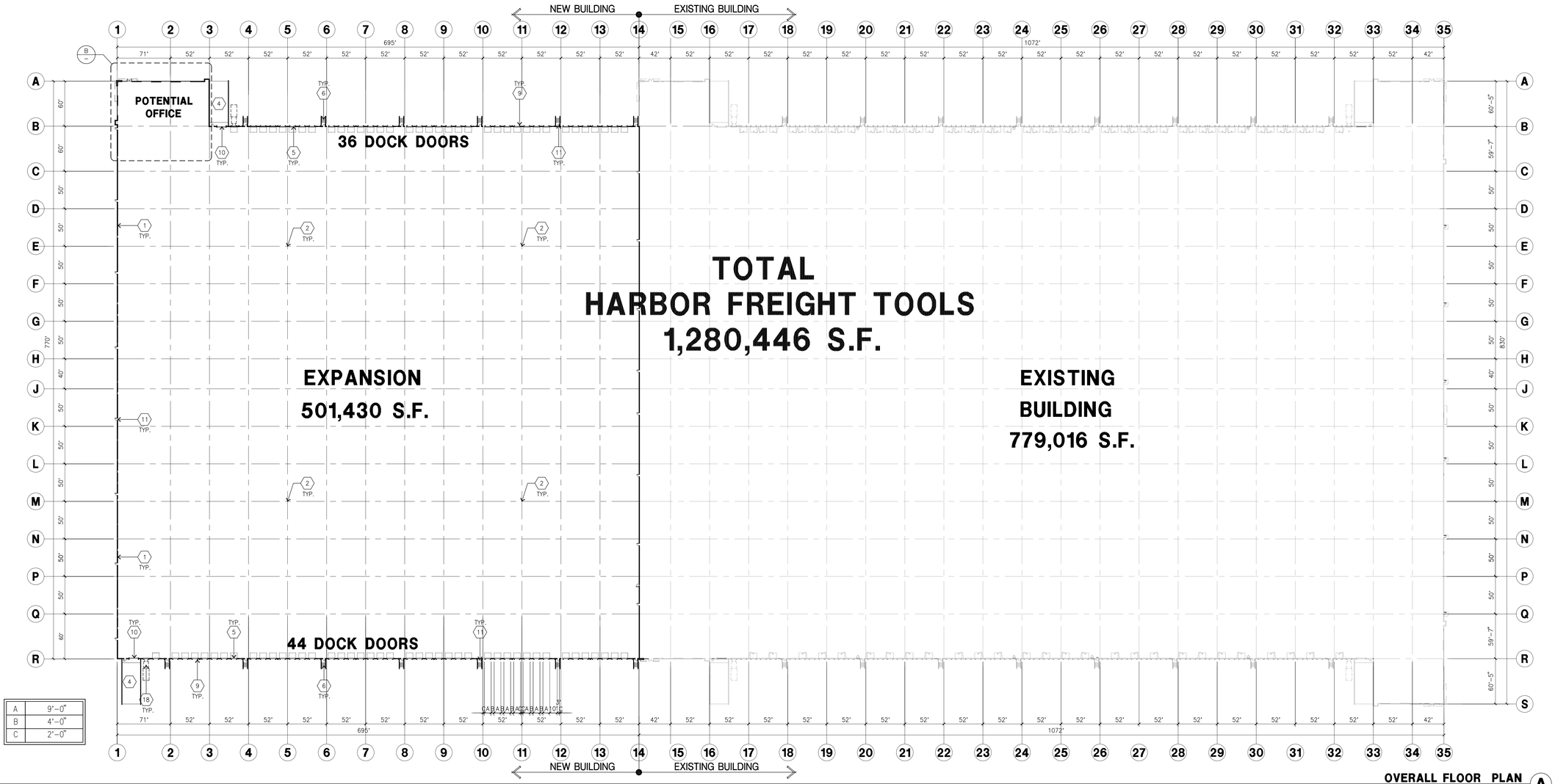
-1187-

SHEET TITLE: PRELIMINARY LANDSCAPE PLAN

PROPOSED NEW BUILDING FOR:
CENTERPOINT BUSINESS PARK
Building 4
HARBOR FREIGHT TOOLS EXPANSION
24400 Cactus Avenue, Moreno Valley, CA 92555

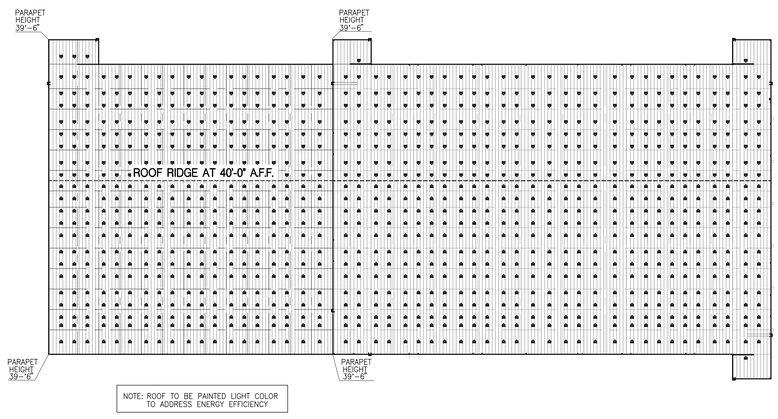
LICENSED LANDSCAPE ARCHITECT
BRETT K. FREIBERT
3416
Signature
10/31/12
Renewal Date
STATE OF CALIFORNIA

DRAWN BY: BKF
DATE: 4-30-12
JOB NO.: RIDGE0001
SHEET NO.: L-1
OF 1 SHTS.



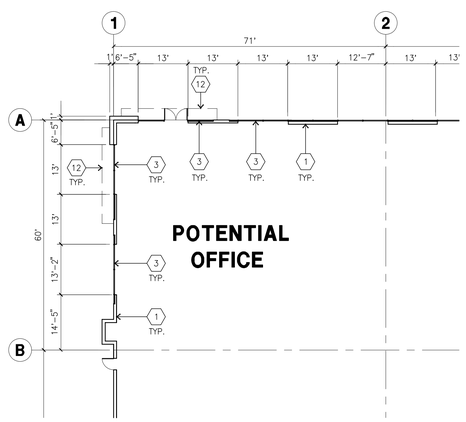
OVERALL FLOOR PLAN

scale: 1" = 60'-0"



OVERALL ROOF PLAN

scale: 1" = 150'-0"



ENLARGED FLOOR PLAN

scale: 1/16" = 1'-0"

KEYNOTES - FLOOR PLAN

1. CONCRETE TILT-UP PANEL. SEE "S" DWGS. FOR THICKNESS AND STEEL REQUIREMENTS.
2. STRUCTURAL STEEL COLUMN. SEE "S" DRAWINGS FOR SIZE.
3. TYPICAL STOREFRONT SYSTEM WITH GLAZING. SEE OFFICE BLOW-UP AND ELEVATIONS FOR SIZE, COLOR AND LOCATIONS.
4. CONCRETE RAMP W/ 42"HIGH CONC TILT-UP GUARD WALL OR BUILDING WALL ON BOTH SIDE OF RAMP, SEE "S" DWG FOR DETAIL.
5. 9'-0" X 10' TRUCK DOOR, SECTIONAL O'H., STANDARD GRADE.
6. EXTERIOR CONCRETE STAIR
7. 5'-6"X5'-6"X4" THICK CONCRETE EXTERIOR LANDING PAD TYPICAL AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREA. FINISH TO BE MEDIUM BLOOM FINISH. SLOPE TO BE 1/4" : 12" MAX. PROVIDE WALK TO HARD SURFACE PER CITY REQUIREMENTS.
8. LOUVERED OPENING FOR VENTILATION.
9. DOCK DOOR BUMPER
10. 12' X 14' DRIVE THRU. SECTIONAL OH., STANDARD GRADE. DESIGNED TO RESIST WIND 90 MPH., EXPOSURE "C".
11. 3'X7' HOLLOW METAL EXTERIOR MAN DOOR. DESIGNED TO RESIST WIN 90 MPH., EXPOSURE "C".
12. SOFFIT LINE ABOVE
13. BRACE FRAME, SEE "S" DWGS.
14. CONC. FILLED GUARD POST. 6" DIA. U.N.O.. 42"H.
15. EXTERIOR DOWNSPOUT WITH OVERFLOW SCUPPER,
16. Z GUARD
17. APPROXIMATE LOCATION OF ROOF TOP UNIT.
18. TRASH COMPACTOR (N.I.C.) PROVIDE SPRINKLERS PER CODE REQUIREMENTS. INSTALLER SHOULD PAINT TO MATCH BUILDING

GENERAL NOTES - FLOOR PLAN

A. THIS BUILDING IS DESIGNED FOR HIGH PILE STORAGE WITH FIRE ACCESS MAN DOORS AT 100' MAXIMUM O.C. A SEPARATE PERMIT WILL BE REQUIRED FOR ANY RACKING/CONVEYER SYSTEMS.
B. FIRE HOSE LOCATIONS SHALL BE APPROVED PER FIRE DEPARTMENT.
C. THE BUILDING FLOOR SLAB IS SLOPED, SEE "C" DRAWINGS FOR FINISH SURFACE ELEVATIONS.
D. NOT USED
E. WAREHOUSE INTERIOR CONCRETE WALLS ARE PAINTED WHITE. COLUMNS ARE TO RECEIVE PRIMER ONLY. ALL GYP. BD. WALLS IN WAREHOUSE TO RECEIVE 1 COAT OF WHITE TO COVER.
F. SLOPE POUR STRIP 1/2" TO EXTERIOR AT ALL MANDOOR EXITS. SEE "S" DRAWINGS FOR POUR STRIP LOCATION.
G. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE PANEL WALL, GRIDLINE, OR FACE OF STUD U.N.O.
H. SEE CIVIL DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR TO VERIFY ACTUAL UTILITY LOCATIONS. PLUMBING/ELECTRICAL COORDINATION.
I. FOR DOOR TYPES AND SIZES, SEE DETAIL SHEET AD.4. NOTE: ALL DOORS PER DOOR SCHEDULE ARE FINISH OPENINGS.
J. CONTRACTOR TO PROTECT AND KEEP THE FLOOR SLAB CLEAN. ALL EQUIPMENT TO BE DIAPERED INCLUDING CARS AND TRUCKS.
K. ALL EXIT MAN DOORS IN WAREHOUSE TO HAVE ILLUMINATED EXIT SIGN. HARDWARE.
L. HIGHLY FLAMMABLE AND COMBUSTIBLE MATERIAL SHALL NOT BE USED OR STORED IN THIS BUILDING.
M. EACH EXTERIOR EXIT DOOR SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE WORDS "EXIT". THE MOUNTING HEIGHT FOR SUCH SIGNAGE SHALL BE 60" FROM FINISH FLOOR LEVEL TO THE CENTER OF THE SIGN.
N. NON-ACCESSIBLE DOOR. PROVIDE WARNING SIGN LOCATED IN THE INTERIOR SIDE PER CBC 1133B.1.1.1
O. ALL ROOF MOUNTED MATERIALS SHALL BE FULLY SCREENED FROM PUBLIC VIEW,

FLOOR SLAB AND POUR STRIPS REQ.

THESE NOTES ARE VERY MIN. REQUIREMENT. SEE "S" DWGS FOR ADDITIONAL REQUIREMENTS

1. FLOOR COMPACTION - 95%
2. TRENCH COMPACTION - 90%
3. BUILDING FLOOR SLAB:
   A. 6" THICK MIN. UNREINFORCED CONCRETE OVER COMPACTED SOILS
   B. 3/4" - 16"LONG @ 12" O.C. DOWELS AT ALL CONSTRUCTION JOINTS
      3/4" - 16"LONG @ 24" O.C. DOWELS IN DOWEL BASKET AT ALL CONTROL JOINTS.
   C. 4,000 P.S.I. REQUIREMENT.
   D. SLUMP TO BE 4" +/- 1"
   E. JOINT SPACING PER A.C.I. 302-1R-96
   F. SAW-CUT DEPTH 1/4 T; SOFT SAW-CUTTING WITHIN 2 HRS OF FINISHING
4. CONTRACTOR TO BUILD FOR CLASS V FLOOR PER A.C.I. 302-1R-96
5. NOT USED
6. CONCRETE SLAB TO HAVE STEEL FLOAT HARD TROWEL BURNISHED FINISH.
7. CONTRACTOR TO CURE SLAB TO BE WET CURING USING BURLINE FOR 7 DAYS MIN.
8. ALL EQUIPMENT & MOVING VEHICLES SHALL BE DIAPERED.
9. NO CRANES, CONCRETE TRUCKS, OR ANYTHING HEAVIER WILL BE PLACED ON THE SLAB.
10. SLAB TO BE FF35 FL24 MEASURED WITHIN 24 HOURS.
11. NO FLY ASH IN THE CONCRETE
12. WHERE [hatch] INDICATED, PROVIDE VAPOR BARRIER (15MIL STEGO OR EQUAL) UNDER THE CONCRETE SLAB. PROVIDE SAND PER SOILS ENGINEER OR MANUFACTURER'S RECOMMENDATION.
    CONCRETE SLAB IN FUTURE OFFICE AREAS, WHERE SAND OVER VIQUEEN ARE REQUIRED, SHALL BE NATURALLY HYDRATED WITHOUT USE OF BURLENE, CURING COMPOUND, OR RELEASE AGENTS.
    CONTROL/CONSTRUCTION JOINTS SHALL NOT BE FILLED WITH MM-80 JOINT FILLER IN FUTURE OFFICE AREAS.
13. SEAL CONCRETE SLAB W/ "LIPIDOLITH" SEALER

HPA architecture
hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949-863-1770
fax: 949-863-0851
email: hpa@hparchs.com

Owner:

RIDGE MORENO VALLEY, LLC C/O
RIDGE PROPERTY TRUST
201 COVINA AVE. - STE. #8
LONG BEACH, CA 90803

PH: (562) 856-3819
FAX: (562) 856-3820

Project:

CENTERPOINT
BUSINESS PARK
Building 4

HARBOR FREIGHT TOOLS
EXPANSION

23400 Cactus Ave.
Moreno Valley, CA 92555

-1188-

Consultants:

CIVIL — Huitt-...
STRUCTURAL
MECHANICAL
PLUMBING
ELECTRICAL
LANDSCAPE — Environs
FIRE PROTECTION
SOILS ENGINEER

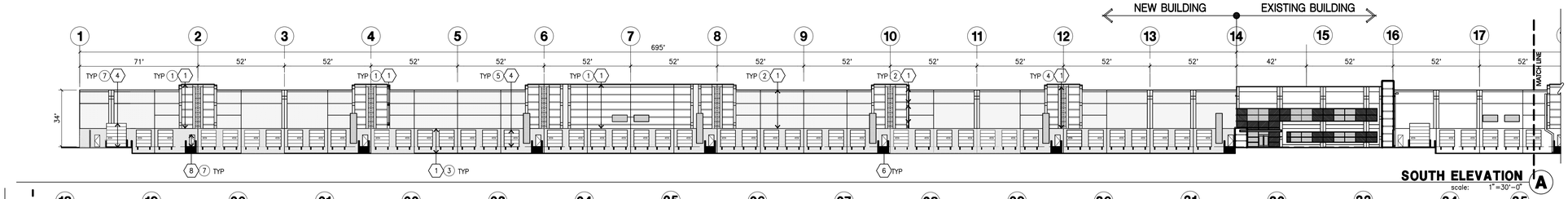
Title: FLOOR PLAN

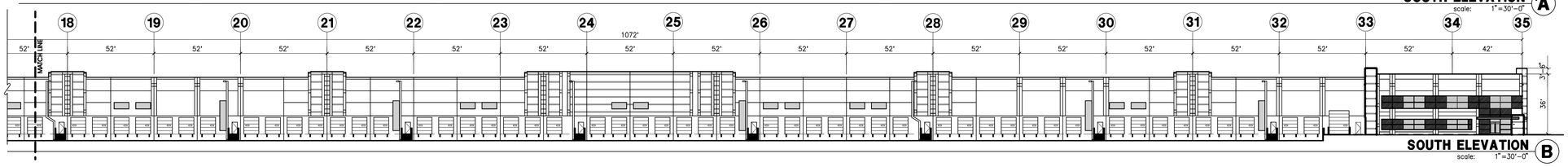
Project Number: 12022
Drawn by: JAIME CRUZ
Date: OCTOBER 19, 2012
Revision:

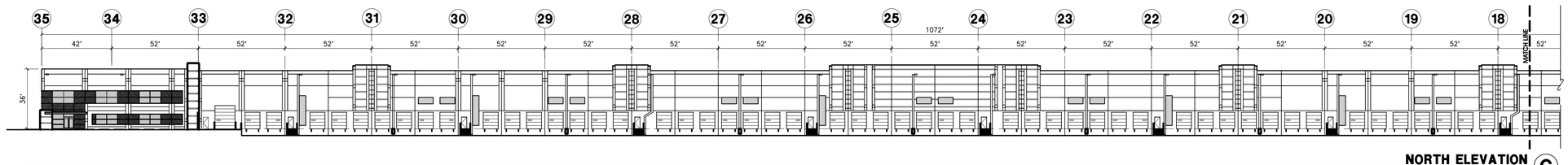
PA 12-0020

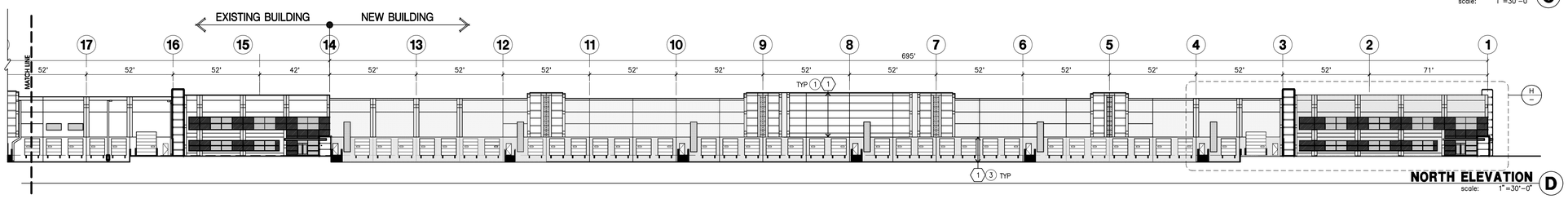
Sheet:

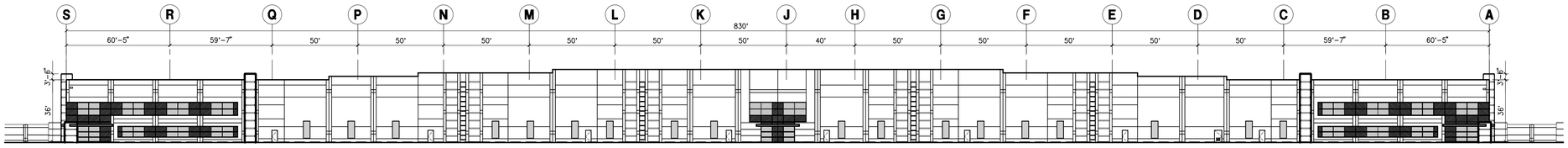
A2.1
FLOOR PLAN
09/26/2012

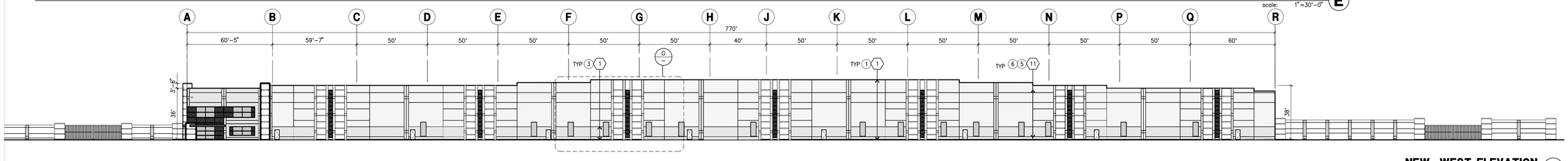


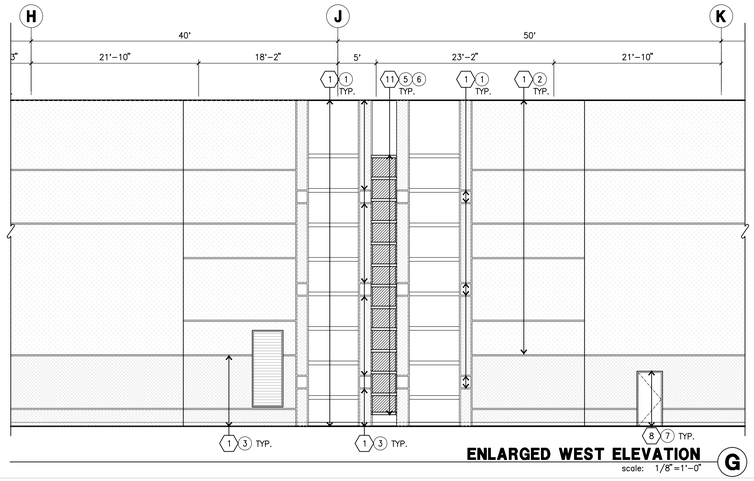


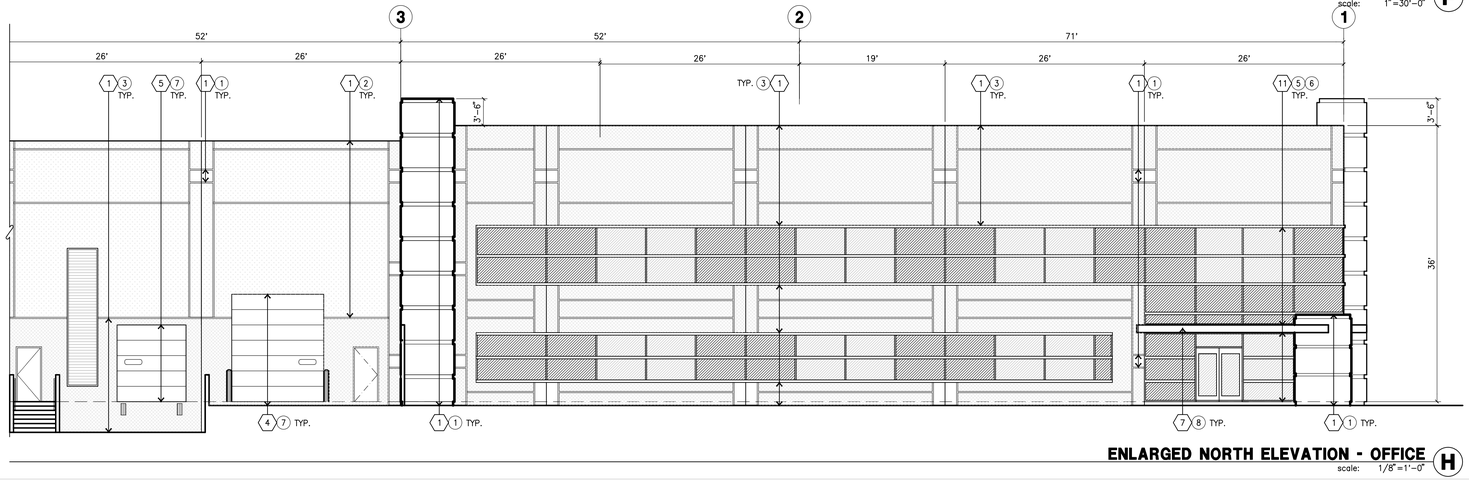












KEYNOTES - ELEVATIONS

1. CONCRETE TILT-UP PANEL(PAINTED). FINISH GRADE VARIES. SEE "C" DRAWINGS. WATERPROOF ALL WALLS WHERE GRADE IS HIGHER AND EXPOSED TO THE WEATHER ONE SIDE. WATERPROOFING TO BE PROTECTED WITH PROTECTION BOARD AND A MIN. OF 6" OF GRAVEL. PROVIDE TRENCH DRAIN AT BOTTOM AND DAYLIGHT TO CURB OR TAKE TO STORM DRAIN. NOT REQUIRED AT DOCK HIGH CONDITION OR AT RAMP WALLS.
2. PANEL JOINT.
3. PANEL REVEAL. ALL REVEALS TO HAVE A MAX. OF 3/8" CHAMFER. REVEAL COLOR TO MATCH ADJACENT BUILDING FIELD COLOR, U.N.O.
4. OVERHEAD DOOR @ DRIVE THRU. SEE DOOR SCHEDULE. PROVIDE COMPLETE WEATHER-STRIPPING PROTECTION ALL AROUND.
5. OVERHEAD DOOR @ DOCK HIGH. SEE DOOR SCHEDULE. PROVIDE COMPLETE WEATHER-STRIPPING PROTECTION ALL AROUND.
6. CONCRETE STAIR, LANDING AND GUARDRAIL W/ METAL PIPE HANDRAIL. PROVIDE NON SKID NOSING TO MEET ADA REQUIREMENTS. PROVIDE CONTRASTING COLORED 3" WIDE WARNING STRIPE INTEGRAL TO CONCRETE AT TOP LANDING AND BOTTOM TREAD PER ADA REQUIREMENTS.
7. CANOPY
8. HOLLOW METAL DOORS. SEE DOOR SCHEDULE. PROVIDE COMPLETE WEATHER STRIPING ALL AROUND DOOR. PROVIDE FOR RAIN DIVERTER ABOVE DOOR.
9. EXTERIOR DOWNSPOUT AND OVERFLOW SCUPPER
10. DOCK BUMPER
11. ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING AT ALL DOORS, SIDELITES ADJACENT TO DOORS AND GLAZING WITH BOTTOMS LESS THAN 18" ABOVE FINISH FLOOR ELEVATION.

GENERAL NOTES - ELEVATIONS

A. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.
B. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.
C. T.O.P. EL.= TOP OF PARAPET ELEVATION.
D. F.F. = FINISH FLOOR ELEVATION.
E. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS AND LINTELS SHALL BE DESIGNED TO RESIST 90 MPH. EXPOSURE "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.
F. CONTRACTOR SHALL FULLY PAINT ONE CONCRETE PANEL W/ SELECTED COLORS. ARCHITECT AND OWNER SHALL APPROVE PRIOR TO PAINTING REMAINDER OF BUILDING.
G. BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.
H. FOR SPANDREL GLAZING, ALLOW SPACE BEHIND SPANDREL TO BREATH.
J. USE ADHESIVE BACK WOOD STRIPS FOR ALL REVEAL FORMS.
K. THE FIRST COAT OF PAINT TO BE ROLLED-ON AND THE SECOND COAT TO BE SPRAYED-ON

COLOR SCHED. - ELEVATIONS

1. CONCRETE TILT-UP PANEL PAINT BRAND FRAZEE 001 WHITE
2. CONCRETE TILT-UP PANEL PAINT BRAND FRAZEE 8181W MAISON BLANCHE
3. CONCRETE TILT-UP PANEL PAINT BRAND FRAZEE 549 PRESIDIO AT SUNSET
4. CONCRETE ACCENT SQUARE PAINT BRAND FRAZEE 84750 CAVALIER
5. GLAZING COLOR BLUE REFLECTIVE (MEDIUM PERFORMANCE)
6. MULLIONS PAINT BRAND CLEAR ANODIZED
7. DOORS PAINT BRAND FRAZEE 549 PRESIDIO AT SUNSET
8. CANOPY PAINT BRAND FRAZEE 8181W MAISON BLANCHE

GLAZING LEGEND

S SPANDREL GLASS
TV TEMPERED VISION GLASS
V VISION GLASS

PAINT AND MATERIAL LEGEND

1 2 3 4

HPA architecture
hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949·863·1770
fax: 949·863·0851
email: hpa@hparchs.com

Owner:

RIDGE MORENO VALLEY, LLC C/O
RIDGE PROPERTY TRUST
201 COVINA AVE. - STE. #8
LONG BEACH, CA 90803

PH: (562) 856-3819
FAX: (562) 856-3820

Project:

CENTERPOINT BUSINESS PARK
Building 4
HARBOR FREIGHT TOOLS EXPANSION
23400 Cactus Ave.
Moreno Valley, CA 92555

-1189-

Consultants:

CIVIL Huitt-...
STRUCTURAL
MECHANICAL
PLUMBING
ELECTRICAL
LANDSCAPE Environs
FIRE PROTECTION
SOILS ENGINEER

Title: elevation

Project Number: 12022
Drawn by: JAIME CRUZ
Date: OCTOBER 19, 2012
Revision:

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Sheet:

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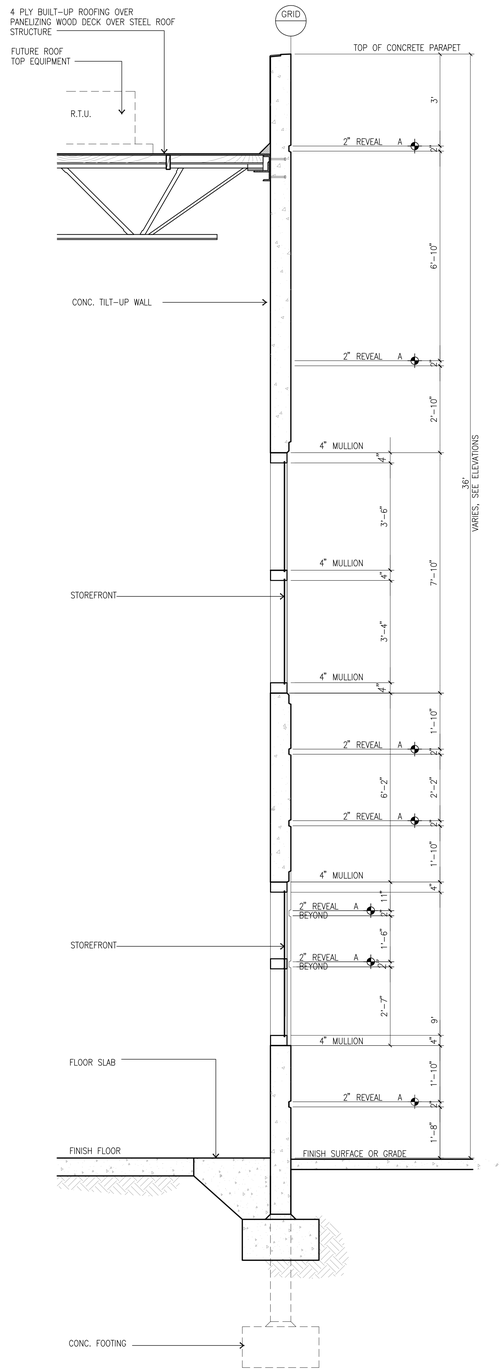
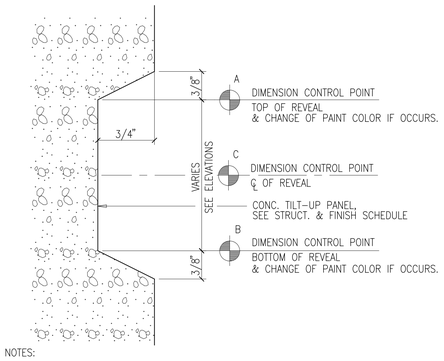
Elevation
09/27/2012

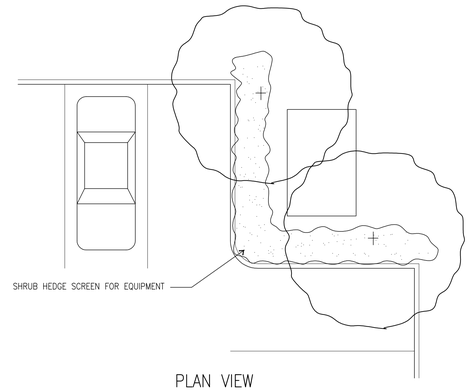


TYP. STOREFRONT ELEVATION (A)
scale: 1/2" = 1'-0"



NOTES:
1. DIMENSION CONTROL POINTS AT REVEALS AND EDGE OF CONCRETE OPENINGS WHERE OCCUR, SEE WALL SECTIONS.
2. PAINT COLOR CHANGES TO ALWAYS OCCUR AT CONTROL POINT "A" OR "B"

TYP. CONCRETE REVEAL (B)
scale:N.T.S.



GROUND MOUNTED EQUIPMENT SCREENING, TYP. (C)
scale:N.T.S.

GENERAL NOTES - ELEVATIONS

A. CONTRACTOR TO VERIFY ALL GRADES W/ CURRENT "C" PLAN & VERIFY SITE CONDITIONS. VERIFY ALL TOP OF WALL HEIGHTS(T.O.W.) & FINISH SURFACE GRADES.

B. PROVIDE 2" DIA. P.V.C. WEEP HOLES @ 8' O.C. IN SCREEN WALLS @ GRADE GRADE LEVEL ON TRUCK YARD SIDE.

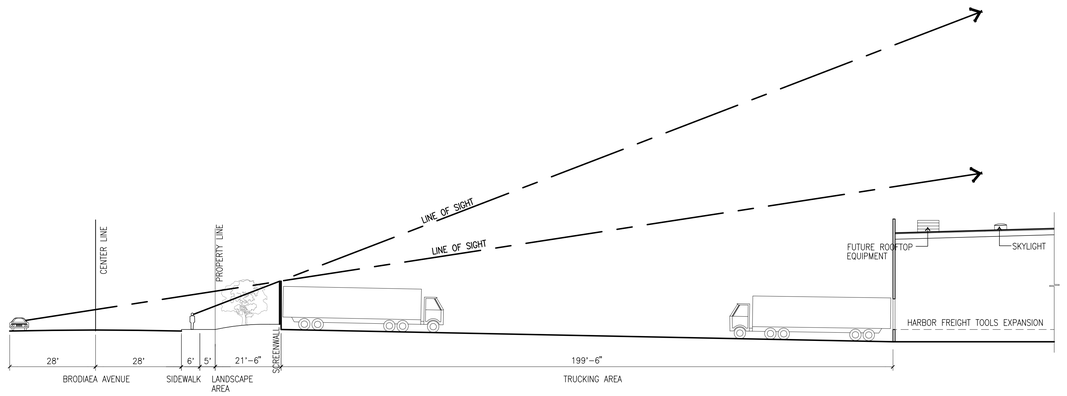
C. CONTRACTOR TO PROVIDE WATER-PROOFING MEMBER TO SCREEN WALL AT ALL RETAINING/ BERMING CONDITIONS. PROVIDE WATERPROOFING @ HIGHSIDE OF WALL ONLY. CONTRACTOR TO SUBMIT WATERPROOFING SPECIFICATIONS TO ARCHITECT PRIOR TO INSTALLATION.

D. SCREEN WALLS TO BE SUBMITTED UNDER SEPARATE PERMIT FROM BUILDING DEPARTMENT PER COUNTY STANDARD.

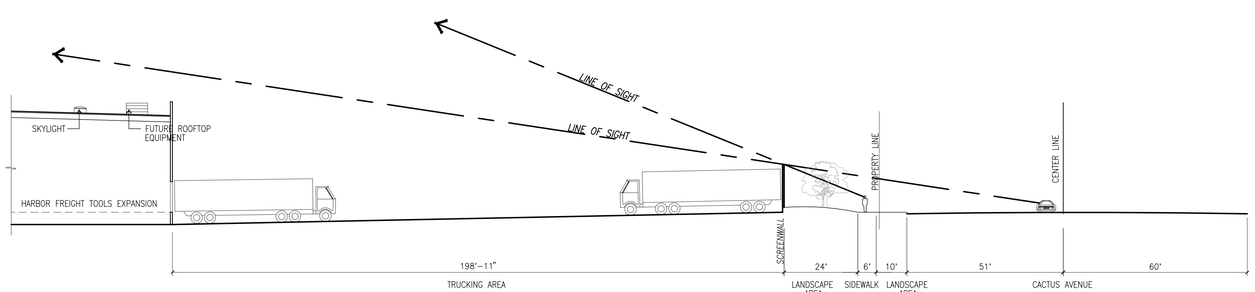
E. GATE MANUFACTURER TO PROVIDE DETAILING OF GATES TO WITHSTAND 90 MPH. WINDS, EXPOSURE "C" AND VERIFY ALL DIMENSIONS, DETAILS AND SITE CONDITIONS W/ CONTRACTOR.

ALL GATES TO BE WALL BRACED. SUB-CONTRACTOR TO SUBMIT SHOP DRAWINGS TO ARCHITECT PRIOR TO INSTALLATION.

CONTRACTOR TO VERIFY ALL CIVIL AND STRUCTURAL DRAWINGS FOR SCREEN-WALL HEIGHT. CONTRACTOR TO PROVIDE A MIN. OF 10'-0" HIGH SCREEN-WALL FROM FINISH GRADE @ STREET SIDE. CONTRACTOR TO ADJUST SCREEN-WALL HEIGHT AND FOOTING IN THE FIELD.



SECTION STUDY OF ROOF SCREEN (D)
SCALE: 1" = 20'-0"



SECTION STUDY OF ROOF SCREEN (E)
SCALE: 1" = 20'-0"

HPA architecture

hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949-863-1770
fax: 949-863-0851
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201 COVINA AVE. - STE. #8
LONG BEACH, CA 90803

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23400 Cactus Ave.
Moreno Valley, CA 92555

-1190-

Consultants:

CIVIL	Huitt-...
STRUCTURAL	
MECHANICAL	
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SOILS ENGINEER	

Title: SECTION

Project Number: 12022
Drawn by: JAIME CRUZ
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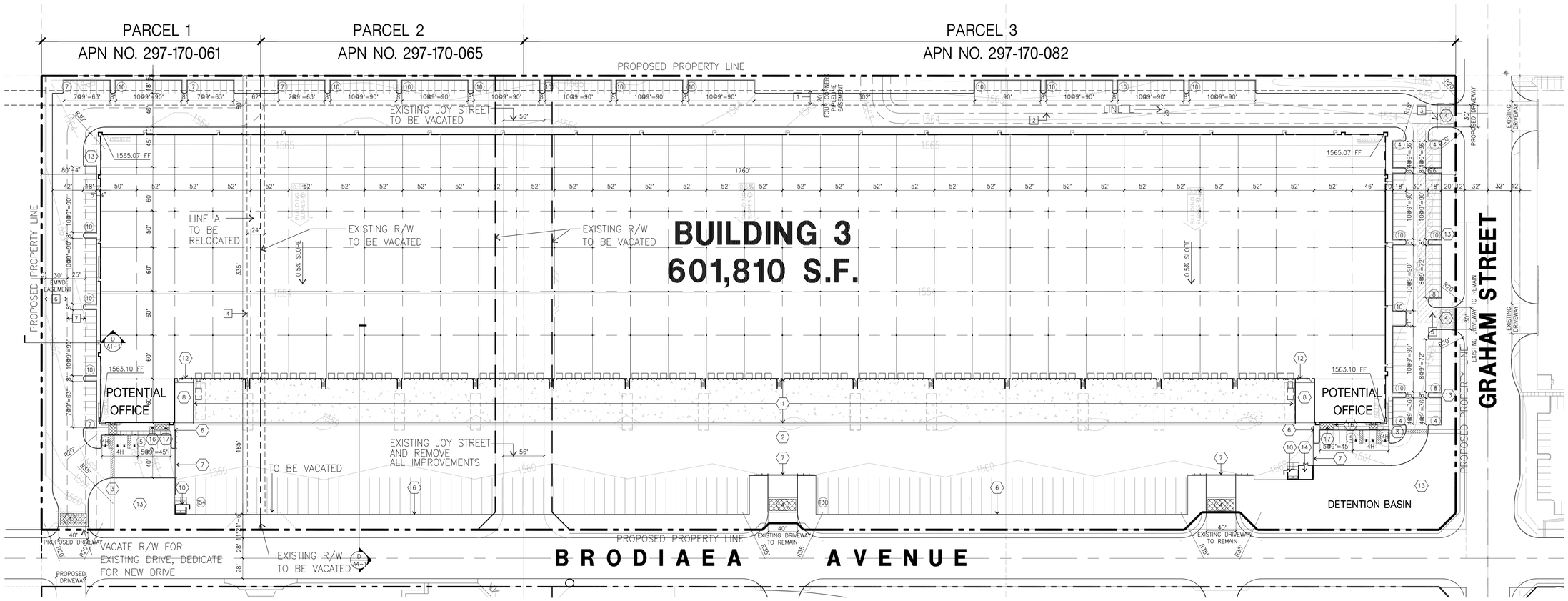
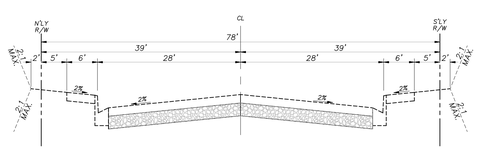
Sheet:

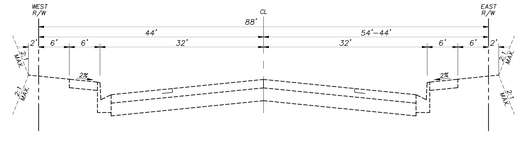
A4.1
SECTION
09/27/2012



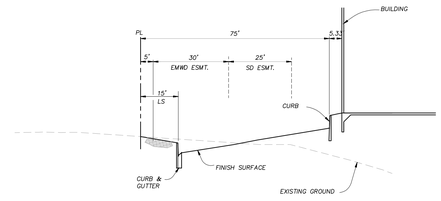
OVERALL SITE PLAN A
1"=60'-0"



BRODIAEA AVENUE - TYPICAL SECTION B
N.T.S



GRAHAM STREET - TYPICAL SECTION C
N.T.S



EASEMENT SECTION D
N.T.S

site plan general notes

1. THE SOILS REPORT IS TO BE PART OF THESE CONTRACT DOCUMENTS
2. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE
3. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, FACE OF CONCRETE CURB OR GRID LINE U.N.O.
4. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.
5. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM. PRIOR TO INSTALLATION & AT LEAST 60 DAYS BEFORE BLDG. COMPLETION.
6. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.
7. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.
8. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS.
9. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS. SEE "C" DRAWINGS FOR FINISH GRADE ELEVATIONS.
10. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY W/ 1:20 MAX. SLOPE. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". SEE "L" DRAWINGS FOR FINISH.
11. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.
12. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE PLANNING DIVISION AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.
13. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PLANNING DIVISION.
14. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PLANNING DIVISION.
15. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB
16. APPROVED CONCEPTUAL LANDSCAPE PLAN PRIOR TO GRADING PERMIT
17. ALL ROOF DRAINS SHALL BE DIRECTED TO A LANDSCAPE AREA.

site plan keynotes

1. 6" THICK MINIMUM, REINFORCED CONCRETE TRUCK APRON, W/ #3 @ 18" O.C.E.W. 3500 PSI W. CONSTRUCTION AND/OR EXPANSION JOINTS A MAXIMUM OF 18'-0" O.C. EXPANSION JOINTS TO BE A MIN. OF 1-1/2" DEEP AND A MAXIMUM ULTIMATE WIDTH OF 1/4". VERIFY WITH SOILS ENGINEER. PROVIDE HEAVY BROOM FINISH. ALL JOINTS TO BE CLEANED AN FILLED W/ ASPHALTIC CAULKING.
2. ASPHALT CONCRETE (AC) PAVING PER SOILS ENGINEER RECOMMENDATION AS APPROVED BY THE CITY.
3. CONCRETE WALKWAY
4. DRIVEWAY APRONS TO BE CONSTRUCTED PER CITY STANDARD 118C MODIFIED. PROVIDE STAMPED CONCRETE W/ LIGHT BROOM FIN. AT ALL DRIVE LOCATIONS. PROVIDE VERTICAL & HORIZONTAL EXPANSION JOINTS AT A MAXIMUM OF 15' O.C. SPACING.
5. 5'-6"X5'-6"X4" THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY AS REQ. BY CITY INSPECTOR.
6. 14' HIGH CONCRETE TILT-UP SCREEN WALL
7. 8'H WROUGHT IRON SLIDING GATE.
8. CONCRETE RAMP
9. NOT USED
10. TRASH ENCLOSURE TO BE TWO BIN AND FULLY COVERED PER CITY STANDARD.
11. CONCRETE STAIRS AND LANDING
12. 12' X 14' DRIVE-IN DOOR
13. LANDSCAPE. SEE CONCEPTUAL LANDSCAPE PLAN.
14. 20' X 20' PUMP ROOM
15. 8' HIGH VINYL-COATED CHAIN-LINK FENCE
16. BIKE RACK, EACH RACK HOLDS 7 BIKES
17. 10' X 20' PATIO AREA

site legend

- LANDSCAPED AREA
- AC. PAVING
- CONCRETE PAVING
- STANDARD PARKING STALL 9' X 18'
- HANDICAP PARKING STALL, 9' X 18' W/ 2' O.H.
- EXISTING RIGHT OF WAY
- PROPOSED PROPERTY LINE
- ADA PATH OF TRAVEL
- EXISTING DRIVEWAY TO REMAIN

easement notes

EXISTING EASEMENT TO REMAIN

1. 20' EASEMENT OF FOUR CORNERS PIPELINE COMPANY (NOW KNOWN AS QUESTAR) FOR PIPELINE PURPOSES PER DOCUMENT RECORDED JANUARY 10, 1958 IN BOOK 2205 PAGE 147 AND FEBRUARY 11, 1958 IN BOOK 2221, PAGE 126, BOTH OF OFFICIAL RECORDS, RECORDS OF RIVERSIDE COUNTY.
2. LINE E PARCEL "A" STORM DRAIN EASEMENT TO CITY MORENO VALLEY PER DOC. REC. 8/2/10 AS NO.2010-0359735
3. STORM DRAIN EASEMENT TO RCFCD PER DOCUMENT RECORDED 11/18/09 AS NO. 2009-0597445.

EXISTING EASEMENT TO BE VACATED

4. EASEMENT TO BE QUIT CLAIMED FOR STORM DRAIN RECORDED 11-18-09 AS DOC # 2009-0597446
5. PARCEL B OF THE LINE E EASEMENT

UTILITIES TO BE RELOCATED

6. EMWD 30' SEWER EASEMENT
7. STORM DRAIN LINE A 25' EASEMENT

project information

Owner / Applicant
RIDGE MORENO VALLEY, LLC
RIDGE MV LOT 3, LLC
201 COVINA AVE. - STE. #8
LONG BEACH, CA 90803
TEL: (562) 856-3819
CONTACT: DENNIS RICE

Architect
HPA, INC.
18831 BARDEEN AVE. SUITE #100
IRVINE, CA 92612
TEL: (949) 863-1770
CONTACT: JAIME CRUZ

Applicant's Representative
INLAND EMPIRE DEVELOPMENT SERVICES, INC.
931 MONARCH COURT
BEAUMONT, CA 92223
TEL: (951) 845-1003
CONTACT: GIL SAENZ

Legal Description
PARCEL 1,2, AND 3 OF PM 32326, PER PM BK. 218, PGS. 34 TO 42, REC. OF RIVERSIDE COUNTY, TOGETHER WITH LOT 8 BLK. 242 OF MAP NO. 1 BEAR VALLEY ALESSANDRO DEV. CO. AS SAID LOT 8 IS NOW SHOWN MERGED WITH SAID PARCEL 3 ON THAT LOT LINE ADJUSTMENT NO. 1011 AND CERTIFICATE OF COMPLIANCE REC. APRIL 28,2011 IN DOC. NO. 2011-0185737 RECORDS OF RIVERSIDE COUNTY.

Civil Engineer
HUITT ZOLLARS
3990 CONCOURS STE 330
ONTARIO, CA 91764
TEL: (909) 941-7799
CONTACT: MAURICE MURAD

Landscape Architect
ENVIRONS
1746 N. BRIDGEPORT AVE.
CLAREMONT, CA 91711
TEL: (909) 626-4663
CONTACT: BRETT FRENCH

Zoning
LI (LIGHT INDUSTRIAL)

Assessors Parcel Number
LOT 1: 297-170-061
LOT 2: 297-170-065
LOT 3: 297-170-082

utility information

TELEPHONE:
VERIZON
150 SO JUANITA ST.
HEMET, CA 92543
PHONE: (951) 658-7305
CONTACT: PHIL BRILLINGER

ELECTRIC
MORENO VALLEY UTILITIES
14177 FREDERICK ST.
MORENO VALLEY, CA 92552
PHONE: (951) 413-3480
CONTACT: MICHELLE PIERCE

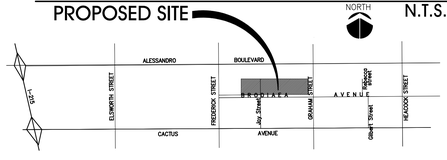
GAS
THE GAS COMPANY
25200 TRUMBLE ROAD SC 8058
ROMOLAND, CA 92380
PHONE: (951) 335-3902
CONTACT: DAVE MULLIGAN

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928 - 3777
CONTACT: NEW BUSINESS

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928-3777
CONTACT: NEW BUSINESS

CABLE - TV
TIME WARNER
1500 AUTO CENTER DR.
ONTARIO, CA 91761
PHONE: (951) 975-3380
(951) 390-4777
CONTACT: MARK DAUENHAUER

vicinity map



tabulation

TABULATION	BUILDING	
Site area (in sq.ft.)	1,200,351	sf
Site area (in acres)	27.56	ac
		ac
Warehouse area	591,810	sf
Office area	10,000	sf
Total building area	**601,810**	sf
Coverage (Gross)	50%	
Parking required		
1st. 20k@1/1,000 s.f.	20	stalls
2nd. 20k@1/2,000 s.f.	10	stalls
above 40k @1/4,000 s.f.	138	stalls
office @1/250	40	stalls
Total parking required	**208**	stalls
Parking provided		
Standard (9'x18')	252	stalls
Handicap (9'x18')	8	stalls
Total parking provided	**260**	stalls
Trailer parking required		
(1 trailer parking per dock door)		
Total dock doors	100	
Trailer parking provided (14'x50')	101	stalls
Landscape provided	135,090	sf
% of Landscape provided	11%	
NOTE:		
** Bike rack - 5% of total parking required*	**13 BIKES**	

1" = 60'-0"
0 60 120 180

REFERENCE NORTH
TRUE NORTH

OVERALL SITE PLAN

ATTACHMENT 9

HPA architecture
hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949-863-1770
fax: 949-863-0851
email: hpa@hparchs.com

Owner:
RIDGE MORENO VALLEY, LLC
RIDGE MV LOT 3, LLC C/O
RIDGE PROPERTY TRUST
201 COVINA AVE. - STE. #8
LONG BEACH, CA 90803

PH: (562) 856-3819
FAX: (562) 856-3820

Project:
CENTERPOINT BUSINESS PARK
Building 3
Brodiaea Ave.
Moreno Valley, CA 92555

Consultants:
CIVIL
STRUCTURAL
MECHANICAL
PLUMBING
ELECTRICAL
LANDSCAPE
FIRE PROTECTION
SOILS ENGINEER
Huitt-Zollars
Environs

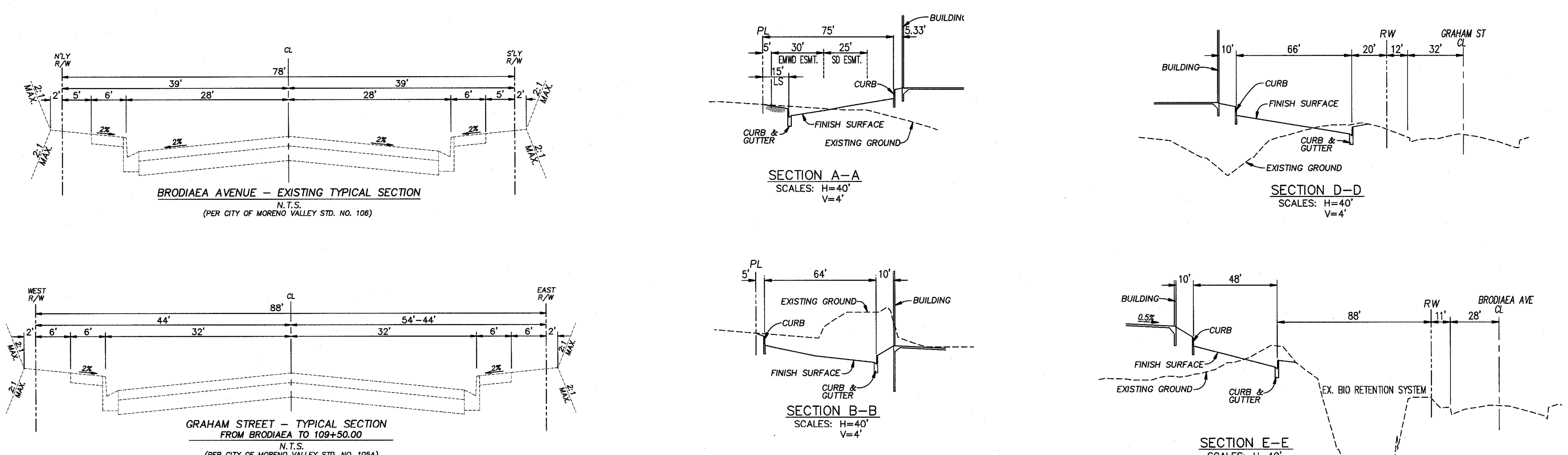
Title:

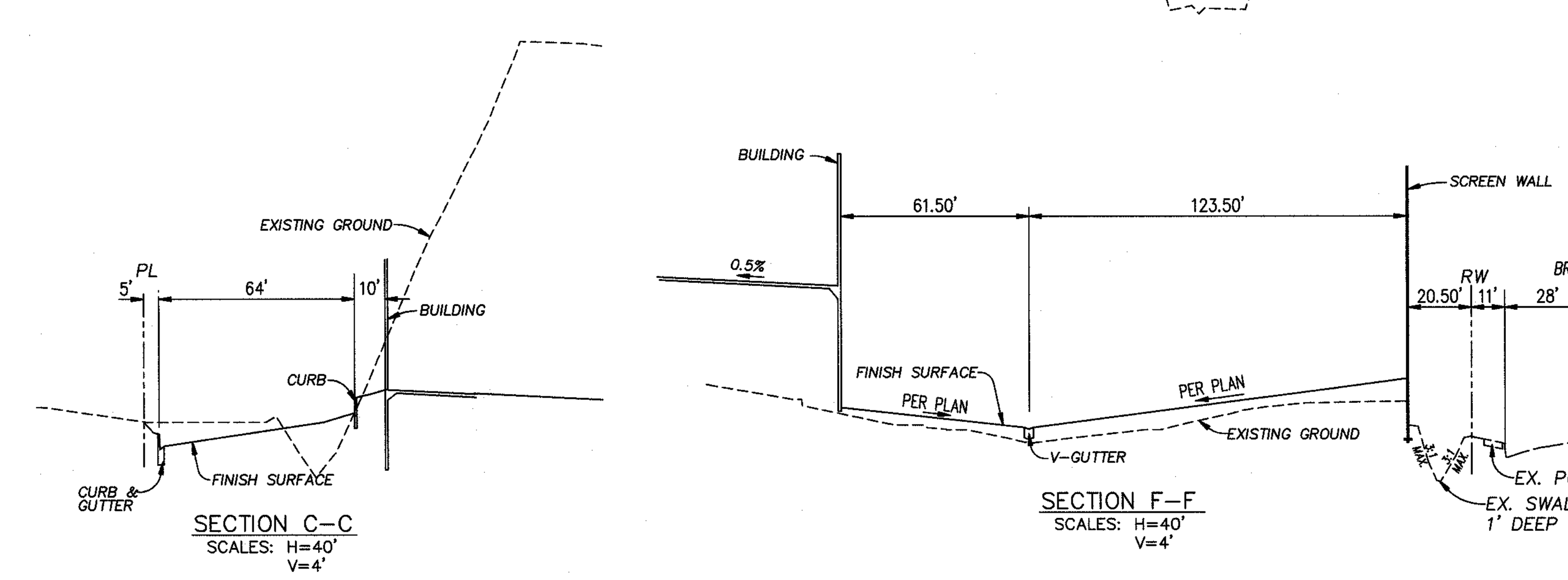
Project Number: 12073
Drawn by: JAIME CRUZ
Date: OCTOBER 19 , 2012
Revision:

PA 12-0021

Sheet:
A1.1
SITE PLAN
08/27/2012

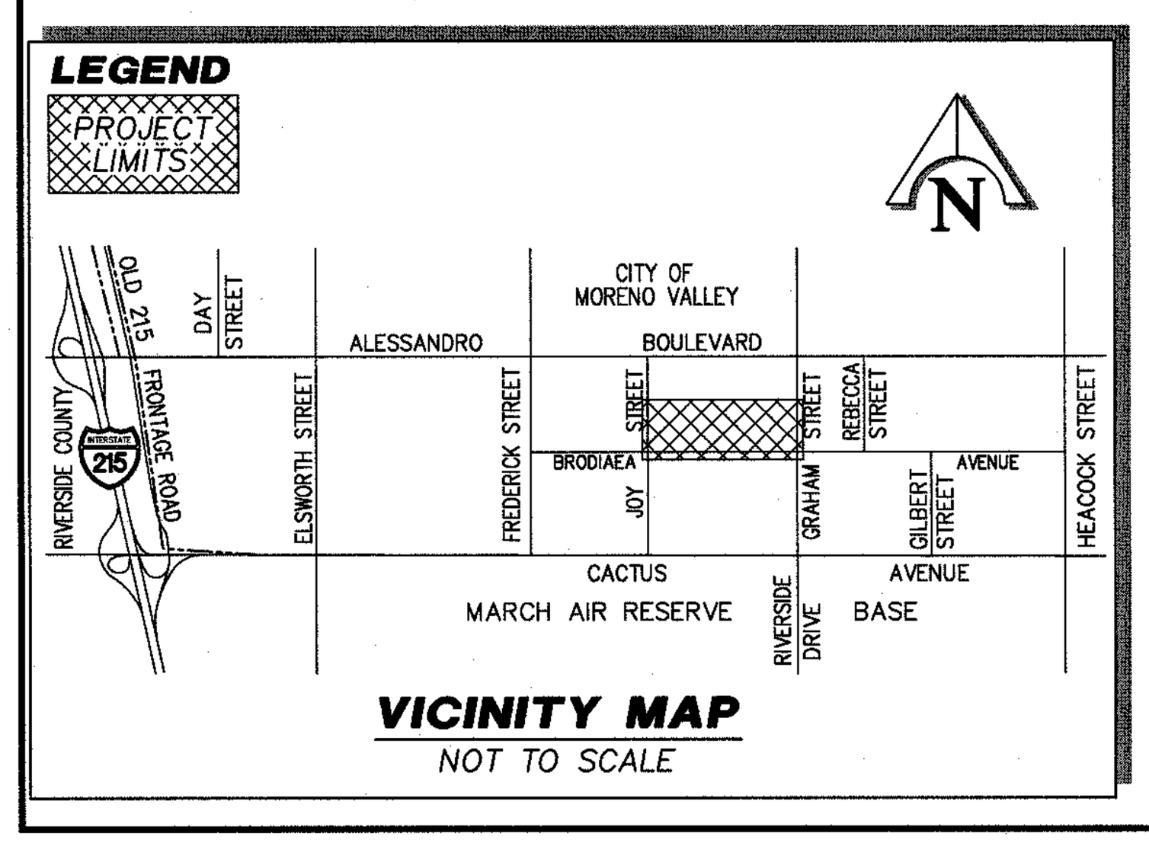
-1191-





LEGEND

- BMP DRAINAGE BOUNDARY
- SD — PROPOSED STORM DRAIN
- S — PROPOSED SEWER
- W — PROPOSED WATER
- GB — PROPOSED GRADE BREAK LINE
- PROPOSED R/W
- EXISTING R/W
- PROPOSED GRATING INLET
- PROPOSED CURB OPENING INLET
- FF PROPOSED FINISH FLOOR ELEVATION
- TP TOP OF PAVEMENT
- TG TOP OF GRATE
- FL FLOWLINE
- CF CURB FACE
- FS FINISHED SURFACE
- CB CATCH BASIN
- PL PROPERTY LINE
- R/W RIGHT-OF-WAY
- CL CENTERLINE
- PROP. PROPOSED
- EX. EXISTING
- DRWY DRIVEWAY
- DIRECTION OF FLOW
- CONCRETE
- EXISTING AREA TO REMAIN



VOLUME BASED BMP'S			
AREA	BMP	V_{BMP}	ACRES
A1	UNDERGROUND INFILTRATION CHAMBER	1933 CF	1.060
A2	UNDERGROUND INFILTRATION CHAMBER	10566 CF	4.370
A3	UNDERGROUND INFILTRATION CHAMBER	5235 CF	2.090
A6	INFILTRATION BASIN	623 CF	0.470
A7	PERVIOUS CONCRETE	571 CF	0.562
A8	PERVIOUS CONCRETE	370 CF	0.340
A4+A7+A8	INFILTRATION BASIN	7540 CF	3.462
A10	UNDERGROUND INFILTRATION CHAMBER	4167 CF	2.050
A11	UNDERGROUND INFILTRATION CHAMBER	5368 CF	2.790

FLOW BASED BMP'S			
AREA	BMP	Q_{BMP}	ACRES
A1	CATCH BASIN FILTER	0.152 CFS	1.060
A2	CATCH BASIN FILTER	3@ 0.26 CFS	4.370
A3	CATCH BASIN FILTER	0.360 CFS	2.090
A5	INFILTRATION SWALE	0.143 CFS	0.892
A7	CATCH BASIN FILTER	0.060 CFS	0.562
A8	CATCH BASIN FILTER	0.038 CFS	0.340
A4+A7+A8	CDS UNIT	0.575 CFS	3.462
A9	CDS UNIT	1.240 CFS	6.910
A10	CATCH BASIN FILTER	2@ 0.164 CFS	2.050
A11	CATCH BASIN FILTER	3@ 0.150 CFS	2.790

WQMP NOTES

1. INSTALL STORM WATER CLARIFIER (CDS UNIT OR APPROVED EQUAL)
2. CONSTRUCT PERVIOUS CONCRETE PAVEMENT OVER CRUSHED WASHED STONE BEDDING
3. CONSTRUCT INFILTRATION BASIN
4. CONSTRUCT UNDERGROUND INFILTRATION CHAMBER SYSTEM
5. INSTALL UNDERGROUND ROOF DRAIN COLLECTION AND CONVEYANCE SYSTEM.
6. CONSTRUCT TRASH ENCLOSURE PER CITY OF MORENO VALLEY STANDARD 627.
7. INSTALL CATCH BASIN FILTER (BIO-CLEAN OR APPROVED EQUAL) AND PROVIDE "NO DUMPING" STENCIL PER CITY REQUIREMENTS.
8. CONSTRUCT INFILTRATION (VEGETATED) SWALE

EXISTING EASEMENT TO REMAIN

(1) 20' EASEMENT OF FOUR CORNERS PIPELINE COMPANY FOR PIPELINE PURPOSES PER DOCUMENT RECORDED JANUARY 10, 1958 IN BOOK 2205 PAGE 147 AND FEBRUARY 11, 1958 IN BOOK 2221, PAGE 126, BOTH OF OFFICIAL RECORDS, RECORDS OF RIVERSIDE COUNTY.

(2) DENOTES 25' EASEMENT FOR LINE E TO THE CITY OF MORENO VALLEY PER DOC. RECORDED AUGUST 2, 2010 AS INSTRUMENT NO. 2010, 0359735 OF OFFICIAL RECORDS.

(3) EASEMENT OF THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR FLOOD CONTROL AND DRAINAGE PURPOSES PER DOCUMENT RECORDED NOVEMEBR 18, 2009 AS INSTRUMENT NO. 2009-0597445, OF OFFICIAL RECORDS.

EXISTING EASEMENT TO BE VACATED

[A] *DENOTES FLOOD CONTROL EASEMENTS OF THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, PER INSTR NO. 2006-0437088, RECORDED JUNE 16, 2006 AND INSTR NO. 2006-043089, RECORDED JUNE 16, 2006.*

[B] DENOTES A 20' EASEMENT FOR INGRESS AND EGRESS PER DOC. RECORDED AUGUST 2, 2010 AS INSTRUMENT NO. 2010, 0359735 TO BE VACATED

PROPOSED EASEMENT

△1 *DENOTES 25' EASEMENT TO THE CITY OF MORENO VALLEY FOR STORM DRAIN*

△2 *DENOTES 30' EASEMENT TO EMWD FOR SEWER MAIN*

GENERAL NOTES

1. GROSS AREA = 18.68 AC
   DISTURED AREA = 15.15 AC
2. *FLOOD ZONE X PANEL NO. 065074 0020 B*
   MAP REVISED MAY 17, 1993
3. PRELIMINARY EARTHWORK
   RAW CUT = 45008 CY
   RAW FILL = 23458 CY

   FINAL QUANTITIES WILL BE DETERMINED AT ROUGH GRADING AND FINAL DESIGN

SCALE: 1"=60'

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1"=60'

EXISTING TOPOGRAPHY DEVELOPED AND SUPPLIED BY D.M.I. AERIAL TOPOGRAPHIES DATED JANUARY 2, 2012.

*** PAD ELEVATION IS BASED ON A PRELIMINARY 5" SLAB SECTION. CONTRACTOR TO DETERMINE ULTIMATE SLAB THICKNESS BASED ON SOILS REPORT RECOMMENDATIONS.*

CONCEPTUAL GRADING, DRAINAGE, UTILITY & WQMP PLAN

FOR

MORENO VALLEY CENTERPOINTE - BUILDING 3 (PA12-0021)
BRODIAEA AVENUE & GRAHAM STREET
CITY OF MORENO VALLEY

HUITT~ZOLLARS
HUITT-ZOLLARS, INC.
3990 CONCOURS, SUITE 330 * ONTARIO, CALIFORNIA 91764 * (909) 941-7799

APPROVED BY MAURICE M. MURAD P.L.S. 33366 EXPIRES 6-30-14 DATE

DESIGNED BY MHM
DRAWN BY MAY M.
CHECKED BY MHM
FIELD BOOK
SHEET 1 OF 1 SHEETS
JOB NO. 11-0244-23

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TREE PALETTE

TREES	BOTANICAL NAME	COMMON NAME	CONT	CAL	QTY
	Eucalyptus sideroxylon `Rosea`	Red Ironbark	15 gal	Low	79
	Existing Tree To Remain	Protect In Place	Existing		148
	Koelreuteria bipinnata	Chinese Flame Tree Multi-Trunk	36"box	Med	11
	Lagerstroemia x `Muskogee`	Lavender Crape Myrtle Std.	24"box	Med	11
	Pinus eldarica	Afghan Pine	15 Gal. & 24" Box	Low	107
	Platanus racemosa	California Sycamore	15 gal	Med	26
	Platanus x acerifolia `Bloodgood`	London Plane Tree	24"box		18
	Rhus lancea	African Sumac	24"box	Low	32

ROOT BARRIER NOTE

ALL TREES WITHIN 8' OF HARDSCAPE SHALL BE IN A SHAWTOWN LINEAR ROOT BARRIER 24" HIGH (NOT WRAP AROUND) PLACE ROOT BARRIER ADJACENT TO HARDSCAPE AND CENTER ON TREE EXTENDING 5' IN BOTH DIRECTIONS FOR AN OVERALL LENGTH OF 10'

SHRUB / GROUND COVER PALETTE

SHRUB & GROUND COVER PALETTE - LOW WATER USE 90,656 sf

Acacia redolens `Desert Carpet` TM / Bank Catclaw
Anigozanthos flavidus `Gold Velvet` / Kangaroo Paw
Arbutus unedo / Strawberry Tree Shrub
Baccharis pilularis `Pigeon Point` / Coyote Brush
Callistemon citrinus / Lemon Bottlebrush Shrub
Carex tumulicola / Berkeley Sedge
Cassia artemisioides / Feathery Cassia
Cistus x purpureus / Orchid Rockrose
Elaeagnus pungens `Fruitlandii` / Silverberry
Heteromeles arbutifolia / Toyon
Macfadyena unguis-cati / Yellow Trumpet Vine
Muhlenbergia capillaris `Autumn Blush` / Pink Muhly
Muhlenbergia rigens / Deer Grass
Myoporum parvifolium `Putah Creek` / Putah Creek Myoporum
Pennisetum advena `Rubrum` / Fountain Grass
Pennisetum messiacum `Fairy Tails` / Fountain Grass
Rosmarinus officinalis `Huntington Blue` / Rosemary
Rosmarinus officinalis `Tuscan Blue` / Tuscan Blue Rosemary
Salvia greggii `Furmans Red` / Furman`s Red Salvia
Westringia fruticosa / Coast Rosemary

SHRUB & GROUND COVER PALETTE - MEDIUM WATER USE 6,398 sf

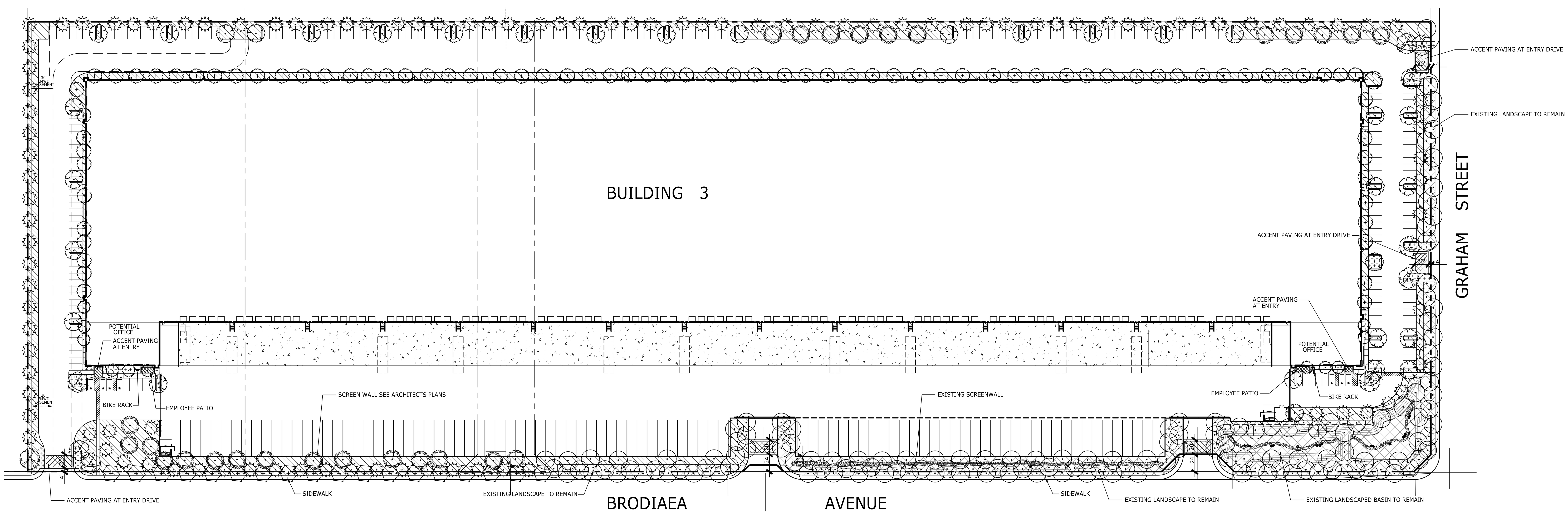
Abelia x grandiflora `Edward Goucher` / Glossy Abelia
Buxus x `Green Gem` / Green Gem Boxwood
Dietes bicolor `Moraea` / Fortnight Lily
Hemerocallis x `Lemon Yellow` / Daylily
Ligustrum texanum / Texas Privet
Nandina domestica / Heavenly Bamboo
Photinia x fraseri / Photinia
Podocarpus gracilior `Column` / Fern Pine
Rhaphiolepis indica `Clara` / Indian Hawthorn
Rosa floribunda `Iceberg` / Iceberg Rose
Rosa x `Flower Carpet Pink` / Rose
Xylosma congestum / Shiny Xylosma

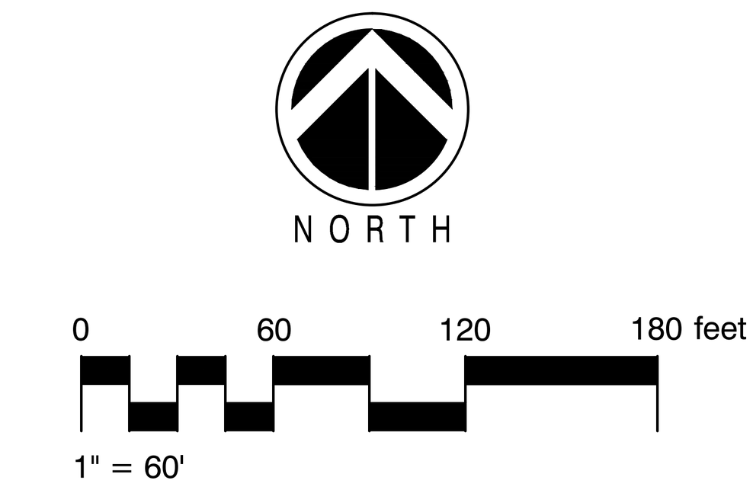
EXISITNG_LANDSCAPE_TO_REMAIN

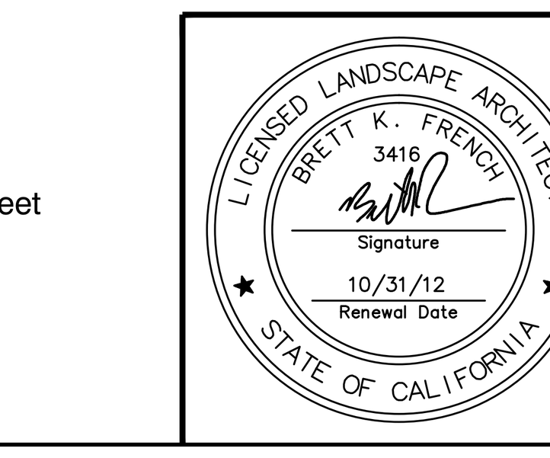
EXISTING LANDSCAPE TO REMAIN PROTECT IN PLACE

MULCH NOTE

ALL PLANTER AREAS TO RECEIVE A 2" LAYER OF COVER MULCH AVAILABLE FROM EARTHWORKS (951) 270-0088







REVISIONS DATE

Environs Inc
LANDSCAPE ARCHITECTURE
Creating Sustainable & Water Conserving Solutions
1746 N. Bridgeport Avenue * Claremont, CA 91711
Ph. (909) 626-4663 * Fax (909) 626-0446

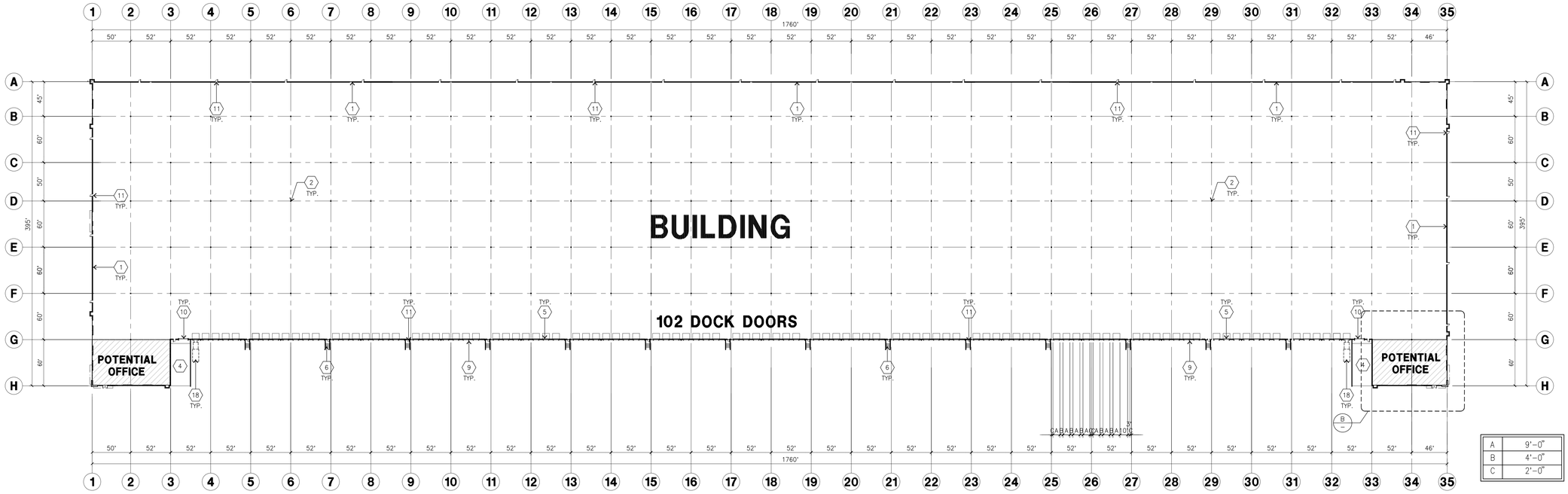
OWNER / DEVELOPER:
RIDGE MORENO VALLEY, LLC
RIDGE MV LOT 3, LLC C/O
RIDGE PROPERTY T
201 COVINA, - STE. #8 * LONG BEAC
TEL. (562) 856-3819 * CONTACT: KIM

-1193-

SHEET TITLE: PRELIMINARY LANDSCAPE PLAN

PROPOSED NEW BUILDING FOR:
CENTERPOINT BUSINESS PARK
Building 3
Brodiaea Avenue, Moreno Valley, CA 92555

DRAWN BY BKF
DATE 4-30-12
JOB NO. RIDGE0001
SHEET NO. L-1
OF 1 SHTS.



OVERALL FLOOR PLAN scale: 1"=60'-0"

KEYNOTES - FLOOR PLAN

1. CONCRETE TILT-UP PANEL. SEE "S" DWGS. FOR THICKNESS AND STEEL REQUIREMENTS.
2. STRUCTURAL STEEL COLUMN. SEE "S" DRAWINGS FOR SIZE.
3. TYPICAL STOREFRONT SYSTEM WITH GLAZING. SEE OFFICE BLOW-UP AND ELEVATIONS FOR SIZE, COLOR AND LOCATIONS.
4. CONCRETE RAMP W/ 42"HIGH CONC TILT-UP GUARD WALL OR BUILDING WALL ON BOTH SIDE OF RAMP, SEE "S" DWG FOR DETAIL.
5. 9'-0" X 10' TRUCK DOOR, SECTIONAL O'H., STANDARD GRADE.
6. EXTERIOR CONCRETE STAIR
7. 5'-6"X5'-6"X4" THICK CONCRETE EXTERIOR LANDING PAD TYPICAL AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREA. FINISH TO BE MEDIUM BLOOM FINISH. SLOPE TO BE 1/4" : 12" MAX. PROVIDE WALK TO HARD SURFACE PER CITY REQUIREMENTS.
8. LOUVERED OPENING FOR VENTILATION.
9. DOCK DOOR BUMPER
10. 12' X 14' DRIVE THRU. SECTIONAL OH., STANDARD GRADE. DESIGNED TO RESIST WIND 90 MPH., EXPOSURE "C".
11. 3'X7' HOLLOW METAL EXTERIOR MAN DOOR. DESIGNED TO RESIST WIN 90 MPH., EXPOSURE "C".
12. SOFFIT LINE ABOVE
13. BRACE FRAME, SEE "S" DWGS.
14. CONC. FILLED GUARD POST. 6" DIA. U.N.O.. 42"H.
15. EXTERIOR DOWNSPOUT WITH OVERFLOW SCUPPER,
16. Z GUARD
17. APPROXIMATE LOCATION OF ROOF TOP UNIT.
18. TRASH COMPACTOR (N.I.C.) PROVIDE SPRINKLERS PER CODE REQUIREMENTS. INSTALLER SHOULD PAINT TO MATCH BUILDING

GENERAL NOTES - FLOOR PLAN

A. THIS BUILDING IS DESIGNED FOR HIGH PILE STORAGE WITH FIRE ACCESS MAN DOORS AT 100' MAXIMUM O.C. A SEPARATE PERMIT WILL BE REQUIRED FOR ANY RACKING/CONVEYER SYSTEMS.

B. FIRE HOSE LOCATIONS SHALL BE APPROVED PER FIRE DEPARTMENT.

C. THE BUILDING FLOOR SLAB IS SLOPED, SEE "C" DRAWINGS FOR FINISH SURFACE ELEVATIONS.

D. NOT USED

E. WAREHOUSE INTERIOR CONCRETE WALLS ARE PAINTED WHITE. COLUMNS ARE TO RECEIVE PRIMER ONLY. ALL GYP. BD. WALLS IN WAREHOUSE TO RECEIVE 1 COAT OF WHITE TO COVER.

F. SLOPE POUR STRIP 1/2" TO EXTERIOR AT ALL MANDOOR EXITS. SEE "S" DRAWINGS FOR POUR STRIP LOCATION.

G. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE PANEL WALL, GRIDLINE, OR FACE OF STUD U.N.O.

H. SEE CIVIL DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR TO VERIFY ACTUAL UTILITY LOCATIONS. PLUMBING/ELECTRICAL COORDINATION.

I. FOR DOOR TYPES AND SIZES, SEE DETAIL SHEET AD.4. NOTE: ALL DOORS PER DOOR SCHEDULE ARE FINISH OPENINGS.

J. CONTRACTOR TO PROTECT AND KEEP THE FLOOR SLAB CLEAN. ALL EQUIPMENT TO BE DIAPERED INCLUDING CARS AND TRUCKS.

K. ALL EXIT MAN DOORS IN WAREHOUSE TO HAVE ILLUMINATED EXIT SIGN. HARDWARE.

L. HIGHLY FLAMMABLE AND COMBUSTIBLE MATERIAL SHALL NOT BE USED OR STORED IN THIS BUILDING.

M. EACH EXTERIOR EXIT DOOR SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE WORDS "EXIT". THE MOUNTING HEIGHT FOR SUCH SIGNAGE SHALL BE 60" FROM FINISH FLOOR LEVEL TO THE CENTER OF THE SIGN.

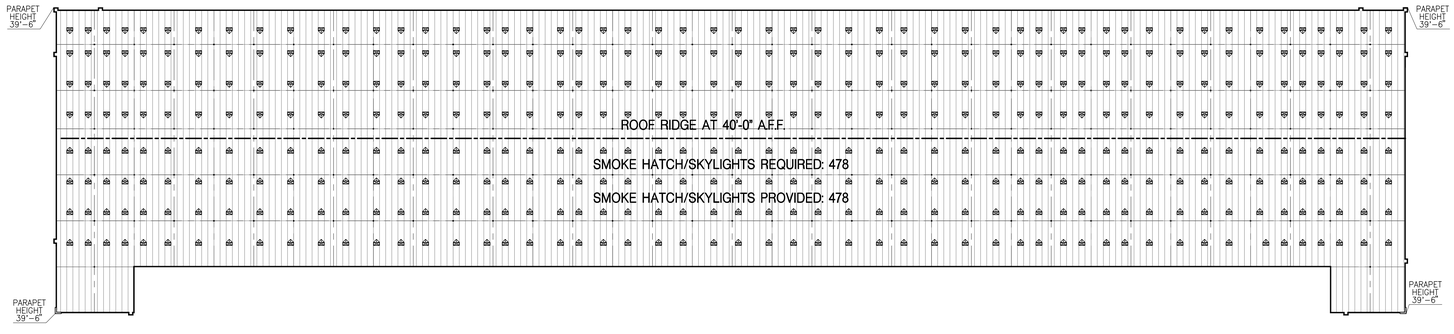
N. NON-ACCESSIBLE DOOR. PROVIDE WARNING SIGN LOCATED IN THE INTERIOR SIDE PER CBC 1133B.1.1.1

O. ALL ROOF MOUNTED MATERIALS SHALL BE FULLY SCREENED FROM PUBLIC VIEW,

FLOOR SLAB AND POUR STRIPS REQ.

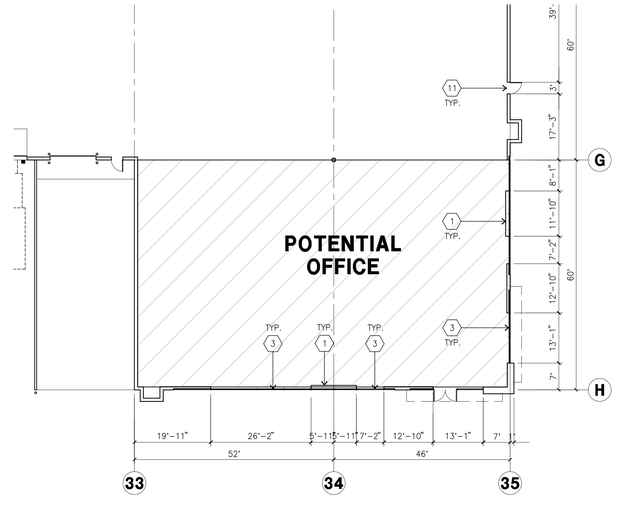
THESE NOTES ARE VERY MIN. REQUIREMENT. SEE "S" DWGS FOR ADDITIONAL REQUIREMENTS

1. FLOOR COMPACTION – 95%
2. TRENCH COMPACTION – 90%
3. BUILDING FLOOR SLAB:
   A. 6" THICK MIN. UNREINFORCED CONCRETE OVER COMPACTED SOILS
   B. 3/4" – 16"LONG @ 12" O.C. DOWELS AT ALL CONSTRUCTION JOINTS
      3/4" – 16"LONG @ 24" O.C. DOWELS IN DOWEL BASKET AT ALL CONTROL JOINTS.
   C. 4,000 P.S.I. REQUIREMENT.
   D. SLUMP TO BE 4" +/- 1"
   E. JOINT SPACING PER A.C.I. 302-1R-96
   F. SAW-CUT DEPTH 1/4 T; SOFT SAW-CUTTING WITHIN 2 HRS OF FINISHING
4. CONTRACTOR TO BUILD FOR CLASS V FLOOR PER A.C.I. 302-1R-96
5. NOT USED
6. CONCRETE SLAB TO HAVE STEEL FLOAT HARD TROWEL BURNISHED FINISH.
7. CONTRACTOR TO CURE SLAB TO BE WET CURING USING BURLINE FOR 7 DAYS MIN.
8. ALL EQUIPMENT & MOVING VEHICLES SHALL BE DIAPERED.
9. NO CRANES, CONCRETE TRUCKS, OR ANYTHING HEAVIER WILL BE PLACED ON THE SLAB.
10. SLAB TO BE FF35 FL24 MEASURED WITHIN 24 HOURS.
11. NO FLY ASH IN THE CONCRETE
12. WHERE [▨] INDICATED, PROVIDE VAPOR BARRIER (15MIL STEGO OR EQUAL) UNDER THE CONCRETE SLAB. PROVIDE SAND PER SOILS ENGINEER OR MANUFACTURER'S RECOMMENDATION.
    CONCRETE SLAB IN FUTURE OFFICE AREAS, WHERE SAND OVER VIQUEEN ARE REQUIRED, SHALL BE NATURALLY HYDRATED WITHOUT USE OF BURLENE, CURING COMPOUND, OR RELEASE AGENTS.
    CONTROL/CONSTRUCTION JOINTS SHALL NOT BE FILLED WITH MM-80 JOINT FILLER IN FUTURE OFFICE AREAS.
13. SEAL CONCRETE SLAB W/ "LIPIDOLITH" SEALER



NOTE: ROOF TO BE PAINTED LIGHT COLOR TO ADDRESS ENERGY EFFICIENCY

OVERALL ROOF PLAN scale: 1"=80'-0"



ENLARGED FLOOR PLAN scale: 1/16"=1'-0"

HPA architecture
hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949·863·1770
fax: 949·863·0851
email: hpa@hparchs.com

Owner:

RIDGE MORENO VALLEY, LLC
RIDGE MV LOT 3, LLC C/O
RIDGE PROPERTY TRUST
201 COVINA AVE. - STE. #8
LONG BEACH, CA 90803

PH: (562) 856-3819
FAX: (562) 856-3820

Project:

CENTERPOINT BUSINESS PARK

Building 3

Brodiaea Ave.
Moreno Valley, CA 92555

-1194-

Consultants:

CIVIL
STRUCTURAL
MECHANICAL
PLUMBING
ELECTRICAL
LANDSCAPE
FIRE PROTECTION
SOILS ENGINEER

Huitt-Zollars

Environs

Title:

Project Number: 12073
Drawn by: JAIME CRUZ
Date: OCTOBER 19 , 2012
Revision:

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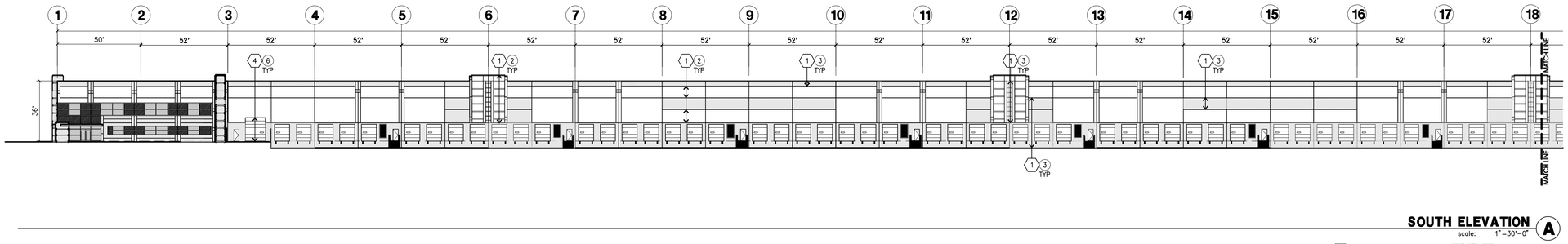
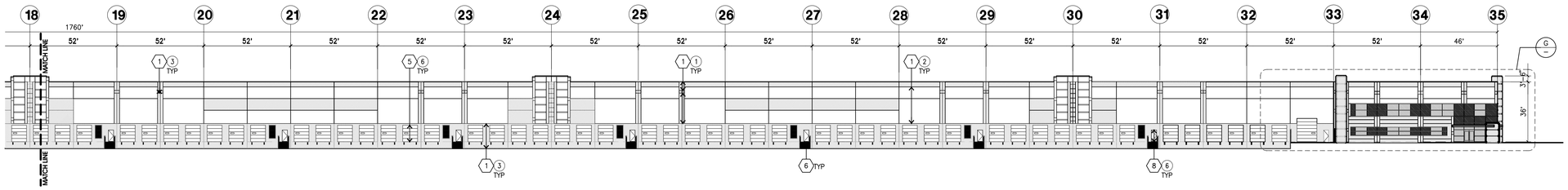
Sheet:

A2.1

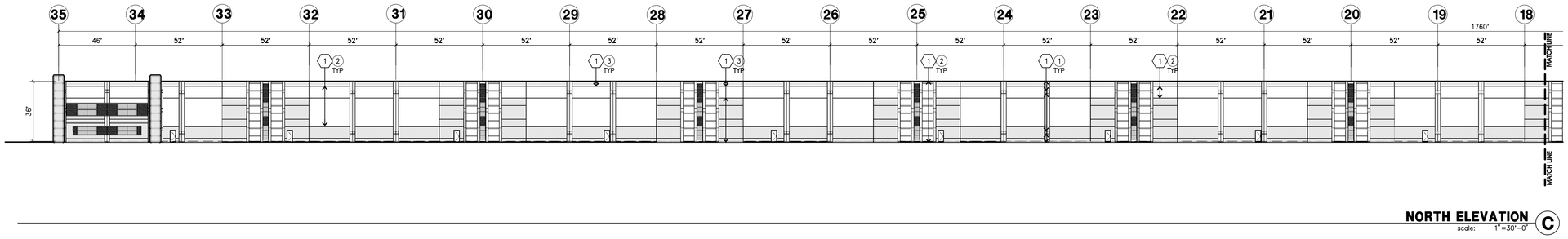
FLOOR PLAN
08/27/2012



SOUTH ELEVATION A
scale: 1"=30'-0"



SOUTH ELEVATION B
scale: 1"=30'-0"



NORTH ELEVATION C
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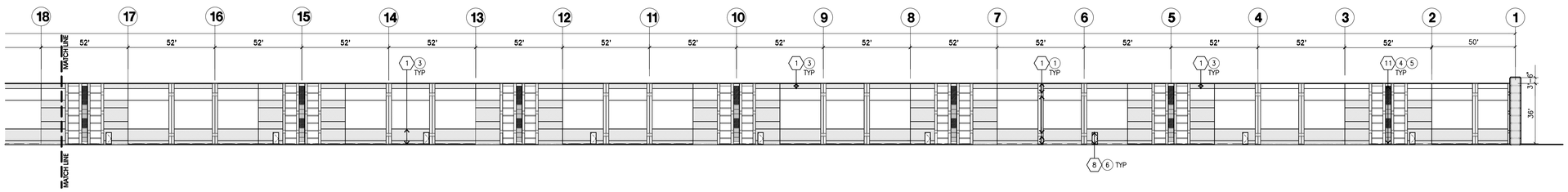
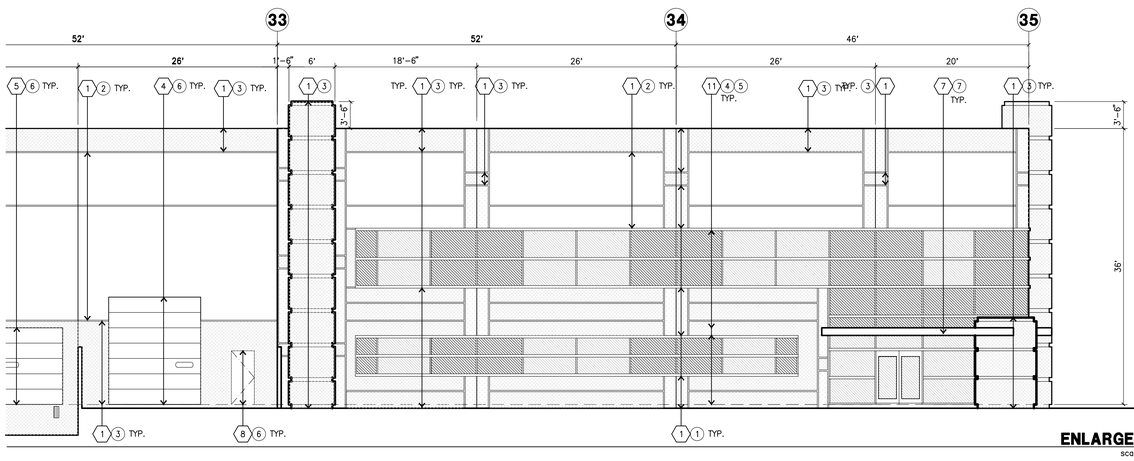
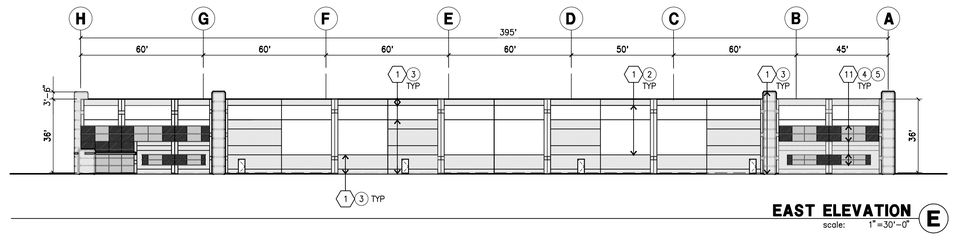


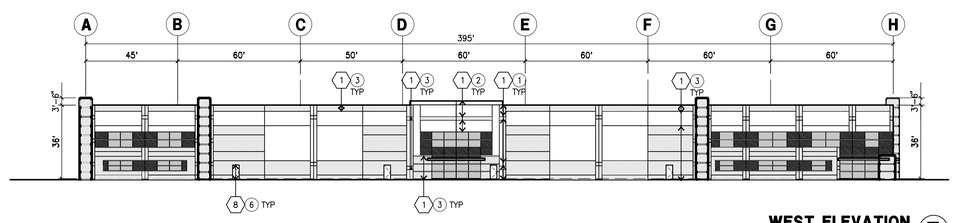
NORTH ELEVATION D
scale: 1"=30'-0"



ENLARGED OFFICE G
scale: 1/8"=1'-0"



EAST ELEVATION E
scale: 1"=30'-0"



WEST ELEVATION F
scale: 1"=30'-0"

KEYNOTES - ELEVATIONS

1. CONCRETE TILT-UP PANEL(PAINTED). FINISH GRADE VARIES. SEE "C" DRAWINGS. WATERPROOF ALL WALLS WHERE GRADE IS HIGHER AND EXPOSED TO THE WEATHER ONE SIDE. WATERPROOFING TO BE PROTECTED WITH PROTECTION BOARD AND A MIN. OF 6" OF GRAVEL. PROVIDE TRENCH DRAIN AT BOTTOM AND DAYLIGHT TO CURB OR TAKE TO STORM DRAIN. NOT REQUIRED AT DOCK HIGH CONDITION OR AT RAMP WALLS.
2. PANEL JOINT.
3. PANEL REVEAL. ALL REVEALS TO HAVE A MAX. OF 3/8" CHAMFER. REVEAL COLOR TO MATCH ADJACENT BUILDING FIELD COLOR. U.N.O.
4. OVERHEAD DOOR @ DRIVE THRU. SEE DOOR SCHEDULE. PROVIDE COMPLETE WEATHER-STRIPPING PROTECTION ALL AROUND.
5. OVERHEAD DOOR @ DOCK HIGH. SEE DOOR SCHEDULE. PROVIDE COMPLETE WEATHER-STRIPPING PROTECTION ALL AROUND.
6. CONCRETE STAIR, LANDING AND GUARDRAIL W/ METAL PIPE HANDRAIL. PROVIDE NON SKID NOSING TO MEET ADA REQUIREMENTS. PROVIDE CONTRASTING COLORED 3" WIDE WARNING STRIPE INTEGRAL TO CONCRETE AT TOP LANDING AND BOTTOM TREAD PER ADA REQUIREMENTS.
7. CANOPY
8. HOLLOW METAL DOORS, SEE DOOR SCHEDULE. PROVIDE COMPLETE WEATHER STRIPING ALL AROUND DOOR. PROVIDE FOR RAIN DIVERTER ABOVE DOOR.
9. EXTERIOR DOWNSPOUT AND OVERFLOW SCUPPER
10. DOCK BUMPER
11. ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING AT ALL DOORS, SIDELITES ADJACENT TO DOORS AND GLAZING WITH BOTTOMS LESS THAN 18" ABOVE FINISH FLOOR ELEVATION.

GENERAL NOTES - ELEVATIONS

A. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.
B. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.
C. T.O.P. EL.= TOP OF PARAPET ELEVATION.
D. F.F. = FINISH FLOOR ELEVATION.
E. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS AND LINTELS SHALL BE DESIGNED TO RESIST 90 MPH. EXPOSURE "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.
F. CONTRACTOR SHALL FULLY PAINT ONE CONCRETE PANEL W/ SELECTED COLORS. ARCHITECT AND OWNER SHALL APPROVE PRIOR TO PAINTING REMAINDER OF BUILDING.
G. BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.
H. FOR SPANDREL GLAZING, ALLOW SPACE BEHIND SPANDREL TO BREATH.
J. USE ADHESIVE BACK WOOD STRIPS FOR ALL REVEAL FORMS.
K. THE FIRST COAT OF PAINT TO BE ROLLED-ON AND THE SECOND COAT TO BE SPRAYED-ON

COLOR SCHED. - ELEVATIONS

1. CONCRETE TILT-UP PANEL PAINT BRAND__ FRAZEE CLW 1042W MISTAYA
2. CONCRETE TILT-UP PANEL PAINT BRAND__ FRAZEE CL3022W CERVANTES
3. CONCRETE TILT-UP PANEL PAINT BRAND__ FRAZEE CL3035D NATURAL WAY
4. GLAZING COLOR BLUE ON BLUE REFLECTIVE GLAZING
5. MULLIONS PAINT BRAND__ CLEAR ANODIZED
6. DOORS PAINT BRAND__ FRAZEE CL3022W CERVANTES
7. CANOPY PAINT BRAND__ FRAZEE CLW 1042W MISTAYA

GLAZING LEGEND

- S SPANDREL GLASS
- TV TEMPERED VISION GLASS
- V VISION GLASS

PAINT AND MATERIAL LEGEND

1 2 3

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92612
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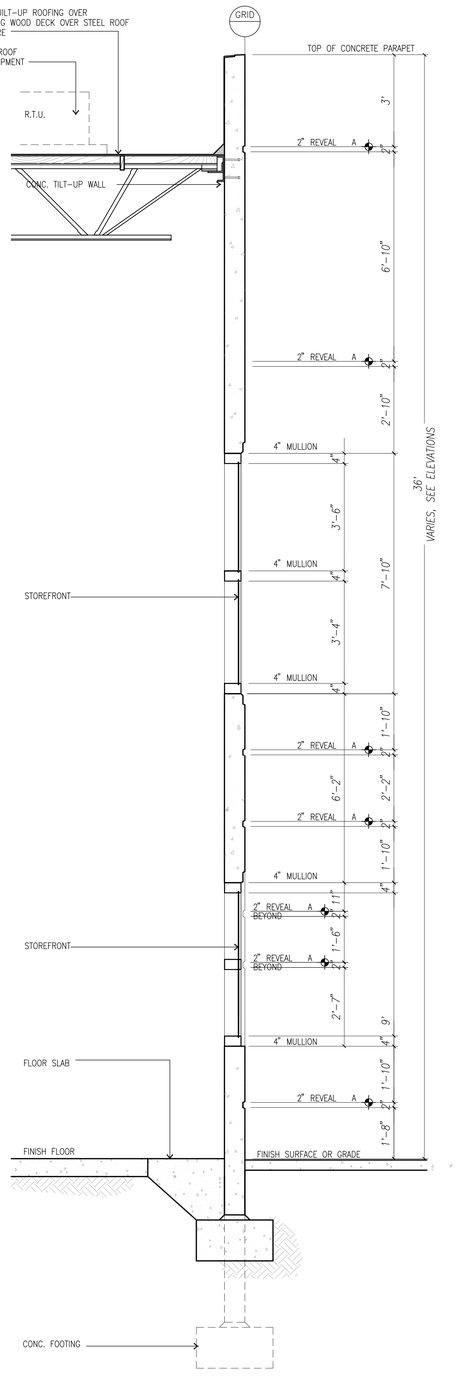
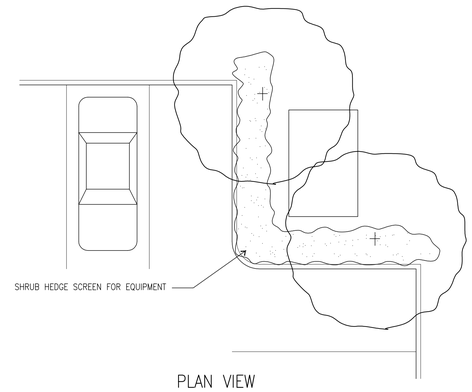
A3.1
ELEVATION PLAN
08/27/2012

-1195-

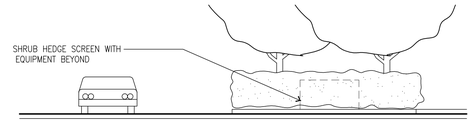


TYP. STOREFRONT ELEVATION (A)

scale: 1/2" = 1'-0"



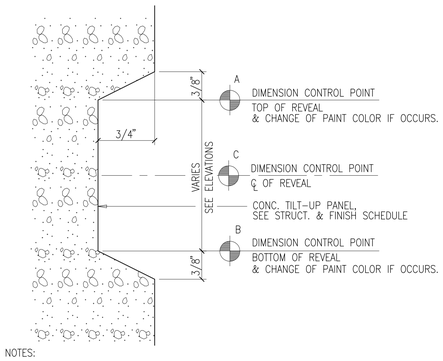
PLAN VIEW



ELEV.

GROUND MOUNTED EQUIPMENT SCREENING, TYP. (B)

scale:N.T.S.

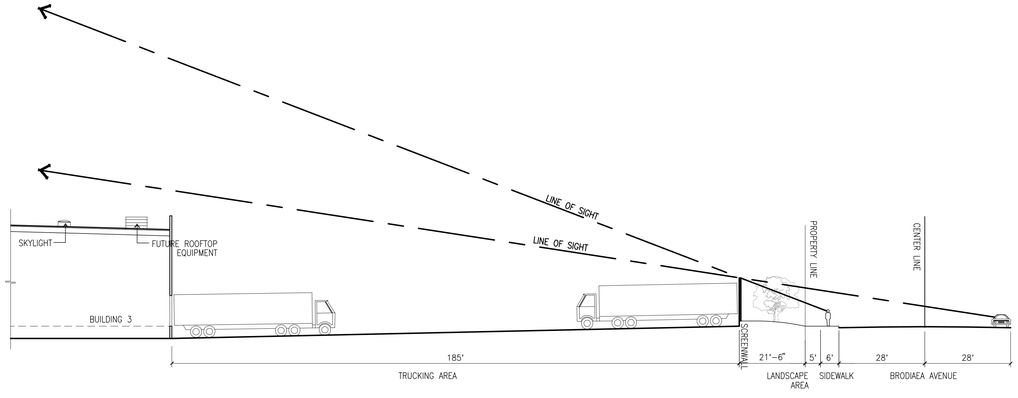


NOTES:

1. DIMENSION CONTROL POINTS AT REVEALS AND EDGE OF CONCRETE OPENINGS WHERE OCCUR, SEE WALL SECTIONS.
2. PAINT COLOR CHANGES TO ALWAYS OCCUR AT CONTROL POINT "A" OR "B"

TYP. CONCRETE REVEAL (C)

scale:N.T.S.



SECTION STUDY OF ROOF SCREEN (D)

scale: 1"=20'-0"

GENERAL NOTES - ELEVATIONS

A. CONTRACTOR TO VERIFY ALL GRADES W/ CURRENT "C" PLAN & VERIFY SITE CONDITIONS. VERIFY ALL TOP OF WALL HEIGHTS(T.O.W.) & FINISH SURFACE GRADES.

B. PROVIDE 2" DIA. P.V.C. WEEP HOLES @ 8' O.C. IN SCREEN WALLS @ GRADE GRADE LEVEL ON TRUCK YARD SIDE.

C. CONTRACTOR TO PROVIDE WATER-PROOFING MEMBER TO SCREEN WALL AT ALL RETAINING/ BERMING CONDITIONS. PROVIDE WATERPROOFING @ HIGHSIDE OF WALL ONLY. CONTRACTOR TO SUBMIT WATERPROOFING SPECIFICATIONS TO ARCHITECT PRIOR TO INSTALLATION.

D. SCREEN WALLS TO BE SUBMITTED UNDER SEPARATE PERMIT FROM BUILDING DEPARTMENT PER COUNTY STANDARD.

E. GATE MANUFACTURER TO PROVIDE DETAILING OF GATES TO WITHSTAND 90 MPH. WINDS, EXPOSURE "C" AND VERIFY ALL DIMENSIONS, DETAILS AND SITE CONDITIONS W/ CONTRACTOR.

ALL GATES TO BE WALL BRACED. SUB-CONTRACTOR TO SUBMIT SHOP DRAWINGS TO ARCHITECT PRIOR TO INSTALLATION.

CONTRACTOR TO VERIFY ALL CIVIL AND STRUCTURAL DRAWINGS FOR SCREEN-WALL HEIGHT. CONTRACTOR TO PROVIDE A MIN. OF 10'-0" HIGH SCREEN-WALL FROM FINISH GRADE @ STREET SIDE. CONTRACTOR TO ADJUST SCREEN-WALL HEIGHT AND FOOTING IN THE FIELD.

HPA architecture

hpa, inc.
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irvine, ca
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