PLANNING COMMISSIONERS

MELI VAN NATTA
Chair

JEFFREY GIBA
Vice-Chair

RAY L. BAKER
Commissioner

JEFFREY BARNES
Commissioner

CARLOS RAMIREZ
Commissioner

BRIAN LOWELL
Commissioner

JEFFREY SIMS
Commissioner

PLANNING COMMISSION AGENDA

April 24, 2014

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

APPROVAL OF MINUTES

1. February 27, 2014

2. March 13, 2014

PUBLIC HEARING ITEMS

1. Case Description: Item continued from the March 13, 2014 agenda - PA07-0081 - Zone Change, PA07-0082 - General Plan Amendment, PA07-0083 - Master Plot Plan including Building 2, PA07-0084 - Tentative Parcel Map 35679, PA07-0158 - Plot Plan for Building 1, PA07-0159 - Plot Plan for Building 3, PA07-0160 - Plot Plan for Building 4, PA07-0161 - Plot Plan for Building 5, PA07-0162 - Plot Plan for Building 6, and P07-186 - Environmental Impact Report

Applicant: Prologis
Owner: Prologis
Representative: Prologis
Location: South of State Route 60 and east of Moreno Valley Auto Mall, at Fir Avenue (Future Eucalyptus Avenue) and between Pettit Street and the Quincy Channel.

Proposal: General Plan Amendment and Zone Change from existing Business Park, Business Park Mixed-use, R15, R5, and RA-2 land use designations to Light Industrial for 116.99-net acres. The land use changes are required for development of six distribution warehouse facilities totaling 2,244,419 square feet with building sizes that range from 160,106 square feet to 862,035 square feet. The applicant also proposes Tentative Parcel Map No. 35679 to subdivide the project site into six parcels. A General Plan Amendment is also required for proposed changes to the City's circulation element and the Master Plan of Trails. Approval of this project will require certification of an EIR. *This item was continued from the 03/13/14 Planning Commission agenda to ensure the preparation of a Final EIR that would include responses to all comment letters submitted during the 45 day review period for the Draft EIR.*

Case Planner: Jeff Bradshaw

Recommendation:

APPROVE Resolution No's. 2014-09 and 2014-10, and thereby **RECOMMEND** that the City Council take the following actions:

1. **CERTIFY** that the Environmental Impact Report (EIR) for the Prologis Eucalyptus Industrial Park Project (Attachments 5 and 6) has been completed in compliance with the California Environmental Quality Act;

2. **ADOPT** the Findings and Statement of Overriding Considerations regarding the Final EIR for the Prologis Eucalyptus Industrial Park Project, attached hereto as Exhibit A to Attachment 2;

3. **APPROVE** the Mitigation Monitoring Program for the Final EIR for the proposed Prologis Eucalyptus Industrial Park Project, attached hereto as Exhibit B to Attachment 2;

4. **APPROVE** General Plan Amendment application PA07-0082 as shown on Exhibit A to Attachment 3;

5. **APPROVE** Zone Change application PA07-0081 as shown on Exhibit B to Attachment 3;

6. **APPROVE** Master Plot Plan PA07-0083 and related Plot Plans PA07-0158 through PA07-0162, subject to the attached conditions of approval included as Exhibit C to Attachment 3;

7. **APPROVE** Tentative Parcel Map 35679 (PA07-0084), subject to the attached conditions of approval included as Exhibit D to Attachment 3.

2. Case Description: P13-078 (Revised Tentative Tract Map 31592)
PA13-0039 (Conditional Use Permit PUD)

Applicant: CV Communities, LLC.
Owner: CV Communities, LLC.
Representative: Ryan Thomas
Location: NE of Perris Boulevard/Manzanita Avenue.
Proposal: Revised Tentative Tract Map 31592 to subdivide 203.52 acres into 115 residential lots including 138.87 acres of natural open space and a Conditional Use Permit for a Planned Unit Development in the Residential 3 (R3) zone. The revised Tentative Tract Map 31592 will reduce the number of lots from 138 to 115 residential lots as approved with PA03-0086.
Case Planner: Julia Descoteaux

Recommendation:

APPROVE Resolution No. 2014-05 and thereby:

1. **RECOGNIZE** that PA13-0039, (Conditional Use Permit Planned Unit Development) and P13-078 (Revised Tentative Tract Map 31692) qualify as an Addendum to the adopted Negative Declaration per the California Environmental Quality Act (CEQA) Guidelines Section 15164 (b); and

2. **APPROVE** PA13-0039 (Conditional Use Permit Planned Unit Development) and P13-078 (Revised Tentative Tract Map 31592) subject to the attached conditions of approval included as Exhibit A.

OTHER BUSINESS

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

CITY OF MORENO VALLEY
PLANNING COMMISSION
REGULAR MEETING
FEBRUARY 27TH, 2014

CALL TO ORDER

Chair Van Natta convened the Regular Meeting of the City of Moreno Valley Planning Commission on the above date in the City Council Chambers located at 14177 Frederick Street.

Introduction and Swearing-in of New Planning Commissioner
- Jeffrey Barnes

CHAIR VAN NATTA – Our first item will be the Introduction and swearing-in of a new Planning Commissioner and our City Clerk I believe will be handling that.

CITY CLERK HALSTEAD – Mr. Barnes will you please join me at the microphone? Please raise your right hand and repeat after me and state your name where applicable.

JEFFREY BARNES – I Jeffrey Barnes d solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California, that I take this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties upon which I am about to enter.

CITY CLERK HALSTEAD – Congratulations sir

COMMISSIONER BARNES – Thank you

CITY CLERK HALSTEAD – Let me pin this; a small token of our appreciation for your service. There you go.

COMMISSIONER BARNES – Thank you

CHAIR VAN NATTA – Okay, now we'll have the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

ROLL CALL

Commissioners Present:
Chair Van Natta
Vice Chair Giba
Commissioner Baker
Commissioner Barnes
Commissioner Lowell
Commissioner Ramirez
Commissioner Sims

Staff Present:

Chris Ormsby, Interim Planning Official
Jane Halstead, City Clerk
Jeff Bradshaw, Associate Planner
Julia Descoteaux, Associate Planner
Gabriel Diaz, Associate Planner
Mark Sambito, Land Development Engineer
Michael Lloyd, Transportation Engineer
Bill Curley, Acting City Attorney
Grace Espino-Salcedo, Administrative Assistant

APPROVAL OF THE AGENDA

CHAIR VAN NATTA – I trust you've all had a chance to review the Agenda? May we have a motion to approve the Agenda?

VICE CHAIR GIBA – I motion to approve

COMMISSIONER BAKER – And I'll second

CHAIR VAN NATTA – It's been moved and seconded… all in favor?

Opposed – 0

Motion carries 7 – 0

PUBLIC ADVISED OF THE PROCEDURES TO BE FOLLOWED IN THE MEETING

CHAIR VAN NATTA – Okay the public is advised that the procedures to be followed in the meeting are on display at the back of the room. You can refer to that and we are going to begin comments by any member of the public on any matter which is not listed on the Agenda but is within the subject matter jurisdiction of this Commission. Do we have any Speaker Slips? Okay, I see it just popped up there…Tom Jerele.

SPEAKER JERELE – Good evening Chair Van Natta and Commissioner and members of Staff and the public, both here in the chambers and those watching at home and the internet. First of all I'd like to welcome Commissioner Barnes. I've had the opportunity to chat with him a little bit. He's been attending the Legislative Affairs Committee Meeting which I encourage any citizen in Moreno Valley to try and catch. It's the second Friday of each month at Brandon's Diner and you get to talk to your legislators and city officials and learn about what is going on, so and I think he's well up for the task. He'll tell you more about his professional abilities a little later.

One of the things that I'm all about is highest and best use and betterment of the community, which ultimately translates into ensuring and raising of property values, which in turn bolsters the tax base, which in turn raises the general quality of life in the City of Moreno Valley and we were coming back from Home Depot south actually about two months ago and I happened to look out along Perris Boulevard on some tracts and they weren't terribly old; 10 to 15 years old and a lot of them had wood siding and bottom line if you took a look at the paint and the trim and I encourage you if haven't noticed, it is really deteriorating and this has been on my mind for a long time, whether or not we should have some form of painting standard for properties out here before we worry about damaging the public's or contractors pocketbook, I have some ideas on that. I'll come back to that in a second, but the issue is we have a harsher climate here. It's colder here in the winter and it's a lot hotter in the summer and you get a lot of oxidation and the secondary thing; my background and you may not know it by seeing me on my crutches, but I spent a few years out there pounding nails and I've seen what goes on and sometimes the painters water down the paint. They are on a peace work rate. They are running with a gun 90 miles an hour and yeah they get some color on the building, but do they get a real quality paint job and it depends, so a lot on the developer and builder, developer and how conscientious they may be and a good paint job can last three to five years longer and stand better repair if it is property applied and well done.

As far as how to maybe implement this, could be to… if we didn't want to make it an ordinance item, we could just have a rating system where given a builder, developer could say well we paint our homes to level one or level two. You know have some grading; some set the public knows… hey this guy did a bang up job.

Yeah it is going to cost a little more but I don't think it is going to be exorbitant. A new home is going to be 200 thousand plus and you know it is not going to kick it up by thousands of dollars; maybe under a thousand dollars to do a little bit more thorough job, so that is something that I throw out for you and the last thing I'd like to bring up is the multi-family. We have had quite a bit of approvals in recent years and I'm wondering maybe if that is something that you want to look at in the sense of how are they faring; how are they holding up. One the things the City had is they had a multi-family and I think it's the Task Force with the Police Department through the Pop Team and maybe it would be good to have them come down and just five us a real world look; how are they holding up; are there problems; are there things we can do through the planning process to make them better to ensure you know the property gets the type of tenants we are looking for. And finally if you would allow me, I encourage you if you didn't see the rather elongated presentation on MPEDS's, but very artful presentation; a little thick but it was a good one and Michelle Dawson said she was going to get DVD's available for the Commissioners, so it's running time is about 2 hours, so get the popcorn out and break it up in a couple of evenings, but a lot of good information there.

CHAIR VAN NATTA – Okay thank you Mr. Jerele

SPEAKER JERELE – Thank you

CHAIR VAN NATTA – Seeing no other speakers and nobody approaching the podium, I'm going to close the Public Comment portion and we will go onto our next item which is the approval of the minutes.

NON-PUBLIC HEARING ITEMS

Approval of Minutes

1. **October 24, 2013**
2. **November 14, 2013**
3. **December 12, 2013**
4. **January 16, 2013**

CHAIR VAN NATTA – We have been given the minutes for October, November, December and January and since Commissioner Barnes was not here during that time then you would not be voting on the approval of these minutes. Was anyone else not here during any of those meetings? Everybody here was here for all those meetings. I would like to make a request again. I think I have mentioned this before that it not take so long for us to get the minutes to review and approve. I don't understand why it should take that long to get one month's minutes out in time for next month's meeting. That would be helpful for us.

Maybe our memories aren't as long as they need to be. Anybody have any comments on the minutes or any corrections? Okay can we have a motion to approve and we'll do them all as a group for all four. Is that okay to do it that way? Okay.

COMMISSIONER SIMS – I make that motion to approve the minutes of October, November, December 2013 and Planning Commission Meeting January 16, 2014.

COMMISSIONER BAKER – I second.

CHAIR VAN NATTA – We have a motion and a second. We'll have a roll call vote to approve the minutes.

COMMISSIONER SIMS – Aye

COMMISSIONER LOWELL – Aye

COMMISSIONER BAKER – Aye

COMMISSIONER RAMIREZ – Aye

COMMISSIONER BARNES – I didn't think I could vote?

INTERIM PLANNING OFFICIAL ORMSBY – So that would be an abstention

VICE CHAIR GIBA – Yes

CHAIR VAN NATTA – Yes. Okay we have six yesses, one abstention and the minutes have been approved.

PUBLIC HEARING ITEMS

1. Case Description: PA13-0018 (Conditional Use Permit)

Case Planner: Jeff Bradshaw

CHAIR VAN NATTA – Okay we are going on to our first Public Hearing Item and that would be Case Description PA13-0018, Conditional Use Permit. The Applicant is Verizon Wireless and the Case Planner is Jeff Bradshaw.

ASSOCIATE PLANNER BRADSHAW – Thank you. Good evening Chair Van Natta and members of the Planning Commission. The item before you this evening is a Conditional Use Permit for a proposed telecommunications facility.

Verizon is the applicant. They are proposing to build a 67 foot tall monopine, which is a pole or tower designed to look like a pine tree. That is proposed to be located on a developed site. It is a church site. The use would include support equipment that would be housed inside a modular building and an emergency generator; both of those items would be further screened by an eight foot enclosure wall. The monopine proposal would include 12 panel antennas mounted near the top of the pole, one parabolic antenna and three remote radio receiving units that would also be mounted on the pole.

The location… I'm still learning how to use the maps here… the location is interior to the site and so the power and telecommunications services would be extended to the location of the pole in the equipment shelter from Eucalyptus Avenue through utility easements and all those connections would be provided to both the pole and equipment shelter; they would be undergrounded, so nothing would be above ground in the way of utility connections. The project site is again a developed church. It is located within a Mixed Use Zone; the VCR zone or Village Commercial Residential Zone, which is within a Specific Plan area called the Village Plan. The area is surrounded by similar zoning; VCR zone as well as a residential zone that is also located within that same Specific Plan area. Adjacent uses to this would include for the most part, single family homes as well as smaller multi-family unit developments that are located in close proximity. The initial submittal that was proposed to the City was a design that Staff was not comfortable with.

The applicant worked with Staff to come up with an alternative design with a monopine as opposed to a monopalm and they also worked with us to relocate the pole on the site so that the installation could meet the City setback criteria and so through the review process, Staff is comfortable with this location. It meets the full setback requirements for a facility of this type with respect to the adjacent residential uses. In reviewing the project, Staff determined that this new project will not have a significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act as a Class 3 Categorical Exemption as New Construction per the CEQA Guidelines, Section 15303. The height of the pole is below the maximum that is allowed for a residential zone. The pole has been sited to meet all the setbacks as I've stated previously. The stealth design that is proposed would blend with the mature trees that are there on the site and as designed and conditioned, the project would not be detrimental to public health, safety or public welfare.

Through the course of providing notice to the public, I did receive a couple of phone calls about the project. One was just a general inquiry about what was being proposed and the other was from a property owner that lives across the street from this location who is opposed to the project. They weren't able to be here this evening for the public hearing but they did submit something in writing. I believe you have a copy of their letter. In speaking to them, they didn't state specific reasons or have questions but just in general they were opposed to the

installation. That concludes my presentation. Staff would be recommending approval of the project as presented to you this evening and I'd be happy to answer any questions that you might have. The Applicant is here in the audience as well.

(Inaudible – no sound)

ASSOCIATE PLANNER BRADSHAW – We actually started with the palm as the initial design. We looked at the available mature trees on the site and it just didn't appear to blend as well with the surroundings as the pine would. The other advantage to the pine is our code encourages co-locations and the pine does allow for future carriers to come in and build and mount their equipment on the pole and still be able to screen it with the fake branches more effectively than with the palm design and so where we can use the pines, we've tended to encourage those for that reason. It allows us to reduce the opportunities or the need for other poles in the neighborhood.

CHAIR VAN NATTA – Anyone else?

VICE CHAIR GIBA – I'm just curious, the letter we had Mr. Massey; he said it was virtually straight across from his property. Where is that located? Can you show us on the map where his property is, because I went out there to look at it. This is located on the church property; am I correct; right basically behind the church.

ASSOCIATE PLANNER BRADSHAW – The pole location; it is on the church property. It is in this particular exhibit that is on the screen now, the pole is in the smaller of the two hatched areas. The property; the Massey's property; I'm not sure exactly where their property is located. I apologize. They describe it as being across the street from the church.

COMMISSIONER LOWELL – Do you have access to the aerial map which is Attachment #6. You can see it. It's labelled with his address Eucalyptus.

ASSOCIATE PLANNER BRADSHAW – I don't think that slide is here.

VICE CHAIR GIBA – Because I know they're off of Eucalyptus; there is that culvert that runs down there and when I was out there, if this is located where…

COMMISSIONER LOWELL – If you look at the map on the screen where the word Avenue is on Eucalyptus Avenue; their house abuts right where it says Avenue.

CHAIR VAN NATTA – I'm sorry I couldn't tell where you were

COMMISSIONER LOWELL – Where it says Avenue on the map at the bottom, the word Avenue, that's the frontage of their residence.

CHAIR VAN NATTA – Okay, so it's kind of a stretch to say its right across the street then.

COMMISSIONER LOWELL – It's directly across but it's perpendicular to the street. If you look at Attachment #6 you can see it a little more. They're the opposite side of the channel but they are due south of the project.

VICE CHAIR GIBA – And this was placed there because it was able at that location better coverage for Verizon, according to the coverage maps that we have. Am I correct?

ASSOCIATE PLANNER BRADSHAW – Yes and I think the Applicant can probably speak better to the selection process; the efforts they made maybe to look in other places, but based on the coverage maps provided, this would meet at least some of their criteria for trying to provide an infill location for coverage.

VICE CHAIR GIBA – Because it is kind of rare to put one of these in the middle of a residential area versus a commercial area.

ASSOCIATE PLANNER BRADSHAW – It is and I think that's the challenge for this area. Our code would not allow this type of a facility to go on a residential zone. You'd have to pick; from the beginning if it was a vacant residential site, you have to decide and commit to that. We're not allowed to mix residences and telecommunications on the same property. What is unique here is the zoning is a mixed-use zone. It allows for both commercial, office and some residential development and so that's why I think they focused on this site because it allows them to get into a neighborhood where there is missing coverage but it is still a commercial zone.

CHAIR VAN NATTA – Okay any other questions of Staff before we call up the Applicant?

COMMISSIONER SIMS – It's not a question, it's more of a comment. On some of these cell sites, I've seen especially with the monopines that they'll cluster smaller live pine trees adjacent to kind of give it a more natural vibe to the setting. It looks like a pretty constrained site, but did the Planning Department look at the potential of adding you know a 25 foot or some smaller trees; you know a couple of smaller trees you know one on either side to give it some buffering. The monopine; they've done better over the years, making them look more natural, but they don't look natural exactly.

ASSOCIATE PLANNER BRADSHAW – At the end of the day they're a fake tree.

COMMISSIONER SIMS – Yeah

ASSOCIATE PLANNER BRADSHAW – We did look at the site. It is constrained like you described and so we did not condition additional plantings. We have done that at other locations and the Applicant is here. It is certainly something we could entertain and speak to them about. Part of the challenge is Verizon is leasing the site from the church property and it's really a conversation I think with the underlying property owners to co-ordinate on the addition of landscape to the site.

CHAIR VAN NATTA – Okay if we don't have anything else for Staff I'm going to open the Public Hearing portion and we will begin with the Applicant.

APPLICANT ROGERS – Good evening Commissioners. My name is James Rogers with Smart Link LLC. We're the authorized agent for Verizon Wireless on this particular project. I think I want to try to address a couple of the questions that the Commissioners raised. I think as Staff indicated, we actually had started with a monopalm tree back more in the corner where the equipment is currently located, but the City's setback requirements for the structures there in that location we couldn't meet the setback requirements, so we worked with Staff; found another location that did meet it, which unfortunately it is described as somewhat constrained because it is sort of in-between drive aisles and parking areas and at the same time while we were looking at that, the monopalm or the fake palm trees, they are definitely constrained as to allowing future co-locations, which you know may be desired because that limits the number of new cell towers that have to be installed in the future. The monopine is designed where it does allow the installation of future antennas on there that will be hidden within the branches the same way we are proposing now. Whether that will happen or not is beyond our control. It is sort of up to other carriers as to what their coverage objectives are for this area.

As far as the… and the question was raised why in this residential area. You are going to see more and more of that happening. The biggest demand for phone service nowadays is in residential. Everybody wants to use their cell phone at home. When people move, which is from one house to another, which is common in California, the last numbers I heard is the number of people who have a new landline installed in their home when they move is now less than 50 percent. Everybody uses their cell phone. I think I'm one of the few people that I know that actually still has a land line at my home, although everybody calls everybody else on their cell phones. So the demand from customers and it doesn't matter which carrier you use, the demand for cell phone service is highest now in residential areas. People want to be able to use that, because it's just not phone service, which actually is the least percentage use of your phone anymore; not everybody, but a lot of people have the smartphones, so they are doing internet; they are emailing; they are doing a lot of other activities that they want to be able to do at home as well and those activities require more sites for

more capacity to provide the coverage that the customers want and I think as discussed, you have the exhibits of the RF propagation maps and I think the first one there; you know basically when you are looking at the maps, green is good. Green has good coverage. You're not going to drop calls. It'll handle a lot of capacity. The blue is you'll have signals, but you may get dropped off because of capacity issues, you may not have full use of everything on your phone. Red; you can probably use your phone, but that's probably about it and the site that we are looking at is basically right in the middle of this red here. That's why Verizon is looking to cover this area because there is definitely a need for it for Verizon's customers and I am going to assume since we did not find any other existing cell sites out there that we could co-locate on, I'm going to assume other carriers probably will have the same coverage concerns in this area. How soon they get to it, that's you know up to them.

You know the last thing I think you referenced was being made to this exhibit, which unfortunately wasn't up there. The gentleman on his letter or he and his wife had put the address that they had the property ownership of and according to that address, what they own is the apartment complex on the south side of Eucalyptus, so yeah it is across the street and fairly in line with the proposed monopine. So basically that's it. We've read the conditions of approval; discussed it with Staff and Verizon as I said, read the conditions of approval and fully accepts them. If there are any questions I can answer you may have, I'd be happy to.

CHAIR VAN NATTA – Do you have any questions of the Applicant? The Applicant may be seated. Do we have any other public comments? Okay Mr. Jerele.

SPEAKER JERELE – Tom Jerele speaking on behalf of myself. Again Madam Chair, Commissioners and members of Staff and the public. Thank you for letting me speak. I really didn't plan on speaking on this. These tend to be rather almost an administrative deal. I know they come in front of the public body but personally I'd like to compliment the amount of engineering and design and graphics. Obviously I know Verizon has a few dollars that most of us don't have, but still they did a bang up job. There is nothing short on their submission that I could see and the monotree or pole looks… I mean if it comes off as well as their renderings it's pretty darn good, but the main reason I want to speak. I spend a bit of time due north of there on Sunnymead Boulevard. I'm not going to bash Central Sunnymead per say but I think it's probably fair to say it's probably a high service area for Police and Fire sometimes and other emergencies and I think one of the things earlier I talked about quality of life and ensuring that quality of life and with as many people that the Verizon representative said are using cell phones in lieu of landlines, God forbid you need a cop or a fireman in the middle of the night or anytime, so the better the coverage the better; or a national emergency or flooding.

There is a flood control channel there. Suppose some kid falls in there, so I think anything we can do in a reasonable fashion to allow better access for emergency or other services they need or just general communication is a good thing, but again I think the applicant did a really bang up job on their application and where I live in a residential area, you know really in my backyard and down to maybe down to Hemlock, there is a dead spot in there somewhere. It moves up and down Indian and I don't why, but it's unpredictable, but I've had the phone go out sitting at the house or sometimes heading down Indian when I'm a passenger trying to get a call out, so I think we need to ensure quality communications. It's the way we talk to each other these days. Thank you.

CHAIR VAN NATTA – Thank you for your comments Mr. Jerele. Okay do we have any other speakers? Seeing no slips and nobody approaching the microphone, I'm going to close the Public Hearing portion. Does anybody have anything they want to say?

COMMISSIONER LOWELL – In a coincidental matter this morning, I was listening to NPR and heard a startling statistic that 90 out of 100 people in the entire world have cell phones. Contrastingly 2 out of 100 people worldwide have land lines, so I really agree with this project. The evidence is quite compelling with the coverage maps; the renderings. I would prefer to see a palm tree just because it would blend in with the environment a little better, but I understand the purpose of having the monopine where you can co-locate with different carriers. All in all I think this a great project. It's a great use and I'm sure the church will appreciate the revenue. Thank you.

CHAIR VAN NATTA – Okay if we have no other comments then I would entertain a motion. You had something to say Commissioner Lowell. Would you like to make a motion?

COMMISSIONER LOWELL – I recommend; I motion to **APPROVE** Resolution No. 2014-06 and thereby:

1. **RECOGNIZE** that the project will not have a significant effect on the environment and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 3 Categorical Exemption, New Construction, per CEQA Guidelines, Section 15303; and,

2. **APPROVE** PA13-0018 Conditional Use Permit, based on the findings contained in this Resolution and subject to the attached conditions of approval, included as Exhibit A.

COMMISSIONER BAKER – I'll second that.

CHAIR VAN NATTA – Okay it was moved by Commissioner Lowell and seconded by Commissioner Baker. May we have a roll call vote please?

COMMISSIONER SIMS – Yes

COMMISSIONER LOWELL – Yes

COMMISSIONER BAKER - Yes

COMMISSIONER RAMIREZ – Yes

COMMISSIONER BARNES – Yes

VICE CHAIR GIBA – Yes

CHAIR VAN NATTA – Yes... so we have 7 yesses and no nays or abstentions and the motion passes.

2. Case Description: PA13-0065 (Conditional Use Permit)

Case Planner: Gabriel Diaz

CHAIR VAN NATTA – Okay we'll move on to our second case which is PA13-0065, Conditional Use Permit. The Applicant is Robert Aiken and the Case Planner is Gabriel Diaz.

ASSOCIATE PLANNER DIAZ – Thank you Chair and Commissioners. I'm Gabriel Diaz, Associate Planner for the City. This is Case Number PA13-0065 a Conditional Use Permit. The project is located on 13373 Perris Boulevard, Suite B104, between Dracaea to the north and Cottonwood Avenue to the south and the zone is Community Commercial (CC). The Applicant, Robert Aiken is from American Medical Response. The project is an ambulance comfort station within an existing shopping center. No improvements to the center are being proposed. Suite B104 is approximately 882 square feet. This new location is in close proximity to their current location, which they stated here that they've been there since 1978. It's up the street on Perris Boulevard. The comfort station is for their 12 hour ambulance shift and will available to crews 24 hours a day. It will be mainly be used for resting, eating meals, completing paper work and using the restroom facilities.

There will be two ambulances with two crew members deployed from this location for a total of four employees. Shift times are typically 12 hours from 6 am to 6 pm. In addition there is a possibility that another unit covering the area during low call levels, could result in having three crews resting at this location, but they stated that is rare. The station will not store any hazardous material or perform any ambulance medical or mechanical repair at the location. For all 911

responses, the red light warning light and sirens will be not activated until the ambulance enters the City streets and that is one of their conditions of approval.

They are required by California Highway Patrol to use all code 3 warning devices responding to 911 emergencies. An ambulance service use is a permitted use within the Community Commercial zone, but requires a Conditional Use Permit when located within 300 feet of residential or residential use and there is residential use to the east; directly to the east of the shopping center. Staff has reviewed and determined that the ambulance comfort station is a use that is compatible at this location since the proposed project is within an existing shopping center and the residential homes are behind the project or behind the existing shopping center.

The project has been reviewed and meets or exceeds the development standards for an ambulance comfort station within the Community Commercial zone and does not conflict with the goals, objectives, policies or programs of the General Plan. There will be a total of three access points provided that are currently within the existing commercial center; two access points off of Perris Boulevard and one off of Dracaea to the north.

A public notice was sent to all property owners within 300 feet of the project. It was also posted on site and I did confirm that. I did get out this morning and see that the posting was on site and published in the local paper. I did receive one call from an adjacent neighbor. They were just concerned why the reasoning of why they received a letter from the City and I just explained the project to them. They maybe had some concerns regarding noise, but I explained to them that since there is an ambulance center location in the area, the noise wouldn't be any different because they are required to have their sirens on when they hit the streets and the residential to the west is kind a little ways away from Perris Boulevard where it would be the closest street.

Environmentally, Staff has reviewed the project and determined that it will not have a significant effect on the environment, therefore exempt from the provisions of CEQA Guidelines, as Class one, Categorical Exemption, CEQA Guidelines, Section 15301 for Existing Facilities. Therefore Staff recommends to approve Resolution No. 2014-07 recommending that the Planning Commission recognize that the project is exempt from CEQA and approve PA13-0065, Conditional Use Permit based on the findings contained within the Resolution and the attached conditions of approval. This concludes Staff's presentation. Any questions?

CHAIR VAN NATTA – Does anyone have any questions?

(Inaudible – no sound)

ASSOCIATE PLANNER DIAZ – No, I'm sure there are dogs, but no.

(Inaudible – no sound)

COMMISSIONER BARNES – I do have a question about the restriction about lights and sirens. I would think if it was noon on a weekday or maybe Saturday afternoon, pulling out of the parking lot or driving through it, you might want the lights on to let people know, because otherwise if they sense no urgency it might be a little unsafe traversing the parking lot. So I was wondering what is the reason for not allowing the lights on.

ASSOCIATE PLANNER DIAZ – That's just their standard

COMMISSIONER BARNES – Oh it's their standard

ASSOCIATE PLANNER DIAZ – Yeah, I used their standards. The applicant can confirm that if they would like.

APPLICANT AIKEN – Good evening. I'm Robert Aiken. I'm with the American Medical Response. Having the lights on in the parking area probably will not get us out of there any quicker. Getting out to the street and turning them on then with the sirens. Having the sirens on in the parking lot, like I say will not increase our time getting out of the parking lot.

CHAIR VAN NATTA – It probably would irritate the other people in shopping center more.

APPLICANT AIKEN – Yeah irritate the tenants and you know all the other people inside the shopping centers, so common courtesy.

CHAIR VAN NATTA – Are there other questions of Staff?

COMMISSIONER LOWELL – I actually had two questions. The first one being this is a new location. Is the existing location just north of this one going to be abandoned or is it going to be an addition to the existing site?

APPLICANT AIKEN – No we'll be moving out of that location

COMMISSIONER LOWELL – And then the second question is that the project summary says it will be primarily be used for resting and paperwork and eating. The floor plan shows couches and tables. Are they going to be sleeping in there with beds?

APPLICANT AIKEN – No sleeping at this location, they just go in and watch TV. They wait for a call. Depending on the call volume during the day, during the night will determine how many vehicles we'll have in that area, but we have other posting locations throughout the City within parking lots, depending on call volume levels at that time of the day.

COMMISSIONER LOWELL – Essentially it's a staging area for quicker response.

APPLICANT AIKEN – Yes that's basically what it is.

CHAIR VAN NATTA – We are actually still on the Staff Report, so any other questions of Staff? Okay seeing no more, I'm going to open the Public Hearing and we will start with the Applicant. Does anybody have any other questions of the Applicant?

VICE CHAIR GIBA – One if I may… does your ambulance; is it going to be parked right in front of B104 there?

APPLICANT AIKEN – Yes we'll try to get those as…

VICE CHAIR GIBA – Do you only have one at a time there because I noticed at the house across the street just north of that, there is just usually... I've only seen one ambulance sitting there most of the time.

APLICANT AIKEN – Usually one; sometimes there will be two, like in the morning when they are doing shift changes. They stagger their shift changes so they are not doing both at the same time, but basically one gets on and goes out on calls while the other is waiting and then they'll post that other vehicle around the City and then they'll swap them out during the day so that they come back in to use the facilities; cook their food, do their paperwork. We are constantly moving vehicles around to cover the call volumes in the area.

VICE CHAIR GIBA – You're taking over a suite in the middle of an area. One side is a beauty or at least it was and then you know... Is there any guarantee that you are always going to have your stalls available to you? I know it's kind of a silly question kind of question, but while you are out on a call, people might be parking in front of your suite. Is there some designation saying no parking, ambulance only.

APPLICANT AIKEN – Well we've talked to the owner about putting up signs. It's just to dedicate that stall for ambulance only. We've done that at other locations.

CHAIR VAN NATTA – Okay any other questions for the Applicant? If not we'll excuse the applicant and ask if there are any other public comments? And seeing no slips and seeing no one approaching the microphone, then I'm going to close the public comment section now and ask if there is any Commissioner Discussion?

COMMISSIONER SIMS – I have a comment. I support this project wholeheartedly. I think it's a good project. I think maybe one of the unintended ancillary benefits of the project is the 24 hour presence of a medical response

team in this shopping center. It probably would provide more security for the shopping center with ambulances going in and out and having ambulances that are linked in to all the health and rescue and Police, so I think it's a great project and I'm glad it's moving very close to where it already is.

CHAIR VAN NATTA – Okay any other discussion?

VICE CHAIR GIBA – I was going to comment yeah its right across the street basically and I think we spoke earlier. You've been there since '78 or something and most of the public probably didn't even know you existed other than why is the ambulance out there and the nice thing also is that parking lot is quite large so it's easy for you to maneuver in there and you're not kicking up dust, which right now you are at a real dusty spot if I can tell, so yeah I think it's an excellent move on your part to move across the street.

CHAIR VAN NATTA – Seeing no more discussion, I'll entertain a motion.

VICE CHAIR GIBA – I'll make a motion. Alright I move that we:

1. **RECOGNIZE** that this project is exempt from the provisions of the California Environmental Quality Act (CEQA) as a Class 1 Categorical Exemption, CEQA Guidelines, Section 15301, for Existing Facilities; and,

2. **APPROVE** PA13-0065 Conditional Use Permit, based on the findings contained in the Resolution and subject to the conditions of approval included as Exhibit A of the Resolution.

CHAIR VAN NATTA – We have a motion. Do we have a second?

COMMISSIONER SIMS – I'll second

CHAIR VAN NATTA - It's been moved by Vice Chair Giba and seconded by Commissioner Sims and may we have a roll call vote please?

COMMISSIONER SIMS – Yes

COMMISSIONER LOWELL – Yes

COMMISSIONER BAKER - Yes

COMMISSIONER RAMIREZ – Yes

COMMISSIONE BARNES – Yes

VICE CHAIR GIBA – Yes

CHAIR VAN NATTA – Yes... I heard 7 yesses and no nays or abstentions, so the motion passes.

3. Case Description: P13-127 (Amended Plot Plan)

Case Planner: Julia Descoteaux

CHAIR VAN NATTA – Okay we're going on to our third case which is P13-127, Amended Plot Plan, Tract 31618. The Applicant is FH 11, LLC Frontier Communities and the Case Planner is Julia Descoteaux.

ASSOCIATE PLANNER DESCOTEAUX – Good evening Planning Commissioners.

COMMISSIONER BARNES – Excuse me, if I may interrupt. I think I have to recuse myself from this particular case. We are the Engineers for Frontier Communities on this project.

CHAIR VAN NATTA – It would be a good idea to recuse yourself then. You may be excused from the room and come back when we are done. Okay Ms. Descoteaux would you like to continue.

ASSOCIATE PLANNER DESCOTEAUX – Yes. The Applicant, Frontier Communities has requested revisions to the approved conditions of approval for Tract Map 31618, which is a 55 lot subdivision located on the southwest corner of Moreno Beach Drive and Bay Avenue. The Staff Report lists the conditions of approval but they requested to be revised and through discussions we did have to add three conditions that were not originally on the tract so with the revisions, they agree to eliminate conditions and the exception of TE2, Staff has determined that the request of the revisions is reasonable and can be accommodated with the approval by the Planning Commission. Again the site is on the southwest corner of Moreno Beach Drive and it's an approved tract. The tract was approved in November of 2004 and the surrounding properties are Residential 3. We are not changing anything about the tract. The original map again was already recorded, so all the lots are exactly as they were recorded with the map. It has been determined that the intent to modify the conditions of approval is consistent with the original project and within the scope of the negative declaration that was prepared for PA03-0106. Notification was sent to the property owners, posted on the site and in the newspaper and the Staff is requesting the approval of the application. I am here to answer any questions for you on the Planning side. Mark Sambito is here for Land Development and Michael Lloyd is here for Transportation if you have any questions. Thank you.

CHAIR VAN NATTA – Can you just summarize for our audience what the changes were?

ASSOCIATE PLANNER DESCOTEAUX – The changes for the Planning Comments were basically just a minor change… well for development impact fees, normally when we do a tract we collect the fees when the house is either under construction or before final, but our condition of approval doesn't say on a per lot basis, although that's our standard process, it didn't say on a per lot basis, so they just wanted clarification, so most of the Planning conditions of approval were clarifications and I would have to let Mark Sambito answer any questions regarding the Land Development or summarizing those. I think that would be more appropriate.

CHAIR VAN NATTA - Can we have that summary please?

LAND DEVELOPMENT ENGINEER SAMBITO – Madam Chair and Commissioners. I'm Mark Sambito with Land Development Division. Ms. Descoteaux did a pretty job of making my summary fairly easy, but what she had stated was correct. The developer has asked for some little additional nuances to the wording of a couple of conditions with regards to the fees, trying to more readily identify them to be on a per lot basis versus all at once or something else. It added clarity and we didn't disagree, so we've supported the developer in their request for modifications to the conditions and I believe that Staff and the developer have met on this enough where I think there is a good meeting of the minds.

CHAIR VAN NATTA – So basically the change would be just to clarify that the developmental impact fees are paid kind of staged as the different homes are constructed rather than triggering it with the beginning of the construction of the entire project.

LAND DEVELOPMENT ENGINEER SAMBITO – That's correct. The development impact fees or DIF fees for residential development is a per lot fee and we do allow for the developers to pay them as they come up for occupancy on a single lot or per lot basis, so we had no problems with that.

CHAIR VAN NATTA – Okay does anyone else have questions?

COMMISSIONER SIMS – I have a couple of them for the… what do they call your department Mark?

LAND DEVELOPMENT ENGINEER SAMBITO – Land Development Engineering, but we'll answer to anything Jeff.

COMMISSIONER SIMS – Okay so on Condition on the last on page 8 under Fire Department. On the Fire Department condition with the secondary access for fire

after the 35th home has been constructed. So is the first half of a two part subdivision by the same developer?

LAND DEVELOPMENT ENGINEER SAMBITO – The developer hasn't gotten far enough where they've actually provided us with a phasing plan and I think the Fire Marshall will probably be more readily able to answer that condition. We wrote it in support of the Fire Marshall and his team but for access purposes we tried to clarify that the developer can build 35 of the 55 lots and then after that they will need a secondary point of access.

COMMISSIONER SIMS – I guess my question would be is there a sister project that's to the south of this project that will enable the completion of it?

LAND DEVELOPMENT ENGINEER SAMBITO – We don't have any applicants that I know of for anything in addition to the 55 lot tract that sits in the middle of the field at this time.

COMMISSIONER SIMS – Is there a condition in here that has the designs prepared. I mean how does the City get the… when the extension of whatever these streets are to get to secondary access if another tract; is it bonded; is there a design and there is bonded for the extension?

LAND DEVELOPMENT ENGINEER SAMBITO – If so approved this evening, the condition would clarify the developer has a couple of options for the secondary access and they would in fact have to provide that to the nearest full street in order to make that circulation pattern and it would be this developers responsibility to do that. If there were another development adjacent and they were in a similar situation, it's not uncommon that the developers would co-ordinate on that for cost savings to each, but their cutting brush if you would being the first developer in.

COMMISSIONER SIMS – And then I noticed there was some deletions of the conditions on the sewer and off-site sewer, so those are already built and that's why they are eliminated?

LAND DEVELOPMENT ENGINEER SAMBITO - That's correct. The previous developer put those in and made those conditions unnecessary and so we agreed to have them deleted because that work has been accomplished.

COMMISSIONER SIMS – Thank you

CHAIR VAN NATTA – Okay Commissioners, does anyone else have questions of Staff?

VICE CHAIR GIBA – Yes, on an educated value for me I think of anything else, I'll walk through a couple of them because you've red-lined these and mainly

you've discussed the fees but not all of these changes in the conditions deal with the fees, so for instance I just need clarity on P26. It said proposed fences and walls shall be constructed per the approved plans and then you've changed it to say which served the requested lots. Could you explain what that means? Now you've got to remember I'm not one of these engineers, so for me it's not always that clear and probably for a lot of the community out there it may not be as clear, so I'll bore you a little bit for clarifying it for me.

ASSOCIATE PLANNER DESCOTEAUX – That's okay. That means that they are required to put fencing around each lot and rather than… well the interpretation of the original condition was that you had to put it on every house or on every lot before you built the house or before you got occupancy of one house. Now that's again not the way we interpret it when we are doing the individual lots and giving the permits for them but the developer wanted it clarified, so what we're saying is you pulled the permit for lot one through five and you complete those homes with the fencing, you can get occupancy for those, but you don't have to put the fencing in lot six through fifty-five to get the occupancy for the first homes.

VICE CHAIR GIBA – I didn't really understand what you meant by that. LD57 agreed to eliminate the condition. Could you explain why you agreed to eliminate final map approval, the developer shall record an off-site sewer? Is that along with what Mr. Sims was saying; all that anything dealing with the sewers were already pre-built so to speak before they built, because I know this was approved originally in 2004 and so probably in 2004 these items were not there at the time and now they are. Is that my assumption?

ASSOCIATE PLANNER DESCOTEAUX – That's correct. I'll let Mark answer that.

LAND DEVELOPMENT ENGINEER SAMBITO – Mr. Vice Chair that's correct. The previous or original developer if you would has accomplished some of the installation of a portion of the utilities and the backbone infrastructure, so when the current owner or developer came to us it made sense. The map has since recorded. It recorded in 2007 and so requiring something tied to the map, it didn't serve a purpose under this plot plan, so we agreed to have it struck, but that work has been accomplished and we understand that it has been successfully satisfied.

VICE CHAIR GIBA – Kind of as I went through each one of these I began to see some of those issues. I have a question probably better for the builder. Is the builder here?

ASSOCIATE PLANNER DESCOTEAUX – Yes they are

VICE CHAIR GIBA – So then I'll have a question for them later on one of theirs. Thank you Mr. Sims because that answered a lot of those eliminations and you've filled those out as well. LD 61(i), the new condition, I guess that will be more of a builder question, but it looks like they are given a choice as to which way they want to do this. Am I correct?

LAND DEVELOPMENT ENGINEER SAMBITO – That is correct. I summarized if I could earlier that at the 36th additional homes, they are required a second point of access. During our discussions with the developer they hadn't yet decided what that other point of access would be, so I tried to craft that condition in such a way that it gave them the options and the flexibility that they needed so they could make the business choice as to which way was best for them.

VICE CHAIR GIBA – I kind of grasped that; actually made a note on that and that's why I was asking; have they determined yet what they wanted to do or have they got an idea of how they want to do that; probably not is what you are saying, but you wanted to leave them that flexibility.

LAND DEVELOPMENT ENGINEER SAMBITO – That's correct. That would be a great question for the developer. I don't know if they've progressed far enough with the project yet.

VICE CHAIR GIBA – I understand that TE2 did not agree to eliminate the light. Mike knows my issues with those, but TE3 you agreed to eliminate; the street improvements from Moreno Beach Drive; half street improvements. Could you kind of enlighten me a little bit on that?

TRANSPORTATION ENGINEERING LLOYD – Sure, Michael Lloyd with Transportation Engineering. Good evening Chair and Commissioners. TE3 deals with the street improvements as you alluded to and the developer asked us to remove it and the only reason we agreed to remove it is because Land Development covers the very same items, so it's redundant and therefore we felt it was appropriate to remove it since Land Development covers those issues.

VICE CHAIR GIBA – Like you said you had three new conditions and those are to improve the parkway medians and I have one other minor question and then I want bother to go through this anymore. This was originally approved in 2004 and then the expiration date was 2007, so I assume they asked for an extension, so normally the extensions that I've been working with have been from three to five years. Its 2014 now. I know they haven't been built between 2007 and 2014, so what was extended and what was approved final conditions of approval. I mean we're now finalizing their conditions of approval. Am I correct… approve this right?

ASSOCIATE PLANNER DESCOTEAUX – Well the map recorded… Right, once the map recorded…well the original applicant started the project and kept it going

and then the City has provided… well the State has provided several automatic extensions and then the City has provided some extensions on projects, so based on those extensions, there has been no expiration of this map.

VICE CHAIR GIBA – Continued on until 2014.

ASSOCIATE PLANNER DESCOTEAUX – Right

INTERIM PLANNING OFFICIAL ORMSBY – But just to clarify Vice Chair Giba…when a map is recorded… well it's the tentative map that has the expiration date, so once it's recorded really that expiration date doesn't really apply anymore, so just so the Commission is aware of that.

VICE CHAIR GIBA – Thank you very much. That's all I have.

COMMISSIONER RAMIREZ – (Inaudible – no sound)

ASSOCIATE PLANNER DESCOTEAUX – I'm sorry; landscaping on Moreno Beach?

COMMISSIONER RAMIREZ – Yes

ASSOCIATE PLANNER DESCOTEAUX – There is landscaping; yes

COMMISSIONER LOWELL – To further clarify the secondary access, I just had a brief comment… Bay Avenue on the GIS map looks as though there is portions of it dedicated all the way to Oliver, however I think it's Bethany. Bethany looks like it doesn't have any right-of-way dedicated to the south to the Alessandro. Why did we give the applicant the ability to go southerly if there's been no right-of-way dedicated at least not what I can see from our zoning and ortho map.

LAND DEVELOPMENT ENGINEER SAMBITO – During our discussions with the developer they had written to us their version when we were going back and forth of the condition as they would like it to read and it did include the option of going to Bethany south to Alessandro, so understanding that they were considering that as part of their business plan or options; not knowing what they're doing with the negotiations for land or anything like that, we just tried to keep to it, so we incorporated that into the condition, so as we are like minded with the developer and again to allow him the flexibility to go one of the ways or the other. I didn't think it was right that we tie their hands and say they must go this way only when there other options.

COMMISSIONER LOWELL – I understand the condition, I was just asking for the clarity and to piggyback further on that. Is Oliver improved? I can't quite tell and to be honest I didn't visit this site this time.

LAND DEVELOPMENT ENGINEER SAMBITO – Oliver is paved. It isn't fully improved. There isn't curb and gutter but it is paved north of Alessandro.

COMMISSIONER LOWELL – And is there a preferred secondary connect that the City like to see? Would they like to see it go to Oliver to Alessandro?

LAND DEVELOPMENT ENGINEER SAMBITO – In my professional opinion if I were the engineer on this, I would agree that Bay Avenue extended to Oliver is the better of the choices. It doesn't buck grade; it's parallel to contours; it's probably the quickest and easiest and it looks like it's a paper street. I think it was probably dedicated under the Bear Valley Map. It lends itself nicely to being that secondary point of access.

COMMISSIONER LOWELL – Alright, I appreciate it. Thank you.

CHAIR VAN NATTA – Okay at this point we're going open the Public Comment section and we will start with the applicant.

APPLICANT MILLER – Good evening. Hi Commissioners. Nice to see you guys. I just want to say my name is Wally Miller with Frontier Communities. I've been involved in this project for the last eight months. I really appreciate Staff's hard work working with us in going through the details. You are right, the project was originally started in '04 and then the final map was in '07 and on some of these things, it was just we were trying to clarify. I think we agree with you. We would like to just extend Bay Avenue to Oliver. It makes the most sense; most logical second point of access. Part of the discussions as to why that came us is we were trying to entertain the thought of using Bethany down to Alessandro and then the extension of Bay Avenue versus the Moreno Beach Drive altogether, but we realized that is just not an option at this time.

CHAIR VAN NATTA – Okay do any of the Commissioners have questions of the Applicant?

COMMISSIONER LOWELL – What time frame do you have for actually starting breaking ground on this project?

APPLICANT MILLER – Well expect it to take… well I believe City Council will be the next step around the 25th. We hope to get started shortly after that and we expect about six to eight weeks of land development. One of the requirements is we have to have all the development in before we pull a permit and then we expect to sell about six to eight homes a month, so we're thinking the whole project will take about ten to twelve months.

COMMISSIONER LOWELL – How much are the houses going to be running for.

APPLICANT MILLER – Right now we're showing to start about 345 and up to about 385.

COMMISSIONER LOWELL – Last is how big are the houses

APPLICANT MILLER – 2812 all the way up to 3546.

COMMISSIONER LOWELL – Single story and two story

APPLICANT MILLER – No single story's because of the way the lots were configured and setback requirements. We just couldn't make a single story of any size fit on the lots, but we were able to incorporate a lot of bedroom count, which we think is important in this market.

CHAIR VAN NATTA – Any other questions of the applicant?

VICE CHAIR GIBA – I did go out and take a look and you have got streets in and curbing and pads and stuff.

APPLICANT MILLER – We have originally was installed… yeah the pads are blue top now. About a half of the project actually had water installed. We have to work with EMWD to bring that up to code and do some repairs because it sat for so long. There is some sewer infrastructure in on about half the lots and then curb and gutter on about half. The other half is just blue top lots with no infrastructure at all. I do believe there is some crossings in there for electrical, so that is part of what will help us expedite the process once we are able to get going again.

VICE CHAIR GIBA – That happened fairly quickly. I was just out there a little while before that and there was nothing there.

APPLICANT MILLER – That work was actually done by Drake Development after the map was approved probably back in '08 or '09, before the market did what it did, so really the only work we've done so far is just agreeing that was necessary to bring those up to condition pads and getting them re-certified so we can submit that documentation to the City.

VICE CHAIR GIBA – Thank you

CHAIR VAN NATTA – I drive by there at least twice a day, sometimes many more times than that, so I'm waiting to see it build it up.

APPLICANT MILLER – Beautiful area… Absolutely, I live on the other side of town and I drive over there on the way to the golf course pretty much every couple of weeks, so yeah…

CHAIR VAN NATTA – Yeah, good location. Okay, another questions for the Applicant. Okay you may be excused and we will see if we have any other speakers for this item.

APPLICANT MILLER – Thank you

CHAIR VAN NATTA – It looks like Mr. Jerele would like to speak.

SPEAKER JERELE – Chairwoman Van Natta and Commissioners, members of Staff and the public, I want to thank you to allow me for the late submission. Again I wasn't planning to speak, but a couple of things that came up that I thought were good I wanted to say. First of all in this whole business of land use approvals, conditions of approval and so on and so forth, a big part of the deal making is based on trust to a degree. I mean I'm a big believer in the old Reagan philosophy of trust but verified, but in this case and some developers for a myriad of reasons did have to walk away from projects in hard times, but I what I know of Frontier Homes, I don't know anybody over there personally, but they're a pretty stout company and you know I think they are going to be around for a while, so if there some reasonable concessions made, I think they are going to come through and do a good job.

Further I'm excited to see the larger homes coming in. I think not only are they going to be… hopefully they move quickly as they anticipate. It'll be a good buy for the people that they'll appreciate because they're a pretty good size, but the main reason I wanted to speak is I wanted to give the City some very well deserved kudos and in fact maybe Mr. Sambito can reflect on this. I wasn't aware until several years ago that the City at some point had decided to move the collection of these development impact fees, which in reality there is no such thing as a developers fee. All of them are passed along to the consumer and depending at what point you impose that fee; in the old days they used to get it at the point of I think before map recordation; some of them wanted it at tentative maps which is years before the project is built, so they had to front this money. Well the reality is they have to borrow money against it and a whole myriad of costs build on that, so let's use a nice round number… so you've got 10 thousand dollars in fees.

When you collect these fees early, there is a cumulative build-up upwards of 40 percent. So here's the sad thing, you're trying to collect 10 thousand dollars to the City, but the consumer is paying 14 thousand on their mortgage and the sad part is that 4 thousand dollars increase actually goes to the bank. Even the little profit the builder costs the sales, so I think it was a good call on the City's part and maybe Mr. Sambito there can give you little reflection on that and I wish; this is only one of many fees that developers pay when they put a project in. I wish they were all put at the tail end at the point of occupancy and in a perfect world I'd have a closing sheet or a window sticker if you will when John or Suzy Lunchbucket are buying their home, they sign off and they can see just like a car

window sticker they see the base price for the land and the development and sticks and bricks, the builders profit, the cost to finance was x dollars and oh by the way you are paying so much for this and so much for that and a kangaroo rat, school, flood control and part of the reason is; number one is disclosure, but it is also community pride. I think the average home buyer would have a greater sense of community pride when they realize hey I paid for some of this to City Hall; I paid for that policeman; I'm paying for fire departments as part of the cost of buying homes. A lot of people aren't aware of that, so I think it would make better future citizens. So thank you very much for allowing me to speak on this.

CHAIR VAN NATTA – Thank you for your comments. You're real good at timing that three minutes Mr. Jerele. Okay, seeing no other members of the public coming forward with anything to say, I'm going to close the Public Comment section of this item and we'll go to Commissioner Discussion. They used to call this Commissioner Debate, but I like discussion better. Does anybody have anything to say?

COMMISSIONER SIMS – I just have one. It's not on the actual project. It looks like a good project, but I wanted to compliment Staff on how they lined out the conditions with the differences, so it makes it a lot easier. I really appreciate that it's not a hunt and pack through a big pile of conditions to figure out where the changes were. I really appreciate that.

CHAIR VAN NATTA – Commissioner Giba I'm sure you have something you'd like to say.

VICE CHAIR GIBA – I'll keep it short. It's nice to see that we're putting some houses back in and that area is right for doing that especially since the service station…and we have the grocery store there. I too appreciate the way this blocked out. That's why I was able to ask you those questions as I went through them. Part of it is educational value, so I can better understand why these things were done. It was good that you came back and kind of cleaned a 2004 up to 2014 so to speak and I can see that that was happening. I think it's a good project. I think… I'm sure we'll see more of it later on down the road, so thank you for bringing this forward and I really appreciate the opportunity to vote for it.

CHAIR VAN NATTA – I would just like to say I'm always pleased when I see residential real estate coming back and the demand for it being great enough to have more new homes being built. I like the trend towards the larger homes now. For a while it seems like everything that was being built was very small on very small lots and the demand for the larger homes is definitely there. Any other discussion?

COMMISSIONER RAMIREZ – I just echo my fellow Commissioners.

CHAIR VAN NATTA – I would entertain a motion on this item.

COMMISSIONER BAKER – I'll so move. I recommend that we **APPROVE** Resolution No. 2014-03 and thereby:

1. **RECOGNIZE** that P13-127 Amended Plot Plan is within the scope of the Adopted Negative Declaration of PA03-0106; and,

2. **APPROVE** P13-127 Amended Plot Plan, subject to the attached revised conditions of approval, included as Exhibit A.

VICE CHAIR GIBA – I second that

CHAIR VAN NATTA - We have a motion and second. May we have a roll call vote please?

COMMISSIONER SIMS – Yes

COMMISSIONER LOWELL – Yes

COMMISSIONER BAKER – Yes

COMMISSIONER RAMIREZ – Yes

VICE CHAIR GIBA – Yes

CHAIR VAN NATTA – Yes. Okay we have six yesses. We have one member who recused himself. Commissioner Barnes is not in the room, but the motion passes. Would someone like to tell Commissioner Barnes he is welcome to rejoin us? Staff wrap up.

INTERIM PLANNING OFFICIAL ORMSBY – The Staff wrap us for this item is that the action will be final unless appealed to the City Council within 15 days.

CHAIR VAN NATTA – I somehow don't think anybody is going to do that.

OTHER BUSINESS

CHAIR VAN NATTA – Okay what Other Business do we have?

INTERIM PLANNING OFFICIAL ORMSBY – None

STAFF COMMENTS

INTERIM PLANNING OFFICIAL ORMSBY – Well Staff has a few comments to inform you of the next meetings. There are two meetings in March. I believe you already have been informed of that and were polled as far as the availability for March 13th, so we will have the meeting on March 13th which will be to review the Prologis project, which is approximately 2.2 million square foot industrial warehouse easterly of the Auto Mall. That will just be one item for that particular meeting.

For the regular meeting on March 27th, there will be two items. One of those is also a warehouse project that is a 370,000 square foot warehouse project on approximately 16 acres. It involves a change of zone from Business Park to Light Industrial and is located between Ellsworth and Veteran's Way on the south side of New Hope Street, which is fairly close there to City Hall and then the second item for the 27th that we will likely have is a revised Tentative Tract Map which will make a number of modifications to an existing approved Tentative Map. It will actually reduce the number of lots from 138 to 115 lots and that project is located north easterly of Manzanita Avenue and Cubby Road, easterly of Perris Boulevard and actually Julia is the Planner for that, so you'll be seeing her on the 27th as well.

Also at the last couple of Planning Commission Meetings, we had talked about trying to bring forward a Study Session and some of the Commissioners had suggested topics for Study Session so we're going to do that in conjunction with the upcoming meetings and hopefully we'll do that as soon the March 27th meeting and for that first meeting the intent is to cover basically the overlay zones that the City already has in the Code just to kind of bring the Commission up to speed on where the City is currently at with regard to overlay zones that are in place and then to provide or to receive your input on where we might go from there or what direction or ideas that the Commission might have. We'll also bring forward the other item which was a major item of discussion which had to do with the Hillside Residential Ordinance, so that will probably not be till May because the Planner who worked with the Hillside Ordinance last is not going to be available for the April meeting, so we'll probably do that at the May meeting. So that is an overview of where we're at on the Study Sessions and if there are any other items we may want to include it that, we could certainly talk about during the Planning Commissioner Comments. So that concludes my comments.

PLANNING COMMISSIONER COMMENTS

CHAIR VAN NATTA – Okay, Planning Commissioner Comments; shall we start with Commissioner Ramirez

COMMISSIONER RAMIREZ – (Inaudible – no sound)

COMMISSIONER BARNES – Well I want to thank everybody for their assistance and support and as we go forward especially Staff. I appreciate their patience and bear with me as I learn the ropes. Regarding the meeting next month. I unfortunately will be out of town. It's my 40th wedding anniversary and my wife tells me we will be gone, so I'll have to miss that meeting, but I want to thank everybody for their assistance and it was an enjoyable experience and I'm looking forward to serving the City, so thank you.

VICE CHAIR GIBA – I appreciate Grace being here. It's the first time I've seen her in almost three years, so it's kind of a nice treat. Second of all, just to remind everybody, those 700 forms are due in April, so Eva says you can come and collect your hard copy if you want. I already got mine. It's nice to have you aboard and I would like to know a little bit about you because I don't know much more than your name is like mine. If you would want to share that I'd appreciate it, but nice evening, I enjoy it.

COMMISSIONER SIMS – I wanted to say welcome aboard Commissioner Barnes. It's going to be a pleasure working with you and its nice addition to our team here.

COMMISSIONER LOWELL – Yeah I'd like to echo those comments. Welcome aboard. Also prior to last meeting, I asked the Planning Department to give us a little rundown of CEQA and in the mail we received a nice little summary of the CEQA Act. This is a very, very useful practical guide to CEQA and I appreciate it. Thank you very much.

COMMISSIONER BAKER – Yes, also I'd like to welcome another Jeff to the Commission. You know that's three of them now, so very good Jeff Barnes. Welcome aboard and look forward to working with you. Had a good meeting tonight.

CHAIR VAN NATTA – You probably noticed that I started using people's last names instead of their first names, so maybe that'll keep from confusion, not unlike somebody who named all of his sons George so he could keep track of all them and not having to remember. And welcome, we're glad you're here. Nice to not have an empty chair here and the only other thing I want to say is today is my mother's 92nd birthday, so Happy Birthday mommy!

VICE CHAIR GIBA – Thank you Chris Ormsby for getting those Study Sessions lined up. We've been waiting a long time. I just wanted to thank you so much for getting that going for us. Me; having been an educator, learning is really important, so thank you.

CHAIR VAN NATTA – Commissioner Giba, would you like to move for adjournment.

COMMISSIONER LOWELL – I had one last little comment. It's a little tiny one, I almost forgot. My brother just had his third child; a little baby boy was born today, so it's the same birthday as your mom's birthday. There is no name yet, but he is a healthy baby boy. He's up in Montana. I'd like to say hi to him.

CHAIR VAN NATTA – And I hope he lives to 92

COMMISIONER LOWELL – I hope he lives beyond that

ADJOURNMENT

VICE CHAIR GIBA – Motion to adjourn

COMMISSIONER BARNES – I'll second

CHAIR VAN NATTA – Okay all in favor? We are adjourned.

_____ _____

Chris Ormsby Date
Interim Planning Official
Approved

_____ _____

Meli Van Natta Date
Chair

CITY OF MORENO VALLEY
PLANNING COMMISSION
SPECIAL MEETING
MARCH 13TH, 2014

CALL TO ORDER

Chair Van Natta convened the Special Meeting of the City of Moreno Valley Planning Commission on the above date in the City Council Chambers located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

ROLL CALL

Commissioners Present:
Chair Van Natta
Vice Chair Giba
Commissioner Baker
Commissioner Barnes
Commissioner Lowell
Commissioner Ramirez
Commissioner Sims

Staff Present:

Chris Ormsby, Interim Planning Official
John Terell, Community & Economic Development Director
Jeff Bradshaw, Associate Planner
Clement Jimenez, Land Development Engineer
Michael Lloyd, Transportation Engineer
Bill Curley, Acting City Attorney
Grace Espino-Salcedo, Administrative Assistant

APPROVAL OF THE AGENDA

CHAIR VAN NATTA – Okay I trust you've had an opportunity to review the Agenda? Do we have a motion to approve?

VICE CHAIR GIBA – I move we approve the Agenda

COMMISSIONER BAKER – And I'll second

CHAIR VAN NATTA – I have a motion and a second. Do we need the roll call vote on this? I'm a little confused when we need roll call and when we need just an aye?

CITY ATTORNEY CURLEY – Under the new requirements we have to have a public showing of the vote, so raise your hand or do whatever as long as the public can identify who voted how. That's all you need to do.

CHAIR VAN NATTA – Okay then all in favor raise your right hand and say aye. Okay that'll do?

Opposed – 0

Motion carries 7 – 0

PUBLIC ADVISED OF THE PROCEDURES TO BE FOLLOWED IN THE MEETING

CHAIR VAN NATTA – Okay the public is advised that the procedures to be followed in the meeting which are on display at the rear of the room and we are going to begin comments by any member of the public on any matter which is not listed on the Agenda but is within the subject matter jurisdiction of this Commission and we have a couple of speakers who have requested and Tom Thornsley is the first one and please remember you have three minutes.

SPEAKER THORNSLEY – Good evening Commissioners. I appreciate the opportunity to speak. I was remiss a few months back when I said we got five minutes to speak here and it was the Council that got three minutes and I finally figured it out, but I am going to ask that since the Council does get five minutes during their public hearing items and considering the magnitude of the kinds of projects that you all get to look at, that you actually think about it and would appreciate it if you would make the public comment period during a project discussion a five minute discussion. Three minutes is hardly time for anybody to bring up a topic or even go into detail in it and we have this project which is a

very large project and we have some other ones that are coming and I think it would behoove everybody to have the appropriate time to speak.

Additionally having now looked at a lot of EIR's, I'm realizing that there is a lot more that you could be asking for. There is a lot more the City should be putting on its punch list of things to do. I noticed in the World Logistics Center they are requiring or they are going to require all their buildings have solar on the roof or a certain portion of the building use. I know that there have been some projects that have been challenged that have put solar on their buildings. I really think there are things like that that this Commission and the City as a whole needs to start looking at so that they do something better for what we are going to lose in getting warehouses, trucks, bad air. I mean there are offsets. If it makes it slightly more difficult for people to come here, then so be it, but in time they will come and they will do what we will ask them to do. That is just the way it works. You know you'll end up getting something better as opposed to being the easiest City to get through because you have some of the lowest standards available and therefore it is not getting the best you could get or the best the citizens or the environment around here could get. Thank you.

CHAIR VAN NATTA – Thank you. Okay our next speaker is George Hague.

SPEAKER HAGUE – I'm George Hague; resident of Moreno Valley representing the Sierra Club. You have probably a half hour away from here, what is addressed in this book sometimes shortened to IBA for Important Bird Area. All the Staff should have one of these in front of them. That does include Lake Perris; does include the San Jacinto Wildlife area. If you look through this, you'll realize how important the valley you live in is. It's the area that the Audubon does their Christmas bird count every year. It comes up to about 150 different species. Those species make it so that it is in the top one or two percent of all of North America for diversity of bird species. It has more than 20 species of raptors including five species of owls in this area. If you look through the booklet, it has been put together mainly by volunteer help Audubon Society. These are places that you can go very easily and access. If you want to go on a walk with the Audubon Society or the Friends of the Northern San Jacinto. Those names are on the back of the booklet. You can go to their website. They have wonderful walks.

This City; in fact the first Planning Commission Meeting was on the Moreno Valley Ranch; the Warmington Project. They actually owned all of the hillsides that face Moreno Valley that contain Lake Perris. They owned much of the land that was along Davis Road at that time. The Planning Commission at that time along with the work of the Sierra Club and Audubon working on settlements with Warmington, made sure all of those hills that are surrounding Lake Perris that we now look at and enjoy and much of the land along Davis Road is now open to the public and available to the public and ownership by California State Parks and Fish and Game. That was part of the negotiations between Sierra Club and

Warmington to make sure that happened and unlike what sometimes the Mayor will try to make people believe, the Sierra Club and Audubon does not receive any financial benefit from our negotiations on that project or the present warehouses we're dealing with. It doesn't happen. None of that goes on. In fact there is a deficit if anything to the environmental community for these negotiations. I hope you'll take a minute and look through this. Don't bury it under a pile of papers and if you would like to go on one of these walks or see this area closer, my name is on enough emails to you that you can contact me, so please do. I'd appreciate showing them to you. You have a good evening.

CHAIR VAN NATTA – Thank you very much and it is a beautiful book.

PUBLIC HEARING ITEMS

1. Case Description: PA07-0081 (Zone Change)
PA07-0082 (General Plan Amendment)
PA07-0083 (Master Plot Plan, incl. Building 2)
PA07-0084 (Tentative Parcel Map 35679)
PA07-0158 (Plot Plan for Building 1)
PA07-0159 (Plot Plan for Building 3)
PA07-0160 (Plot Plan for Building 4)
PA07-0161 (Plot Plan for Building 5)
PA07-0162 (Plot Plan for Building 6)
P07-186 (Environmental Impact Report)

Case Planner: Jeff Bradshaw

CHAIR VAN NATTA – Okay we're going on now to our first Public Hearing Item; well actually the Public Hearing Item for today. Case Description PA07-0081 Zone Change, PA07-0082 General Plan Amendment, PA07-0083 Master Plot Plan including Building 2, PA07-0084 Tentative Parcel Map 35679, PA07-0158 Plot Plan for Building 1, PA07-0159 Plot Plan for Building 3, PA07-0160 Plot Plan for Building 4, PA07-0161 Plot Plan for Building 5, PA07-0162 Plot Plan for Building 6 and P07-186 Environmental Impact Report. The Applicant and Owner and Representative are all Prologis. The Case Planner is Jeff Bradshaw. Could we have the report please?

ASSOCIATE PLANNER BRADSHAW – Thank you. Good evening Chair Van Natta and members of the Planning Commission. The item before you this evening is a proposal for a 2.2 million square foot industrial park to be developed on 122 acres located on the south side of State Route 60 east of the Moreno Valley Auto Mall at Fir or what is sometimes referred to as future Eucalyptus Avenue, between Petit and Quincy Street. The net acreage for this site is about 116 acres and I think you see both acreages referred to in the Staff Report.

As described in the title of the Agenda, applications for this project include a General Plan Amendment and Zone Change to establish a Business Park, General Plan designation in a Light Industrial Zone for the entire site. Plot Plan applications were also submitted for six warehouse distribution facilities as well as a Tentative Parcel Map to create six parcels for development within the Industrial Park. A General Plan Amendment is also required for proposed changes to the City's General Plan Circulation Element as well as changes to the Master Plan of Trails.

Approval of this project would require certification of an Environmental Impact Report and the project presented to you this evening is for your review and for recommendation to the City Council. The project site does have a current… includes current General Plan and zoning designations for approximately 50 acres of the site are currently designated Business Park or Business Park Mixed Use, 36 acres are designated R15 which is a multi-family zone, 23 acres are designated R5 and 12 acres are designated RA2. Both of those are single family residential zones.

The proposal would be to replace the 71 acres that is under the residential land use designation with Business Park land use designation over the top. This designation would then be compatible with the City's Industrial Zone categories. The proposed Zone Change for the 50 acres that are BP would be compatible with the General Plan; the proposal for the remaining 71 acres that is a residential zone would be for Light Industrial zoning. This proposal would also result in the removal of a portion of the site from what referred to as the PAKO or the Primary Animal Keeping Overlay Zone. Warehouse distribution uses are currently permitted in both Business Park and Light Industrial Zones. The limitation within a Business Park is size. Structure are not allowed greater than 50,000 square feet. In the case of this proposal the structures are larger than that and so the Light Industrial Zone is required in order to accommodate the proposal.

The change in the General Plan Circulation Element would propose to eliminate what is currently a connection from what is known as Fir or future Eucalyptus Avenue. That road alignment currently curves down and connects through to what is currently called Eucalyptus and would in the future would be Encilia. The proposal here is to remove the connection to ensure that traffic… that either existing traffic or traffic generated by the proposed project would be kept separate from residents living to the southeast of the project. The additional General Plan Amendment I refer to is a change to the Master Plan of Trails. There is currently a trail segment on the west side of the Quincy Channel. That trail segment runs… it is undeveloped that runs from Fir Avenue north to the south side of State Route 60. The idea in the past was to provide a crossing at the freeway. The General Plan Circulation Element has since been updated and that overpass is no longer scheduled to be developed. With the loss of the overpass, the trail would essentially be a dead end or end in a cul-de-sac on the

south side of the freeway. Staff met with the Recreational Trails Board in February of 2012 to discuss replacing that segment with a segment of trail that would run across or through the project site, it would tie into an existing trail segment on Fir Avenue and continue across the project on the north side of Fir and ending at the Auto Mall at Fire Station 58. The applicant has agreed to a condition of approval to both remove the trail segment along Quincy and replace that the longer trail segment through the project.

The Industrial Park itself proposes six warehouse buildings. They range in size from approximately 160,000 square feet up to approximately 860,000 square feet. The total building area upon completion would be approximately 2.2 million square feet for the six buildings. The architectural design for the facility is similar to other warehouse uses that you have reviewed in the past. It's concrete tilt-up construction. The building and the screen wall colors would be earth-tones with varying amounts of accent colors and vertical features to break up the architecture. Staff worked with the applicant to ensure that that all sides of the buildings would include architectural treatment, that the screen walls would be designed in way that is compatible with the main building. We also worked on a design that would ensure that the loading bays and truck storage areas were all screened from view and all turned or oriented from adjacent residential zones. The project as designed conforms to the City standard for Light Industrial Zone as well as for development standards for industrial development here in the City. Staff worked with LSA Associates in preparation of an Initial Study back in February of 2008; through that exercise, identified those issues that needed to be carried into an Environmental Impact Report.

Notice of preparation was distributed to the public for comment in early 2008. Those comments were then used in the preparation of a Draft Environmental Impact Report. Staff worked with the consultant in the preparation of that document and it was provided to the public for public review for a 45 day period beginning in July of 2012 and ending September 4th, 2012. That was circulated to all State and local agencies, to any interested parties that had asked to be kept informed of the process. In response to that, the City received 13 comment letters during that time period. The consultant worked with Staff in the preparation of responses to those comments that were prepared. Those documents were provided to you. Prior to this evening's meeting, both the Draft and the Final document; the Final including responses to the comments that were submitted during the 45 day review. It is important to note I think that through this process; the analysis; the EIR analysis for this project will have noted a number of potentially significant impacts.

The document that was prepared includes mitigation measures that are proposed to reduce the impacts or eliminate significant impacts to the extent possible. There are circumstances or even cases with mitigation certain are not reduced to a less than significant level and those are identified in both the Draft and the Final EIR. Where those impacts cannot be reduced, the California

Environmental Quality Act does allow decision makers to consider a Statement of Overriding Considerations that has also been provided to you guys for review. It requires the decision making body to balance benefits to the community against those potential environmental impacts when making a decision and if the decision making body does determine that those benefits outweigh the environmental impacts, then a Statement of Overriding Considerations would need to be adopted and certified ultimately by City Council. Again the document does include Mitigations Measures. Those are referenced both in the conditions of approval for the project as well as the Mitigation Monitoring Program and it is included in the documentation before you this evening.

Public Notice was provided for the Hearing this evening by our standard practice to everyone within 300 feet of the project. The site was posted and notice was also provided in the newspaper. Additionally notices of the hearing as well as preparation of the Final EIR were provided to those that commented on the draft as well as any interested parties that indicated that they wanted to receive copies of those documents. Leading up to this evening, we did receive comment letters which have been provided to you guys I think during the week by email and hard copies available to you again this evening. There is also a memo that has been prepared identifying conditions of approval for the Tentative Parcel Map that are the preferred conditions. The conditions included in the Staff Report for the map are more specific to a Plot Plan and so the replacement conditions are more appropriate for the map and so Staff would be recommending those conditions as the set to approve for Special Districts. Additionally there was another letter provided this evening. I think most of the Commissioners have copies of that and Staff hasn't time really to review the content of that letter. With us this evening is our representatives from LSA Associates, the Consulting firm that prepared the environmental document and with that, that will conclude my part of the presentation. I'd like to turn some time over to Kent Norton with LSA who has something he wanted to present on the environmental side. Additionally the Traffic Consultant has prepared a traffic simulation or model for what the traffic would look like within this facility that they are prepared to show you this evening if you are interested in that and with that, I'll turn the time over to Kent Norton.

CHAIR VAN NATTA – Thank you

SPEAKER NORTON – Thank you Jeff. Good evening Commissioners. My name is Kent Norton. I'm with LSA Associates. We prepared the Environmental Impact Report. I was the Project Manager. The EIR represents 530 pages and dozens of appendices. The Final EIR was 280 pages with additional appendices, so I appreciate the effort you've gone to review that. I wanted to make a few comments about some of the letters that were submitted prior to this hearing. Most of the letters we've already responded to in the Final EIR; the Response to Comments document, but there were a number of emails and brief letters and then a few longer letters that were submitted this week. I would say most of the issues have been dealt with in the EIR and the Final EIR Response to Comments

already, but there were a few items that were additional. One is there were a couple of… a number of comments about independent review and the response to comments providing evidence on its comments and we believe the documents we prepared represent the independent judgment of the City and do represent adequate information, that the decision makers such as the Planning Commission can make an informed decision on. There were some comments about the EIR needs to evaluate the cumulative impacts of the World Logistics Center now that that has been put into the CEQA process, but if you'll recall this EIR started its CEQA process far and well in advance of the World Logistics Center document and CEQA… the process basically sets the baseline. When the notice of preparation goes out for the environmental analysis and that was back in 2008, so there is no CEQA requirement to analyze that additional project as part of the cumulative growth. There were a number of comments about mitigation and air quality, energy conservation. As outlined in the Final EIR there were a whole host, almost a dozen mitigation measures in various sections including air quality, traffic and energy that were modified and quite a bit of additional text added to address comments by the AQMD as well as a number of conservation organizations, so we believe we've answered a lot of the comments about additional mitigation.

We provided documentation of what is feasible and what is infeasible and we've added information about solar. The buildings will be solar ready and the project is going to provide a 10 percent reduction from the green building code, Title 24 Energy Conservation Standards and just want to note, in doing some research on solar facilities, Prologis, a lot of their other facilities, when they do these types of buildings, the users that eventually come into them, do install their own solar systems, but because there is no specific users designated for this project at present, that can't be identified at this particular time. Along with energy conservation, there were some comments about making it a LEED certified project. The applicant has indicated they are buildings will and meet the requirements of LEED certified buildings, but again they don't have specific users, so that would be incumbent upon individual users to apply for that process, but they will meet a lot of standards of the LEED process. There were a number of comments and I'll just mention this in passing, a number of articles attached to some of the comments about Sketchers and Walmart warehouses and a lot of the comments were kind of trying to draw a comparison between the two. There is really no comparison. This is a different applicant; and however people feel about those particular warehouse developers, this project stands on its own and we believe the documents we provided give you the information you need to make an informed decision. With me tonight, I have Megan Macias who is head of our Traffic group and Ron Brugger with our Air Quality group and all of us are available to answer any questions you have following your review and discussion of the EIR.

CHAIR VAN NATTA – If it's okay with the Commissioners, I'd like to hear the various different reports and then we can go back and ask questions of the

different ones rather than taking them one by one. Is that okay with everybody? Okay yes we would like to see the traffic study next.

SPEAKER BRUGGER – At this time… okay.

INTERIM PLANNING OFFICIAL ORMSBY – While we're switching speakers, I'd just wanted to add that the City completed independent review of the Environmental Impact Report and there was also a peer review completed by Wildan and Associates under their contact with the City.

SPEAKER MACIAS – Good evening. While the simulation plays, I can say a few words about the Traffic Study and if you have any particular questions I could answer those. The traffic simulation that we put together is intended to represent the 2035 traffic volumes. It is the 2035 with the proposed project, so this includes a number cumulative projects that are proposed to be built, both in the vicinity of the project as well as south on Moreno Beach Drive east and west of the project as well. Some of the things you'll notice is on Eucalyptus east of Moreno Beach Drive there is not as much traffic as we have actually coming north on Moreno Beach as well as coming from the west, so the majority of the traffic movements that we were seeing in that area is not necessarily coming from the project, but there is a significant amount of background traffic out there both in the short term cumulative as well as in the 2035 conditions. And then also while the traffic simulation is playing, I could say a words about the findings of the Traffic Study.

We did look at opening year cumulative. We looked at 2035 which is the build out year or I should say it is the horizon year of RIV (?) Town Traffic Model. We also looked at the build out conditions for the entire City and what we found is that the opening year conditions and the opening year cumulative conditions, the payment of both the City's development impact fee as well as the Regional TUMF fee would mitigate any impacts of the proposed project with the exception of some level of service deficiencies which were on the freeway mainlines. Those were identified in the EIR as significant and unavoidable impacts and the reason being is that the City does not have control over CalTrans facilities, nor is there a mechanism for the applicant to either pay into a program to improve those or to make the improvements on their own. In the 2035 and the build out conditions there were some additional improvements that are required beyond the DIF and the TUMF fees. Those improvements are identified in the 2035. They're minor improvements involving signal modifications and minor changes to striping at a couple of intersections. We've identified the project's fair share of those improvements in the Traffic Study and those are feasible improvements and can be implemented. The simulation goes on for several more minutes, so if you want we can continue to leave this in the background while you continue with the Public Hearing or if you have any specific questions, I can answer them.

VICE CHAIR GIBA – Is that simulation; can you move that up to the 60 freeway? Is that part of the simulation or is it just…

SPEAKER MACIAS – The 60 freeway is not simulation because the City does not have control over that and we're not proposing improvements to the 60 freeway, so therefore we didn't include it in the simulation. Many of the issues that we discussed with Staff had to do with the trip generation of the project and questions about whether local intersections such as at Moreno Beach Drive and Eucalyptus, what the contribution of the project was at those locations, so we did not include the freeway in the simulation.

CHAIR VAN NATTA – Did you include Redlands in the simulation?

SPEAKER MACIAS – We did include Redlands and I think if we hang in there long enough, I could pull up the actual simulation. We could move over to there. This what you are seeing is just a video presentation of it. So what you'll notice is that Redlands looks much less congested in this traffic simulation and as a matter of fact there are many fewer vehicles on Redlands in this condition which is what we reported in the Traffic Study as well. What I can do is I'm going to speed up the simulation because when you are watching it in real time like now, it is sort of like watching grass grow so that way you can see the cars a little bit faster. This is the pm peak hour and of course this includes all improvements that are noted as mitigation measures in the Traffic Study, so that's why it seems better than what you experience today at the intersection because it is significantly improved and there is additional capacity that has been provided which is what will be provided with the improvements that are noted as the mitigation measures of the report.

COMMISSIONER LOWELL – I read in the report that there were upwards of 2,000 truck trips a day. Is that true? Is that included in the traffic model?

SPEAKER MACIAS – I'm referencing the trip generation so I can give you the correct numbers. So the total trip generation… the trip generation is looked at in two ways. It's looked at as total vehicles and we also break it out in what we call passenger car equivalence, which recognizes the impact of a truck is much greater than the impact of a passenger car, so the total daily trip generation is 4,409 vehicles, so when you ask is there is actually 2,000 trucks per day, there are approximately 2,000 truck trips per day and that's two-way trips, so that would mean 1,000 trucks in and 1,000 trucks out and that is 2, 3 and 4 axle trucks, so that is not 2,000 four axle trucks, it is actually broken out into 2 axle trucks which is 238 and 3 axle is 505 and the large trucks is 1,246 and remember that is one way trucks, so it's really 600 in and out of the project.

COMMISSIONER LOWELL – That compares to a residential development I believe; average residential house and residential development car trips a day.

SPEAKER MACIAS – It actually generates about 9 ½ per unit, for single family residential.

COMMISSIONER LOWELL – For a 150 lot tract like I live in, you are talking about 1,500 car trips, so we're talking this entire development is going to generate about 3 ½ times more traffic than my little housing development.

SPEAKER – Yes but you have to look at it in terms of the size of the…

COMMISSIONER LOWELL – That's what I was implying that this is a larger area and mine is only about 40 acres and we're generating that much trip traffic generation on the 40 acres as opposed to this large proposed project, so the density of trips per acre is a lot less than my housing tract.

SPEAKER MACIAS– Yes that's correct and I was going to point out we also did look at doing a comparison between if the General Plan designation for the project site was built, how many trips would the General Plan generate in comparison to the project and what we found is that the project actually generates 885 fewer and peak hour 939 fewer pm peak hour and 6,702 fewer daily trips, so it is a less intense use of the site than it would be under the General Plan designation, which includes 845 dwelling units and 41 acres of industrial business park.

COMMISSIONER LOWELL – In the Traffic Study, how far of a sphere of influence did you reference?

SPEAKER MACIAS – Well the Traffic Study includes… we did a sensitivity analysis looking at the 215/60 interchange at the request of City Staff just to know what percentage of vehicles would we be adding to the interchange. We didn't analyze that as part of the study. About the farthest we went within… looking at intersections, we looked at Nason Street and Redlands Blvd., so one interchange to the east and west and then in terms of our freeway analysis let me look and make sure I don't tell you the wrong thing…we went from Pigeon Pass Road to Redlands Blvd. looking at the freeways.

COMMISSIONER SIMS – What was the traffic… what was the effect at Pigeon Pass and what was the easterly intersection?

SPEAKER MACIAS – Well there is a lot of different numbers here so… would you like to know… should we be talking about the 2035 condition? Would you like to know existing? We'll talk about the 2035 since that it is the worst case.

COMMISSIONER SIMS – Well I guess what would be current; what is it today and what would it be at 2035?

COMMISSIONER LOWELL – Well 2035 is the ultimate condition. Does that also include World Logistics? Does that include the residential or just this Prologis development in 2035?

SPEAKER MACIAS – Well 2035 is based on the RIV Town Traffic Model so it would include pretty much the General Plan designation for not only land in Moreno Valley but in other cities in the area, so it is kind of considered the General Plan build out. Now there is recognizing that the City of Moreno Valley may not be built out by 2035. We do look at a build out condition but in terms of the horizon year of the RIV Town Model, we're pretty safe to say that that's a build out condition for the area, so that's when we talk about 2035. You asked about existing…

COMMISSIONER SIMS – So my question would be information that I'd like is what would be on the 60 freeway at the most westerly intersection, what would be the current truck traffic or I guess total traffic and then do you have that broken down into truck traffic and then could you then also tell me what it is at the most easterly section of the 60… did you say Theodore?

SPEAKER MACIAS – You know what, unfortunately I don't have it broken down into truck traffic. I can tell you what the total vehicles are and I can tell you what the level of service is.

COMMISSIONER SIMS – That would be perfect. That was going to be my next question is, what the current and then future level of service at those two intersections.

SPEAKER MACIAS – Okay, so the current level of service… this is looking at the freeway segments which is what you wanted; the freeway mainline… okay, so the freeway mainline on Pigeon Pass, we'll say at the am peak hour it is level of service D and the pm peak hour it is level of service E. That is the existing condition. That is going eastbound. In the westbound direction and actually this is at Heacock Street, the am peak hour is F and the pm peak hour is C. That is existing conditions without the project. If we look at existing conditions with the project in the eastbound direction at Pigeon Pass, with the project it is level of service D in the am peak hour and it is level of service E in pm peak hour, so there is no change in the level of service. In the westbound direction in the am peak hour it is still level of service F. There is no change in the westbound direction and in the pm peak hour it is level of service D, so there is one level of service change on the freeway mainline. And then you asked about the east limits as well, so in the east limits…

COMMISSIONER SIMS – What intersection is that?

SPEAKER MACIAS – Well it is a freeway segment, so it's the segment between Pigeon Pass Road and Heacock Street. I'm going to put up the map from our

Traffic Study so that I can reference that. Okay, you know what, unfortunately this is our study area intersection, so I don't have a map which is large enough to show the full extent of the freeway analysis on the screen, so I apologize for that. I didn't finish answering your question I believe, so we were on the…you wanted to know the easternmost boundary of our study area. Okay in the existing condition, this is the freeway segment between Moreno Beach Drive and Redlands Blvd. which is the farthest east that we looked, so in the eastbound direction in the am peak hour it is level of service C and in the pm peak hour is it is level of service B and in the westbound direction it is same; it's C in the am peak hour and B in the pm peak hour and if we look at it with the project this is still existing with the project, this shows the project's direct impact, eastbound in the am peak it is C and in the pm peak it's B, so there is no change and westbound in the am peak it is C and in the pm peak it is C, so there is one change in the westbound direction in the pm peak hour between Moreno Beach Drive and Redlands Blvd. Does that fully answer your question in regards to freeways?

COMMISSIONER SIMS – Yeah and the other question I have, so the way I understand from the Staff Report in reading through the piles of paper here, is that the notice of preparation for the project went out in 2008 prior to other projects in the area, so the cumulative effects of the project based on the transportation side of it are based on what was current land use planned and General Plan designations at the time the notice of preparation went out.

SPEAKER MACIAS – It is also based on… it is really based on applications that the City had received at the time of the notice of preparation, so for example the full World Logistics Center was not an application at that time, however the full General Plan build out or what we are calling the 2035 analysis, it would not have changed significantly between then and now, because as I said it is based on the RIV Town Traffic Model and so there has not been a major update to the traffic model in the last few years and so therefore the socio economic data and the model has not significantly changed for the build out condition.

COMMISSIONER SIMS – Can you explain to us and everybody that is listening what designations of level of service in a qualitative way what that means, so if I'm sitting on the 60 and I'm going from B to a C or E to a D, what does that mean to me? Am I sitting there going hmmm, I can't get off the freeway for 20 minutes or what does that mean?

SPEAKER MACIAS – Okay, generally you'll be experiencing somewhat free flow conditions up through level of service C, I would say. At level of service C you'll start to notice some friction, so between C and F we're going to say that F is where you are stopped… F is you know there is very little through put, so E is that condition before F where you've got some stop and go and D is sort of that transition between stop and go and we're completely stopped, so I think that is something you can kind of you know relate with. F is the condition you

absolutely don't want to be in and E is the sort of like this is tolerable and I think I can kind of see I am going to get there at some point. In extreme layman's terms is how I'll put that.

COMMISSIONER SIMS – Yeah can you put up… is there a map that shows the improvements on… when I was looking at this there were so many mitigations and things and kind of hard to get your mind around what each of the improvements are and when they are going to happen, so it does not appear that there is any improvement to the freeway in itself and we heard from Staff that that is because there is no jurisdictional way to acquire and it is through TUMF fees I assume that money would be paid, so you are showing on your traffic simulation, you were showing improvements on the eastbound Redlands off-ramp. How do those fit into the timing and phasing of the improvements?

SPEAKER MACIAS – Okay there are three…

COMMISSIONER SIMS – The timing and phasing of the project, so you know is the off-ramp built or is that an assumption that the off-ramp is built, that the use of the TUMF fees are going to be prioritized to fix that problem in Cal Trans right away or how does that get done?

SPEAKER MACIAS – Well the TUMF fees are based on a priority list that is established by WRCOG and so the priority list is already established and I printed out the latest short term projects before I came here tonight, so for example the Moreno Beach Drive interchange is in two phases. Phase one as you know is already beginning and included and is already built. Phase two, the north side, is still to be programmed; however the money is there in the program. I don't know that the approval of one project you know hastens the implementation of that improvement and an interesting thing to note was I was re-reading the cumulative analysis in the study as I was sitting here and the cumulative projects in this area, so residential projects, there is a Lowe's Center. There are several other projects we've included. Cumulatively, they generate quite a few more trips than this project does, so the question of would the interchange construction be hastened by this project, I think is you have to look at the fact of this project in relation to everything else in the area is I don't want to say it's insignificant because it not, but it is not the majority of the trips that currently have applications into the City.

COMMISSIONER SIMS – I thank you for that explanation, but my question is the improvements on the off-ramps at Redlands Blvd., when would those be implemented as part of phasing of the project?

SPEAKER MACIAS – The improvements to the off-ramps at Redlands Blvd. I believe are part of the TUMF improvements. I believe they are part of TUMF improvements which I do not know when those… I could find out before the end of meeting.

CHAIR VAN NATTA – That was also a condition of a different project.

COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL – Commissioner Sims, is there a particular item?

COMMISSIONER SIMS – I don't have the map in front of me here but I saw it on the simulation. You were showing the off-ramp improvements and so forth. I guess what I'm just kind of… the TUMF fees; the pro rata share of the TUMF fees is going to propose to pay for mitigation improvements, but is there any linkage with the improvements to the project or is it just when the TUMF fees get allocated and programmed to do the work.

SPEAKER MACIAS – It is when the TUMF fees get allocated and the Redlands Blvd. improvements are not programmed in the short term program of the TUMF, so it is going to be some time in the future after Moreno Beach is implemented and I don't know the year, but like I said I could get that information for you, but it doesn't have anything to do with the timing of the project.

COMMISSIONER SIMS – In your analysis of the traffic, so the Traffic Study and the simulation shows traffic based on the situation with the implemented improvements; anticipated implementation of improvements and so if we go; that's only about 15 or 20 years from now if TUMF fees aren't generated and don't get applied here, is there a traffic analysis in the absence of the improvements that shows the level of service for Redlands and Moreno Beach and the freeway?

SPEAKER MACIAS – Yes, with project analysis and the Traffic Study does not include all of the improvements. The improvements are added as mitigation measures because they are both adopted fee programs and so therefore they are available to be considered as project mitigation and quite frankly especially for the DIF, that is the purpose of that program is to mitigate impacts of future development within the City, so our analysis wherein we identify the impacts of the project does not assume that those improvements are in place.

COMMISSIONER BARNES – Excuse me, I have a question regarding going back to the TUMF improvements and schedule. You had mentioned that there weren't improvements currently on the schedule. Is there anything within the sphere of influence of this project on the current TUMF construction schedule that would impact any of your analysis? So are there any TUMF funds being spent in the locale or area of this project?

SPEAKER MACIAS – Yes there are TUMF funds being spent in the area of the project. They are included as part of our project mitigation because the project will pay its fair share of the TUMF fees, so they'll be paying into those improvements which are the Moreno Beach Drive interchange, the Redlands Blvd. interchange.

COMMISSIONER BARNES – I think what I'm asking is are there any actual projects in the schedule for TUMF that you are aware of? Is there a published schedule of upcoming TUMF funded projects?

SPEAKER MACIAS – There is a published schedule and what I'm holding here is the five year transportation improvement program and included in that is the Nason Street interchange as well as the Moreno Beach Drive interchange.

COMMISSIONER BARNES – Okay so with both of those are in the five year schedule.

SPEAKER MACIAS – Correct. It is the Redlands Blvd. that is farther than five years and I don't know what the year is.

COMMISSIONER BARNES – Thank you, that was my question.

COMMISSIONER LOWELL – If I'm not mistaken, I believe Nason Street over-crosses… (Inaudible… no sound)

COMMISSIONER BARNES – So the five…that's right, so what she has mentioned, the five year plan has already been built actually, so there is nothing pending in that five year plan.

COMMISSIONER LOWELL – I believe it's more of a question for Staff, but I remember hearing at one of the City Council meetings…

CHAIR VAN NATTA – I believe there is still additional improvements yet being worked on Moreno Beach.

INTERIM PLANNING OFFICIAL ORMSBY – There is at Moreno Beach, but we'll have Michael Lloyd respond to the question.

VICE CHAIR GIBA – Am I reading this correctly, in your mitigation measures… otherwise completed prior to project opening that prior issuance to certificate of occupancy, the applicant shall construct the following improvements installing a traffic signal condition then those are not being finished, you'll at least put in traffic signals and add a northbound left turn lane, a southbound left turn lanes. If the improvements are constructed by others prior to the certificate of occupancy the applicant shall pay its fair share towards the DIF.

SPEAKER MACIAS – I believe that applies to the intersection of Redlands Blvd. and Fir.

VICE CHAIR GIBA – Redlands Blvd. and Fir Avenue

SPEAKER MACIAS – Eucalyptus… correct and I believe the project applicant has agreed to if… those are also conditions of another project to construct the traffic signal at that location and so whichever project is in first would construct that improvement, so if the applicant of this project does construct the improvement then they would be applying for some reimbursement of that through the City's Development Impact Fee program since that is programmed in the fee program.

CHAIR VAN NATTA – Okay I have one last question here on the traffic here. I'd like to hear some of the other presentation. We can always come back with additional questions and I'm sure there are other speakers who might have questions on that too, but on this traffic flow and traffic study pattern and so forth, what is the anticipated route that trucks of all sizes would be using to access this project both coming in and going back out. What are you seeing as the route they would take?

SPEAKER MACIAS – Trucks would be using both Redlands Blvd. as well as Moreno Beach Drive. It is anticipated that they are going to be and I'm looking for the trip distribution to make sure that I'm not speaking out of turn here, but they would be mostly using the two interchanges to access the freeway; that there would be very few trucks going south into the City or into residential areas as it would be mostly warehousing facilities to be shipping offsite into more regional areas.

CHAIR VAN NATTA – Okay that was my last question on that. Did we have another presentation by the applicant of any other phase?

ASSOCIATE PLANNER BRADSHAW – I believe that would conclude the Staff Report of the presentation and the applicant is here to speak when you are ready for the Public Hearing portion of the meeting.

CHAIR VAN NATTA – Then we are going to open the Public Hearing portion now and… I think the traffic one was the last one that was… At this point I think who we want to hear from is the applicant so we're opening the public comment portion and beginning with the applicant.

APPLICANT CAVANAGH – Good evening. My name is Pat Cavanagh. I'm with Prologis and I am joined tonight with other associates of mine from Prologis Tyson Chave, standing next to me who is the Vice President of Prologis responsible for development in the Inland Empire. Additionally we have Kim Snyder with us. Kim is the President of the Southwest Region for Prologis. Jim Jachetta is with us. Jim is the Project Manager who worked with Staff from the beginning on this project and who am I leaving out. I guess that's all and then we have Dennis Roy, the Architect on the project with RGA. I wanted to thank all of you; the Commissioners and Staff for and I know this is a special meeting and we took you out of your homes and lot more comfortable places than here tonight

and we don't take for granted and are very appreciative of that and in particular the Staff. I want to acknowledge them. They have been very responsive. They have been accommodating and very professional in every way to get us to where we are tonight, so John Terrell, Jeff Bradshaw and Chris Ormsby in particular. I wanted to cover four topics tonight and I'll try to be as brief as possible. I wanted to cover a few brief comments on Prologis for those who aren't familiar with us. I want to talk why we are here. I want to talk about project benefits and then I want to respond to some of the common concerns and questions that have been posed to us. I've asked Tyson Chave to cover the first two of those topics.

SPEAKER CHAVE – Thank you Pat. I wanted to briefly talk a little bit about who Prologis is for those of you who may not be familiar with us. Prologis is a publicly traded company with a strong balance sheet, low leverage and a global platform. We have a commitment to develop quality industrial buildings with a long term ownership structure as a public (?). Our focus is on quality, customer retention and corporate responsibility. I don't see the clicker, but just one slide forward. We put together just a brief slide to show a sample of some of our largest customers globally in the form of the logos that you see and there are some brief descriptions more specific to Southern California along the west side, but we've also included customer accounts on that slide as well. Locally Prologis owns 35 million square feet of industrial buildings in the Inland Empire and in February, Fortune Magazine named Prologis as one of the world's most admired companies and that was for 2014. Prologis was also ranked as the top real estate company for corporate or social responsibility and then finally I wanted to transition to why we are here.

In 2007, Prologis made a commitment to Moreno Valley for a variety of reasons but a few of the compelling reasons were that we felt at the time we would have the support of the community and the City for a quality industrial project that would bring jobs to Moreno Valley. We felt that at that time Moreno Valley was underserved and we still feel that Moreno Valley is underserved from an industrial perspective when compared with other cities within the Inland Empire. A lot has changed since 2007. The world has survived an economic disaster and we seem to be slowly recovering from that. Several recent industrial developments in Moreno Valley along the I-60 and I-215 corridor have occurred, but Prologis is here tonight to confirm that we are still committed to the development of a quality industrial project while being very sensitive and responsive to the issues surrounding a project of this magnitude. Now I'm going to have Pat Cavanagh finish the rest of our topics.

APPLICANT CAVANAGH - Thank you Tyson. I wanted to talk briefly about project benefits and also the response to questions and concerns. As it relates to the project benefits, we stated in our community outreach materials, which included the distribution of over 17,600 project brochures in early 2012 in an open house which we conducted in August of 2012 that the Prologis Park in Moreno Valley is expected to provide the capacity for a minimum of 600

permanent jobs and perhaps double that number when completed. This is based on a track record on our actual portfolio and not a hypothetical number. We have done research on this and we are comfortable making that representation.

As far as the fees and the improvements that are anticipated, we expect that the project will generate significant fees and street improvements and by way of example, a full build-out of the total impact fees and street improvements are estimated at 19.3 million dollars. That is just street improvements. That does not include buildings and it includes school fees at 1.1 million dollars, Police and Fire of 800 thousand dollars, nearly 3 million dollars in local flood control and area drainage improvements and street improvements of over 11 million dollars. That also includes a 2.5 million contribution to TUMF fees. The fee breakdown is located on our website. It is project specific and if people are interested in it, they can look at those fees referenced there.

There was a reference to solar and I wanted to comment that we have installed solar installations on over 12 million feet of buildings in the Inland Empire. There is not an industrial company that can probably come within; I mean it is clearly the most significant solar commitment of any company in the industry and that is a complicated subject that we probably shouldn't spend a lot of time on tonight, but it is something that we are focused on and we would certainly have all of buildings solar ready and LEED certified. That is a commitment that we make on any development project that we have. As far as the response to questions and concerns, the three most common that I hear are land use, job creation and traffic and air. I'm going to leave traffic and air alone because that has been addressed by the LSA Consultants.

As far as land use is concerned, the current zoning allows for development, so the issue really is the type of development that provides the greatest benefit for the community. Open space; at least in my opinion, when a General Plan has a designation for development is an unrealistic expectation over the long term, so I guess we ask what is the best use of the subject property for the community and I'll refer to the Rami and Associates Study that was done this last year. It was done to prepare a land use study for the City and the City leadership with a tool for future land uses in a defined area that included the Prologis property as well as other properties along the I-60 corridor. The consultant came up with three alternatives for consideration and a recommendation. Their preferred alternative included a suggested best use for the subject Prologis property which was consistent with our proposed plan and allowed for a possible expansion of the Auto Mall along the west side of the Prologis Project.

As an accommodation in working with Staff, we've come up with what I call the Auto Mall condition, which if we are approved would restrict us from developing the two westerly buildings for a period of 18 months from the approval date to allow us and the City to explore Auto Mall uses on those two properties. Job creation… I'm not going to spend a lot of time on this other than to say that

Tyson mentioned that the City seems to be underserved on industrial and to that end, we polled all the cities in the Inland Empire. There are 13 that we looked at. Moreno Valley is the fourth largest in terms of population and they are tenth in terms of industrial base. My interpretation of that is people are going elsewhere to work and they are living here and that I think hurts the City and the community at large. In conclusion, our intention and goal is to create an environment to allow us to grow our customer base in Moreno Valley and along with this will come jobs and increase the tax revenue, a best in class project, a finish to the industrial corridor already created with the Aldi and Sketchers projects on the south side of the 60 freeway, a buffer to future residential, infrastructure improvements and a more favorable impact to traffic compared to the current zoned alternative and an opportunity to expand the Auto Mall if the market supports that expansion. And with that I appreciate your time and we are certainly glad to answer any questions that you might have.

CHAIR VAN NATTA – Thank you

VICE CHAIR GIBA – I was curious. You started this project in 2007. Am I correct?

SPEAKER CAVANAGH – We acquired this property in 2007 and initiated the EIR process and in 2008 the market had virtually collapsed in the Inland Empire on all sectors, industrial included and we decided that if we continued with our entitlement we would get through the entitlement process and perhaps and most likely be in a situation where the entitlements we had would expire before the market recovered, so we stopped the entitlement process and waited for the market to return and in 2011 we started looking more seriously at re-engaging the entitlement process and got going full steam in 2012 and then there was a moratorium as you probably are aware put on a project area so that the City could do the land use study and that delayed us a year and so that expired in January of this year and we are re-engaged in where it gets us to where we are today.

VICE CHAIR GIBA – You referenced the Rami Study, so I'll come back to that at some point. I don't where that would be appropriate, where it is going to be you folks because we kind of jumped around a little bit. It's not the normal process we would do, but I was curious again. You started it in 2007, but that area out on the east side was never specifically zoned for warehouse, but more warehouse was specifically zoned for the 60, 215, Cactus and all that corridor out there, where in 2007 maybe you can answer this, when did Sketchers get built. Was that after 2007? Am I correct?

COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL – Yes is was submitted around… it was already known at that time but it wasn't built until later.

SPEAKER CAVANAGH – I think Sketchers probably didn't get completed until…

VICE CHAIR GIBA – 2010… so in 2007 there was no warehousing or any plan, didn't even specify having warehousing out in that area. I remember when I was brought on as a Planning Commissioner and Mr. Terell took me for a ride and said this area over there is considered joint use. We were looking at future housing and apartments and that type of construction, so in 2007 what made you want to purchase land and look at a large 2.2 million warehouse in an area that wasn't specifically designated for that type of housing or that type of building at that time.

SPEAKER CAVANAGH – Well a good question. We looked at a number of things. One is the proximity to the freeway and good access to freeway circulation. The property was already partially zoned for industrial in the form of Business Park, so it appeared the City already had it in their General Plan concept that it would be industrial, so we were presented the opportunity and we came in and met with most of the members of City Council at that time and went through a discussion of what we would need to do to get to the end line of what our concept of the project and it's 2.2 million feet, but it's in six separate buildings, so it's not a Sketchers kind of project. Sketchers is one building and it's a big building and we felt that the location was as good, maybe even better than most of the locations down the 215 corridor because of its proximity to the freeway and the City seemed to agree that it would be a good use and they liked what we were proposing and so we moved forward on it.

VICE CHAIR GIBA – I understand that that was zoned for Business Park and of course what part of your proposal is to change this zoning in the definitions so that we can increase the size of the warehouse. That's not what I would normally call Business Park, that's called warehouse park, so even though it might have been zoned as Business Park, you guys began to still look at it warehouse park instead of business park, but if I may, just for one moment, off of your own website, it just caught my eye, unmatched global platform specializing in infill location, owning and operating logistics facilities near seaports, airports and major highway interchanges. That site doesn't necessarily specify any one of those key elements of what Prologis looks for. That's why it was kind of a curiosity to me when I reviewed your site and went over some of your key elements on where you put facilities and why you put them there, that didn't seem to match very well and I'll stop for now and give my other Commissioners a chance to speak or anybody else, but I would like to come to the Rami Report as well because you mentioned three alternatives and that was something we had discussed last year in conjunction with Prologis and I just want to re-visit that issue because you did make very, very good points that I appreciate; land use and job creation.

APPLICANT CAVANAGH – The only comment I'll make…

VICE CHAIR GIBA – If they're going to be using that and you did reference and cite it so I could do the same, and they did say this report was done as a guidance document, it was never approved by the Council was it?

INTERIM PLANNING OFFICIAL ORMSBY – Correct, it was received and filed, so it is a guidance document.

VICE CHAIR GIBA – It was received and filed and never approved, yet if I remember correctly when we were sitting here and discussing that last year, it was a request for us to approve it and approve one of the plans, at least that's how I interpreted it at the time and I may be in error.

CHAIR VAN NATTA –Yeah, I think the understanding might have been a little twisted there because it was really only for us to review and to except into the record and not as an approval of a specific plan.

VICE CHAIR GIBA – And I understand that and so there were the elements in here that were giving guidance to the direction of the land use in those specific areas and so I think that is important and I think we need to come back to it because I think that is a major element of…

APPLICANT CAVANAGH – The only comment I'll make and I appreciate your comment about where Prologis wants to locate projects is we look at the Inland Empire in totally. We have projects in Rialto that are off of I-210 freeway that have been very successful. They are comparable somewhat in their proximity to ports and airports and the things that you mentioned and we looked in the Moreno Valley market and you go down the I-215 all the way down to Perris and you look at this site in comparison to those sites and I would stack this site up very well against any of those because of proximity to the freeway, so that is the primary attraction. We try to stay away from going places that are away from freeways because that kind of creates all kinds of issues that cities have and we have and our customers have so the primary driver is comparatively speaking to I-215 corridor. We like the I-60 corridor every bit as much.

CHAIR VAN NATTA – Excuse me, this is not a time for comments from the public in general. When you have your moment to speak it will be when you are at the podium.

VICE CHAIR GIBA – And please, just so you understand, I'm trying to clarify the thinking that went into the land uses in this… I've lived here for 30 odd years so I changes. I'm just curious why in 2007 you didn't have the same level of warehouse building that went on in the I-215 corridor, why Staff didn't kind of direct you over there saying we have other uses for this over here. Now I'm not saying anything about your project. Your project is beautiful, but I'm concerned about land use and future land use to build out, so I want to understand the value of putting it there versus putting it somewhere else back in 2007 and now. I

know the economy had to wait, so I had several other questions, but these guys know I'll ask them and it will take too much time, so I'll come to it. Is that okay with you guys?

CHAIR VAN NATTA – Sure.

VICE CHAIR GIBA – So, everybody else can get their word in edgewise.

CHAIR VAN NATTA – We're going to on to some questions from Commissioner Lowell but I did want to comment on the questions that we're asking, we cannot pre-suppose that somebody has complete autonomy about where they are going to put something. Sometimes it has to do with where the land is available and can be purchased and not just say well wanted to build this, where do we want to put it. Sometimes it has to do with what land is available or owned.

VICE CHAIR GIBA – We want to look at the whole package here. We want to understand the whole package and I'm sure all the folks out there want to know the whole package.

CHAIR VAN NATTA – I'm sure they would and I would like to see more questions that are directed specifically to this project so that we have a good understanding of the project before we begin discussing the advisability of going ahead with it or not, so go ahead Commissioner Lowell.

COMMISSIONER LOWELL – I had a pretty simple question. Do you know what the construction timeline is from breaking ground to completing the project with all the improvements?

APPLICANT CAVANAGH – Well I'll answer it two ways. To build a building takes about seven months. The time that it takes to get to the point where you build the building probably takes an equivalent amount of time, so if you said green light, nothing in your way, get going, probably the earliest you'd see a building there if we built it on spec; speculative development; an empty building, would probably be in the twelve to fourteen month timeframe. Now our intention today is we don't intend to break ground the day you say yes. A lot of what we do is solicit build to suit activity and a lot of what we do is sort create a pipeline of buildings so that we are strategic in when we are building and what we are building and we have other sites that we are involved in and this would… so that is a building. The totally of the project, I would say a project of this size with the number of buildings is five years from start to finish. I would be pleased if we were done in totally in five years; all of it built; all of it leased.

COMMISSIONER LOWELL – One of the options that we have is to basically install a moratorium for 18 months on the westerly portion of the project to allow the Auto Mall to hum and haw and decide what they want to do. What benefit

would that be to us if allowed that since Prologis already owns the property and it would be in Prologis' best interest to keep the property for themselves.

APLICANT CAVANAGH – It would be a benefit if you feel that having an expansion to the Auto Mall benefits the City.

COMMISSIONER LOWELL – But would Prologis be willing to either sublet or sell that property to the Auto Mall if they were interested.

APPLICANT CAVANAGH – We would be open to selling the land to an Auto Mall use if there was demand for it; sure. I mean we've acknowledged that. That is something that we are not opposed to doing. I'll tell you quite honestly. We've explored this and I'm not sure what the demand is. I think 18 months would certainly be enough time to figure out what the demand is. There is still vacant lots over at the Auto Mall that have never been used, so I don't know if the Auto Mall use a realistic expectation or if it's not. I have no idea.

COMMISSIONER LOWELL – That is correct. There is still room over there for expansion. I was just curious what the feasibility was and what the logic was behind the 18 months.

APPLICANT CAVANAGH – It was trying to define a period of time to allow the City and the Auto Mall and Prologis to explore that alternative because it seemed to be part of the Rami Study recommended plan that was of interest to at least some of the people on the Council when it was presented to them.

COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL – Yeah the other thing… John Terell, Community and Economic Development Director. The other issues was it was in all three of the alternative, the concept of allowing for the expansion of the Auto Mall, so it was consistent across all the particular alternatives that were presented there and that is why Staff in the report referenced that issue as opposed to any other land use issues that are identified in the study.

COMMISSIONER LOWELL – Is the Auto Mall the only option that we're looking for or is there any other kind of development like say a Jiffy Lube or some kind of small commercial business like development?

COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL – The SR60 Corridor Study specifically identified as it went through that process in talking to stakeholders and looking at various things about Auto Mall uses which could be that were loosely defined as dealerships.

COMMISSIONER LOWELL – Correct but the land is currently zoned as Business Park, so I was just curious if there was any interest in a Business Park type development…

COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL – I'm not quite sure…

COMMISSIONER LOWELL – Like Bob's Big Boy or a strip mall like a Subway sandwich shop or something along those lines that is more business park or more in line with the current zoning.

COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL – In any of those major uses that would have been permitted would still be possible. Let's put it that way. One of the uses that is not possible in a business park zone is an auto dealership.

VICE CHAIR GIBA – John could that at any given time though, just as we would request a zoning change or anything here, could the Auto Mall, even though… and part of this plan that you were specifying is one of reasons we need to change all the zoning is in case the Auto Mall wants to move forward and build a dealership, they would have to have that specific zoning. But a dealership could come forward and request a zoning change for a specific lot of property. Could they not independent of us doing anything with this…

COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL – That's correct yes. I think the point in the Staff Report points out that this proposed use as well as an auto dealership both require the same land use change. I think that's what really the Staff Report was meant to point out, you know whoever suggests or proposes that.

COMMISSIONER LOWELL – And then I had one more follow-up for the Applicant. I live fairly close to this area and I'm fairly familiar with the orange trees and orange groves that have been there for a long time and I drove by just about a month ago and I noticed that all the trees were gone. Do you know when the trees were removed?

APPLICANT CAVANAGH – We made the decision to remove the trees because there is a time of the year where you allowed to do that and then if you do not do it during that time of the year and the time of the year I think is from…

COMMISSIONER LOWELL – February 1 is the cutoff.

APPLICANT CAVANAGH – I think is September to February I believe it is. If you don't have them removed by February then you can't remove them until the following September.

COMMISSIONER LOWELL – That was actually what I was aiming towards; I was curious if you remembered the date they were removed if it was within that timeframe.

APPLICANT CAVANAGH – We had to remove them prior to the date that we were allowed to do it and I think that was February 1st.

COMMISSIONER LOWELL – So all the removals were completed before then?

APPLICANT CAVANAGH – Yeah

COMMISSIONER LOWELL – Did you happen to do any kind analysis that was required for post February 1st removal, if there was a specific environmental analysis and report that you have to do.

APPLICANT CAVANAGH – You have to do a nesting study. It's all related to…

COMMISSIONER LOWELL – Correct I was just curious because it is such a large area of trees that were removed. I was wondering if you did any kind of analysis on that anyway even though…

APPLICANT CAVANAGH – It was outside of the nesting season so there is nothing of that nature required.

COMMISSIONER LOWELL – It was just real close to that February 1st deadline, so just a little bit of a gray area. I was just curious if Prologis went ahead and did that study anyway or if not…

APPLICANT CAVANAGH – Well we were up against that day, so we wanted to be sure to have it done prior to that date so…

COMMISSIONER LOWELL – Just clarifying and I think that was it for my questions for the Applicant so far.

COMMISSIONER SIMS – I have a couple of questions on this. So I was looking through and I think was the Draft EIR and I want to go into the air quality questions, so I was looking at Section 4-4.3, specifically under the Section 4.3.1.3. There is a table in there that had data for ambient air quality in the project. Going back in looking at the monitoring station, it is not right at the project but it's in Riverside, Rubidoux area and it shows a listing of the ambient air quality for 2008, 2009 and 2010 and so I was wondering is there an analysis done with the air quality work that you've done supportive of the EIR that shows the delta of air quality between what we would consider pre-project and post-project.

APPLICANT CAVANAGH – I'm going to defer that to the air quality consultant with LSA if you don't mind.

SPEAKER BRUGGER – Good evening. My name is Ron Brugger. I'm with LSA and your question was did we analyze the air quality with and without the project?

COMMISSIONER SIMS – I'm not an air quality expert, so in looking at this I'm just asking the question. There was a table; your table 4.3.c ambient quality in the project and it is reflective of three years of data collected at Riverside Rubidoux monitoring station in Rubidoux I assume and anyhow it's showing a variety of different contaminants that is being monitored. The question is the project; is the ambient; has there been a model conducted showing what the effects to the air quality are and is there a delta plus or minus with or without the project that you could compare. So in essence with this table if you 2016 or you put 2035 what would that column through modelling be?

SPEAKER BRUGER – The simple answer to that is no. What the analysis focused on was several air quality effects primarily emissions. What the table is showing is are measured concentrations of pollutants at that location in Riverside Rubidoux area. That was the closest one. That is considered representative of the region even coming out this far. What you are asking is what the effects to those concentrations would be from adding this project and that analysis isn't done; that isn't really feasible. What we can do is analyze or predict based on the emissions models and so on what the total emission rates of pollutants will be and there are ambient air quality standards that say as long as the emissions stay below emission rates from the project, stay below rate thresholds, that the resulting concentrations at locations and that's what… the concentrations are what matter to health and to people breathing etc. and emissions are an indirect indicator. It depends on the wind. It depends on a variety of dispersion effects in terms of the pollutants getting become translated to concentration levels, so what the air quality analysis does is calculate the emissions from the project operations and says based on the regional thresholds that are set by the Air Quality Management Board for the area, these emission rates from the project are above and below thresholds. If they are above then that is considered a significant impact because their emission rates are high enough that the resulting concentrations will probably be above the ambient air quality standards and you know be significant from that standpoint.

COMMISSIONER SIMS – So in your analysis on the emissions have you exceeded any of the thresholds established by Air Quality Management District.

SPEAKER BRUGGER – Yes the project operations exceeds several I believe. It exceeded the emissions of NOX, CO and I'm sorry there are six criteria pollutants that we consider for which we have these thresholds. ROG is an organic gas and VOC is another name for it. NOX is an ozone precursor and CO is carbon monoxide, THOX is a result of the sulfur in fuel primarily, PM 10 and PM 10 2.5 are both sizes of particulate matter. This project operational

emissions are expected to exceed the emission rate thresholds for all of those except the THOX; the sulfur, because the sulfur content is so low these days.

COMMISSIONER SIMS – So with those exceedences of this, further into the report or before, I don't know which there was under 4.3.5.2, the operational acute health risk emissions impacts, there is a graphic that had contours of carcinogenic risk levels, so how does relate or how does a person in layman terms… when I read it I understand there is supposed to be risk of ten in one million people with potential for carcinogenic risk. The threshold in this project is acknowledged less than that in all cases but is there way to put it in layman's terms you know when you have an exceedence of an air quality limit, how is that dealt with, if at all through the mitigations that are proposed for the project and as far as this table 4.3.1 that shows these contours of carcinogenic risk, how does that kind of tie together… well it's too much of an open ended question but you're the expert.

SPEAKER BRUGGER – Well actually the health risk assessment you were referring to now is probably… the best way to answer your original question of how the operational emissions; how the operation of this project will affect the ambient air quality in the region in the area right around the project, so I guess we got sidetracked; I got sidetracked from your original question being based on the criteria pollutants and those ambient concentrations that are measured in Riverside Rubidoux. The health risk assessment is exactly focused on what the health effects to people living around this project will be from the air emissions from the operations of this project and it is focusing on all toxic air contaminants in that case, which is to say is a sort of special category of pollutants. Without getting into all those details the criteria pollutants; the NOX and PM 10 etc. are recognized as indicators of general problems and for the purposes of regional planning and other aspects that have very little to do with the effects of this individual project, that is where all those thresholds and emission rates have to do with is regional planning and regional air pollution.

The health risk on the other hand focuses exclusively on what the project does to the proximity of the area right around it and that is exactly what it shows is that all health risk assessments incorporate a lot of very conservative assumptions to ensure that they are protective of the health of the people that are in the area that is being analyzed such as the trucks; that the emission rates are expected or that are modelled for the diesel trucks; the big trucks that are going to be operating for this project, do not take advantage of what we truly anticipate to be regulatory improvements to reduce those emissions, so the health risk is assuming those improvements that are likely planned for and are likely to be incorporated but are not actually approved yet, those are ignored, so the health risk is protected in all ways that it can be and it comes up with what you can see in the report a health risk that is less than significant on the order of half of what the threshold being ten in a million, it is less than half of that.

COMMISSIONER SIMS – So that was kind of where I wanted to go, because when you read these numbers and you see carcinogenic risk is five in one million, you sure don't want to be one of the five, so…

SPEAKER BRUGGER – That's the problem with statistics

COMMISSIONER SIMS – Yeah so the pertinent perspective you have right in the heart of the project, there is a five, which is a five in one million and as you get out maybe 1,000 feet or so from the project you are down to one in one million risk. I guess can you put it in perspective what would be the air quality risk for a person just if you take the project away to kind of put in perspective, is a person's risk from emissions and contaminants that would be from emissions and just sitting in a room right here or being outside. If you are driving on the 60 freeway today is your risk one in a million or 20 in a million or is there a way to correlate that.

SPEAKER BRUGGER – Yes the South Coast Air Quality Management District has done three and is now in the process of a fourth study called the Mates Mobile Air Toxic Emission Standard (MATES) study where they in great detail measured monitored actual toxic contaminant concentrations throughout the whole south coast region, but here certainly as well and according to that report, while the toxic air contaminant levels and the health risks associated with those are better now than they were when they did the first study in the late 90's, there is still around 250 in a million cancer risk right ambient or the air we're standing in right here, that's about the health risk level of this ambient air; 250 in a million, so this project is going to affect that by a few, four or five… this isn't really valid but you could say we'll go from 250 to 254 or 255 in a million and that's a small percentage of the ambient health risk levels.

COMMISSIONER SIMS – Thank you

CHAIR VAN NATTA – Do we have any more specific questions about any of the presentation we've seen so far?

COMMISSIONER BARNES – Earlier when we were discussing transportation, there was a reference made to… it's for you, I'll get there in a second. There was a reference made to the impacts of the current land use designation and as it relates to this project, so there was kind of what we currently have and what we will have. Could you give us the same relationship in regards to air quality?

SPEAKER BRUGGER – I did not do that analysis. There wasn't an analysis made of anything other than what the project as proposed might do in the long term.

COMMISSIONER BARNES – Because there is a proposed use there and it will have an impact, so it's not like we're going from zero to this project, but we don't have quantified.

SPEAKER BRUGGER – Right

COMMISSIONER BARNES – Okay

COMMISSIONER SIMS – I do have one more. I'm switching from air quality. I'm done with air quality. The other one I had is that I live very, very close to this project. In fact my neighborhood touches your southeasterly corner of the project, so out of curiosity I was looking in the EIR on 4.1-10 and it's the view sheds from residents from the southeast of the site and there is and I don't know which… but it's a picture from if you are on Eucalyptus… now currently Eucalyptus looking it would be north and to the west, you no longer can see the hills from those homes. Is that because they are just blotted out, the buildings block the view shed from those property owners that live…basically is would these property owners…

APPLICANT CAVANAGH – Southeast… is that what you're talking about?

COMMISSIONER SIMS – All these people right in here no longer when they are looking out this way all they see is a wall of buildings.

APPLICANT CAVANAGH – Well let me… I don't know how much comfort I can give you in that regard, but I can give you some dimensions and that might tell you something. The distance from end of the cul-de-sac which is the street at the very southeast; the proposed cul-de-sac to the nearest point of the building is 366 feet, so if you were back from that it obviously gets further back. The buildings are going to be approximately 40 feet tall. That would be the height of the exterior wall, so I don't know what you would see if you were back 360 feet looking to the north.

COMMISSIONER SIMS – You're analysis shows what it looks like. You have a picture of it showing… you see the building and the pre-picture…you see; of course you see the mountains, the view shed you have out there. Here it's gone.

SPEAKER CHAVE – The line of sight study that you are referencing would be just one point where that was taken from, so the further you would go south along that residential neighborhood you know the building remains the same and so I don't know that it would definitively block the view of the mountains from the entirety of that project. The line of sight that you are looking at is from right on the property line.

COMMISSIONER SIMS – Yeah one specific spot. I get it. That property owner or that person that owns that property that has that current view shed is impacted directly to that property owner.

CHAIR VAN NATTA – Okay, I found that if I say Jeff instead of the last name I'm at least right half of the time. Okay, go ahead

VICE CHAIR GIBA – Just going back to the jobs issue, I just wanted to clarify a couple of things. You said there is anywhere from 600 to 1200 jobs that will be produced. Am I correct on that number that you were giving?

APPLICANT CAVANAGH – We feel real comfortable in that. We own as Tyson mentioned 35 million feet in the Inland Empire and we have polled a number of our buildings and business parks to get head counts on employees in those projects for the very purpose in making these kind of representations and I think 600 is conservative, but I don't want to promise something that doesn't happen. It's not one building; it's six buildings. They'll be a variety of uses. Some of the uses might be more intense and some less, but that is the main the project we polled, Prologis Park in San Bernardino County; the Kaiser Commerce Center; is five million plus square feet; nine buildings; Johnson and Johnson, LG Electronics, Sports Authority, Kellogg's, Walmart. Those are tenants in that park and the head count exceeded 600 by a lot in that project.

VICE CHAIR GIBA – All six buildings at final build out which could be as far as five years in the future, the estimate that you were discussing earlier is fairly accurate and are these automated warehouses or they standard types of warehousing.

APPLICANT CAVANAGH – They are very similar to what we are proposing to build here; same concept.

VICE CHAIR GIBA – I mean is level of automation in those warehouses or are these more… there is always a discussion of an automated warehouse versus a physical warehouse where you have the warehouse workers move things around versus… Do you follow me?

SPEAKER CHAVE - I think I understand your question. You know if you look at a snapshot of our 35 million square feet, we have very few on the order of magnitude of maybe five of the 90 buildings that make up that 35 million square feet that we would qualify as kind of highly automated. The vast majority of our projects are very typical warehouse distribution centers. They are automated to the extent that there is forklifts to pull product from the racking but they are not highly mechanized facilities, so I think there is a lot of buzz, talk about the Amazon's of the world and those type of facilities, but they are still a rarity and if you looked at the overall Inland Empire, you know that is 440 million square feet, I would say it's probably less than ten percent or probably less than five percent

facilities that are quote unquote highly automated, so if you looked at this project of 2.2 million square feet, I would venture to say that you know if a building was highly automated it would be probably above that kind of percentage of you know buildings that would have level of improvement.

VICE CHAIR GIBA – The labor necessary is not necessarily technical labor that they would have that would work at those sites or facilities. Am I correct in the context that they have to care of robotic equipment and things like that?

SPEAKER CHAVE – I think if you look at the job count that we created, I think you have you know basically every job that would make up that profile of how to run a warehouse distribution center, so you're question is somebody specially that would repair robotics within the facility and I don't know if we can answer that definitely within that job count.

VICE CHAIR GIBA – But do you have any kind of an average pay scale… I know these questions are going to come up at some point so I might as well air them know and get them out in the open so the folks can understand them. Prologis hires a lot of people so if there an average salary structure that people usually get hired at a Prologis facility but I think the better question for that is this may not be Prologis. Are these warehouses speculative type warehouses. You don't have somebody to move into them yet do you?

SPEAKER CHAVE – I guess just to clarify. Within the Inland Empire; you know the 35 million square feet, Prologis only employs 17 people within that 35 million square feet, so the actual employer would be the actual end tenant or customer within the facility, so it would be the…

VICE CHAIR GIBA – You don't have end tenant yet for these buildings that you are building at this point in time.

SPEAKER CHAVE – Correct

VICE CHAIR GIBA – Again referring to your website, there was many of those warehouse logistics buildings you built were built for a specific tenant, much like Sketchers was and Aldi's is going to, but these are not. Am I correct?

APPLICANT CAVANAGH – Well I mentioned earlier our intention initially would be to pursue build to suit opportunities in the market and at some point we would perhaps make the decision to build a speculative building within the project either the first building or maybe a second building in conjunction with the first building and we build, in a big year we might have two or three speculative projects going on. There is probably 15 or 20 speculative projects going on in the market right now that are marketed in its entirety and this market is primarily a speculative market. The companies that do what we do more often than not, would build speculative buildings. We wouldn't build two million feet of speculative buildings.

We would build a building and then we would lease it and we would build another one and then we would lease it and we would build another one and if we had a build to suit; fortunate enough to procure a build to suit on one of the buildings, we might do that building in conjunction with the speculative building and so that cycle I would guess would take four to five years to get it built out.

VICE CHAIR GIBA – So if I'm hearing you correctly then your intention is to build six buildings. Hopefully what you are trying to do is build to suit and as you get a tenant you build that next building. Is that your primary intention?

APPLICANT CAVANAGH – Well we would love that but that doesn't always work out that way.

VICE CHAIR GIBA – If that doesn't work can you give me an estimated timeframe that it usually takes for you guys to find a tenant for a speculative building?

APPLICANT CAVANAGH – Well we just finished a building in Redlands; an 800,000 square foot building and four months after the building was completed we had at least two; a company called Burlington Coat Factory. That is an example. We leased a building in Ontario. It was a 400,000 square foot building and that took longer. That probably took eight months to get leased. It ebbs and flows. The market is the market. We are in a competitive environment and we understand that but we are comfortable building speculative. We've made an enormous impact in this market doing that and I will tell you sort of one thing that I would… might give you some comfort is we have 35 million square feet and we have 98 percent occupancy. We have 2 percent vacancy, so we run very efficiently. We don't spend our money foolishly. We build it to own it and our job is to get them leased as fast as we can and the good news for us; the good news for you and the good news for the community is that the types of companies that we find gravitating to our projects are the largest companies in the world.

VICE CHAIR GIBA – The reason I bring that up is because there are going to be those that are going to be concerned about an empty warehouse sitting on land use that could have been used for something else while an empty building sits there.

APPLICANT CAVANAGH – Well my boss worries about that a lot more than you will.

VICE CHAIR GIBA – I bet he does. Okay, thank you very much.

CHAIR VAN NATTA – I guess the good news on that is as long as it is sitting there vacant, it's not creating many emissions, right?

VICE CHAIR GIBA – No, not a thing

CHAIR VAN NATTA – Some of these speculative questions are kind of like asking a girl when she plans to get married when she doesn't even have a boyfriend.

APPLICANT CAVANAGH – That's a good analogy; thank you.

CHAIR VAN NATTA – We don't really know till it happens. When we first saw the Aldi project, they didn't have a tenant, but then they hadn't built either until they had that built to suit tenant to go with it, so a lot of these things we're not necessarily going to have answers for but we are trying to get answers on as many of them as we can.

APPLICANT CAVANAGH – You know in answer to an earlier question you had about why we think this location is a good location and we didn't know in 2007, but I think the fact that Sketchers is out there and the fact that Aldi is out there, more or less support what we knew to be the case, which is the location that users would find acceptable and we feel that's going to be the case with our project as well.

CHAIR VAN NATTA – Okay do we have any other specific questions here?

COMMISSIONER RAMIREZ – Thank you gentlemen for coming out. I think my question might be directed towards Staff and has to do with the truck traffic flow. What measures do have in place to prohibit and prevent truck traffic from travelling south on Redlands Blvd. to Alessandro and Moreno Beach Drive to Alessandro and north to Ironwood?

TRANSPORTATION DIVISION ENGINEER LLOYD – Good evening Chair and Commissioners. This is Michael Lloyd with the Transportation Engineering Division. You're are referring to our truck routes which is governed within the City by our Municipal Code, so currently Redlands south of Eucalyptus is not a truck route, therefore they are prohibited from using the roadway and the enforcement mechanism would be working with the Police Department to enforce that, so they would either issue+ tickets, citations or whatever the means is to deter that from happening.

COMMISSIONER RAMIREZ – Very well, thank you.

CHAIR VAN NATTA – What about Moreno Beach, Alessandro, Cactus

TRANSPORTATION DIVISION ENGINEER LLOYD - Sure, I'll get out my figures so I can kind of expand my view.

CHAIR VAN NATTA – Thank you

TRANSPORTATION DIVISION ENGINEER LLOYD – Currently part of the Municipal Code; Moreno Beach Road is a truck route from the north side of State Route 60; the westbound ramps down to Alessandro Boulevard. Alessandro Boulevard is currently a truck route, all the way from Gilman Springs over to the I-215, so the entire distance across the City and Ironwood. I don't know if you asked about Ironwood, but Ironwood in the eastern part of the City is currently not classified as a truck route. Ironwood is only classified as a truck route between Pigeon Pass Road and Perris Boulevard. That's the extent of Ironwood being classified as a truck route.

CHAIR VAN NATTA – And Cactus

TRANSPORTATION DIVISION ENGINEER LLOYD – Cactus; the only place designed as a truck route is from the I-215 to Perris Boulevard, so once you're east of Perris Boulevard it is not classified as a truck route.

CHAIR VAN NATTA – So then if someone were to take Moreno Beach south, intending to take Cactus across, they would be at least for part of the way not on a truck route.

TRANSPORTATION DIVISION ENGINEER LLOYD – That is correct. They would need to utilize…

CHAIR VAN NATTA – But take Alessandro across which is commercial most of the way.

TRANSPORTATION DIVISION ENGINEER LLOYD – That is correct.

COMMISSIONER LOWELL – How about Nason Street?

TRANSPORTATION DIVISION ENGINEER LLOYD – Nason Street currently is not classified on any of it as a truck route. Now obviously trucks need to go from the freeway to say the shopping center adjacent to it, so they have the right to exit the freeway and go directly into the shopping center, however they do not have the right to say alright I need to go across the City or I need to go to Perris or some other locale and decide to utilize Perris or excuse me Nason to get that next destination.

COMMISSIONER LOWELL – How about long term parking overnight or over the weekends?

TRANSPORTATION DIVISION ENGINEER LLOYD – That would fall under… again we have locations within the City that accommodate commercial vehicle, the larger truck type parking areas. Off of the top of my head I do not recall all of them, however generally they tend to be located in an industrial areas with industrial collectors to provide that and the most immediate one that comes to

mind is down near Heacock and Iris. There is an existing collector roadway on the northeast corner and it's Revere Way. There is no buildings there currently, however the roadway is in place. Trucks are allowed to park there overnight.

CHAIR VAN NATTA – Okay, does the Applicant have any other presentations or reports that he wants to give us or if not we are going to move on with our public comments?

APPLICANT CAVANAGH – No I think we have said what we came to say.

CHAIR VAN NATTA – Okay did you have another question?

COMMISSIONER SIMS – What was the amount of TUMF fees that are being paid by the project in its entirety?

APPLICANT CAVANAGH – Approximately two and half million dollars.

CHAIR VAN NATTA – Okay thank you very much. At this point we are going to be open for public comments. I have a couple of pages of them here. Now do we have the timer working now? Okay can you keep the time and let us know because I get distracted if I'm trying to look at my watch, but you know if you can hold up a finger when are within a few seconds of the end and let me know so we can keep moving along. Okay our first speaker is Gideon Kracov.

SPEAKER KRACOV – Good evening Chair Van Natta and Commissioners. My name is Gideon Kracov. I'm an Environmental Lawyer appearing here on behalf of the Labor's Union, Local 1184 and there are 3,500 members who live and work in the County and I'm here respectfully to tell you that you cannot approve this project tonight. You must continue this item. Why… the Union timely submitted on August 31st, 2012, a 350 page comment letter. It included 29 pages of legal analysis, 22 pages of expert comments. It was the only letter to include comments from experts. I gave you copies of this letter. You have it tonight. It's not new. It's from 2012.

Unfortunately and I'm not pointing any fingers, our letter did not make it into the Final EIR as required by CEQA even though in the cover email I gave you and highlighted, it was received by your Staff timely, back in 2012. But a letter is not included and not responded to… nothing. There is a two page information request from us in the Final EIR; that's letter D1, but that is a different letter. It had a different cover email. The big letter of August 31st, 2012 that your Staff got, please look at the email I highlighted and also sent by overnight mail. It's not in your Final EIR. Staff told you tonight that the City received 13 timely Draft EIR comments. That's untrue. You got 14 and our email proves it. We brought this to Staff's attention, but it is very last minute, it's all very confused. We need time Commissioners to straighten this out. The City has to go back and continue this item, reopen the EIR with our letter.

CEQA requires that the City shall consider all EIR comments like ours. It shall prepare a written response that describes each issue. Failure to do so is terribly unfair and invalidates this EIR. None of that happened here. Our letter is not in the document. This would certainly invalidate any action, any findings, and any approvals that you take tonight. Now this is not something that can be ignored or punted to the City Council and it can't be sort of be ham and egged here on the fly tonight. On the Tract Map, you Commissioners are the decision makers; not the Council. How can you make that decision with a defective EIR? To sum up, mistakes happen. I don't know how this happened. We're trying to work through this with Staff. We haven't had a lot of time to figure this out. We have to face the facts and deal with it. Please, I know it's procedural. We not trying to play "got you" here and I know its last minute. It's no fun sometimes but in this instance unfortunately it means you have to continue this, reopen the EIR, respond to this very detailed comment letter, recirculate it and then it will come back to you. I'm sorry this is last minute, but we're trying to deal with this too in the most professional way possible and it's very unfortunate. Thank you.

CHAIR VAN NATTA – Thank you. Our next speaker is Tom Thornsley.

SPEAKER THORNSLEY – I'm still writing extra notes. Of course in three minutes I can't get that far; right? Okay I'm going to start out with a quick barrage of some questions. Don't need the answers right now? Will the project widen or pay the fees to widen Moreno Beach just south of the project site? You know all know where that bottleneck is. Also why is there no screen wall proposed along the freeway adjacent to building one? In the Statement of Overriding Considerations they used the economic benefit; the jobs benefit as part of why this project should go forward in light of the impacts that it imposes on the City.

Nowhere in this is there any form of economic analysis that indicates anything. There is no economic analysis provided to stipulate the economic benefits to the City that the City believes nor realize what source of revenues would be generated by this project. Additionally no analysis has been prepared to show the tax increment generated from this project that will keep up with inflation, increases for services to the property for such things as Police, Fire, sewer, water, road maintenance. Prologis maintains their properties. Prop 13 allows them to keep the tax rate at about one percent a year. Our inflationary rate as we've heard the Mayor mention for our Police alone is five percent, so it won't take too many years before our inflationary rate outstrips our ability to provide services.

Our City finally wrapped up its update of the General Plan sometime in 2006 and by 2007, one year later it appears now that Staff and Council began entertaining assaulting the General Plan and for the developers; for this developer and for Highland Fairview for considerations of Sketchers. All those areas that have been converted were Business Park. The current mix of land use creates…in this

area the current mix of land uses creates a community node with a Commercial, Residential and Business Park. Now we're being asked drastically to change to eliminate the mix which is in violation of our very General Plan goals cited in the EIR's goals number 2.1 and 2.5. They recommend a mix of uses. Over the past six years, the City has continually abandoned all the Business Park land use properties in favor of the Light Industrial for what now appears to be the soul purpose of allowing massive warehouses, completely displacing future opportunities for business development with a higher square foot job ratio. Recently the City analyzed this location with the SR 60 Corridor Study trying to find the highest and best uses that would benefit freeway exposure ergo the Auto Mall… so be it the Auto Mall or the… could utilize the exposure…

CHAIR VAN NATTA – That's the full three minutes. Thank you very much for your comments.

SPEAKER THORNSLEY – You should respect the General Plan at this time. Thank you.

CHAIR VAN NATTA – When we have very few speakers, sometimes we can allow a little bit of latitude, but we have a lot of people who want to speak. Thank you. George Hague is our next speaker. To save travel time, the next one is going to be Tyson Chave so you are aware.

COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL – Oh Tyson Chave is the Applicant Representative.

CHAIR VAN NATTA – Well his name is on here, so I didn't know if there was something else he wanted to say. After that would be Scott Thompson. Okay go ahead Mr. Hague.

SPEAKER HAGUE – George Hague, Moreno Valley, Sierra Club. If anybody in the audience wants to speak, please fill out one of these green slips to do so. I'm going to hand this letter in, in a few minutes. It has come to the Sierra Club's attention that the Law Firm of Gideon Kracov submitted a Draft EIR comment letter of several hundred pages on the Prologis project. Originally comments for tonight were based on the Draft EIR comment letters and the responses to those found in the Final EIR. Since the Draft EIR comments are not in the Final EIR which is posted online and over on the table, the Sierra Club believes it has been denied a chance to read these responses. Our comment letter would have been different. The project may have been modified and the Mitigation Monitoring Plan may have been different than what is before you now.

The Sierra Club strongly recommends that a new Final EIR, which includes their letter with responses with any necessary revisions in the document or plan, then recirculated to the public and a lot of other comments other than that, but that is important for you to decide tonight.

You talked a lot about traffic. Imagine yourself trying to go out on Moreno Beach and you are going to pull out right and go east on 60, you go up a grade, you have three trucks there in front of you. Trucks take a lot of time to move. It's not the same as cars. They can't compare what's happening with what was there as supposedly as houses and what is going to be there for trucks. There is a huge difference. You should also be able to condition them to build an acceleration lane on the freeway to deal with this so we don't get stuck behind them and we can pull around them. Their traffic analysis only went three miles. That is why it stopped at Nason. It doesn't stop at Nason. It keeps going on to the 215 or from the 215 to Nason. We should know what's happening at all those other intersections. It should happen. There may need to be additional improvements just as they recommended at Moreno Beach and Nason. That's where they stopped because that's all the study did. You need to push them all the way so you have the knowledge before you actually vote on the project and hopefully you will.

With all the changes in the General Plan that have come forward and modified, in my opinion now, our General Plan is generally inconsistent and has become even more so and this project is just making this happen. Also our TUMF fees…they are based on our General Plan. Well this project helps change our General Plan and therefore our TUMF fees don't really recognize part of this project as part of what is supposed to happen. That's happened with other projects that are going on. We keep changing. I will submit a letter with all my other comments.

CHAIR VAN NATTA – Okay thank you very much. Okay then our next speaker will be Scott Thompson.

SPEAKER THOMPSON – Good evening. My name is Scott Thompson. I too live over on the east end of town. I'm right off of Redlands Blvd. and I have issues with all the warehouses that are going in over there. I don't know if you guys have been on the road in the morning at 7 o'clock since we put the stop sign in and the signal light in, but the traffic is already backed up clear to the stop light and even further. When I watching that little traffic report there, none of the cars are really stopping and gathering like they normally would today. Now some of that might be yielded because of the signals, but also over on Moreno Beach we have the same issue going on right now. You drive over there. You go all the way up to Alessandro. You've got traffic all the way back; almost to Cottonwood now, so I mean there are a lot of things that aren't happening that should be and I don't think that traffic report really represents what is going to happen. A lot of the flow was going on and it was moving and it wasn't really stopping. It wasn't gathering at the places where it should gather and when you add a truck and two trucks and three trucks, it gets even worse, so I see that as being one of the biggest problems.

The other problem is we're building warehouses right next to a neighborhood that was already developed. Again, Sketchers, you know and now this and I think that most of this area was meant to be residential, especially up Redlands Boulevard and you are kind of converting it into warehouse space and I don't think this is a great plan; a good idea and I think you can stop making some of these mistakes by stopping this project. Some other things I have is obviously the property values in this area have gone down as everybody's did in the economy. They are just now starting to come back up and then to put warehouses right next to it is not going to help the property values at all. Me trying to sell my house…

CHAIR VAN NATTA – Can you please not interrupt the speaker.

SPEAKER THOMPSON - …me trying to sell my house in five or ten years if I want to leave or want to leave because of all the warehouses being built and the possibility of the WLC being built you know I don't think I have a chance, so this community and your motto is dreams should soar, well this is becoming a nightmare for me. I'm watching all this stuff happen around me and I feel like even as an individual in this community, it's not getting respected that we have already have lived here and now you're developing these areas that are not for us. I don't know what they're for. Six hundred jobs; really? We have over six hundred homes in that area and all you're saying is one job; six hundred jobs? I know, I'm for jobs. I work for a living. I create jobs too, but six hundred jobs to develop all of this? All these stop signs; all these roads; all these improvements; all this and for what, six hundred jobs. Isn't there a better way to come up with six hundred jobs? We have vacant warehouses over by Lake Perris. We have vacant warehouses over by March Air Force Base. Why don't fill some of those up and those will bring you six hundred jobs. There is many more to say and I too will put my comments in through email, the rest of them and I'll let others speak.

CHAIR VAN NATTA – Thank you very much for your comments. Our next speaker is Hans Wolterbeek followed by Brandon Carne.

SPEAKER WOLTERBEEK – Good evening. Section 8.2 in the EIR asks how this project will affect SR 60 traffic and specifically I ask if WRC impact has been addressed. The response from Prologis states in the document that the 2035 analysis includes the evaluation on the effects on the City of a project larger than the WLC. I will assume that this has been done in such areas as trip generation and the associated impacts on air quality and the SR 60 truck traffic. The total impact of this facility and the Aldi facility will be about ten percent of the probable WLC facility in the next fifteen years. Ten percent is not an insignificant impact. I personally think that the traffic study should have included the 215/60 interstates. I think we need this as the current truck point. The 215 and the 215 is a target of Prologis. Daily truck trips will be 2,000 for this project alone. This is higher than my evaluation of the WLC. AQMD states that the result of these trips, the

impacts of the air quality of the Prologis project by itself exceeds Federal and State standards, so when we combine the ten percent of Aldi and this facility with the proposed WLC we'll have a real problem. The City states it believes that the trip generation rate for the Prologis is too high. The problem is we don't know the identity of the tenants so it's difficult to verify this assumption, but I tend to agree with the assessment with traffic evaluation based on some other recent studies. However there is no reason to assume that the air quality impacts from trucks will be less than stated in the response. No one knows the true impact on air quality due to trucks in a basin like ours… no one. All we can say is that will have a known degradation in air quality.

The City will control truck traffic trips from this facility through the City, but how will this prohibition be enforced and who will pay for it and how will various regulations such as idling time be enforced to citizens in the local area can be assured of proper control of the air quality. AQMD has stated they want to cooperate with the City and with the developer. We do not know what we will get in air quality. Will you agree to support and help finance the implementation and operation of an air quality station in the eastern part of Moreno Valley. This facility will provide jobs in Moreno Valley, but will you support and help finance the implementation and operation of a program in Moreno Valley to learn about warehousing so people can actually move up; the people you hire. Thank you.

CHAIR VAN NATTA – Thank you very much for your comments. Brandon Carn following by Darryl Terrell.

SPEAKER CARN – Good evening Planning Commission. I first want to make known that this project seems to be placed at a very silly geographical location in Moreno Valley. I think it was purchased in the short term wildness of cheap land prices during the real estate bubble that ended in 2008 in a national global recession and I don't think it was planned out very well because many of the projects like Walmart and other projects like residences and things were not built or planned at the time, so there was no long term planning when these warehouses were planned. Traffic cannot be mediated now at Moreno Beach Drive. If you don't believe me compare the school traffic, people commuting to San Bernardino County in the early morning hours around 8 o'clock in the morning. The light isn't working property. Sometimes there is construction going there and Nason. Now when they finally finish the Nason Street Bridge after two and half years that was overdue, so traffic realistically is not going to be mediated here or along Redlands Boulevard or any other structure that is going to be built. Another thing is we don't need more warehouses in Moreno Valley that have no tenants.

These are six buildings the tenth of the size are of what we probably have now available just in square footage in warehouses that have not been filled. People have easily a million to two to three million square footage of warehouses that are being leased out by Lee and Associates. If you don't believe me drive down

Frederick to Cactus. There are tons of buildings or land that is vacant lots now that is not yet been developed into warehouses. There is plenty of it. We also should not bring in tenants unless they are bringing in something in the on the retail commercial level. When Aldi is coming its bringing stores to the local area. It's also bringing more logistics and truck facilities in the area. We need to fill in a lot of vacant space that was left over from the urban sprawl from that real estate bubble.

Another thing is in five years there is going to be… the demand… the economy is going to be a lot more improved and what is going to be in demand then is residential development and retail once again as Moreno Valley is famous for. Warehouses are going to be a thing of the past unless they are supporting a local chain of businesses. There are going to be tons of more homeowners and retail businesses and parks and schools eventually built out there. That is Moreno Valley's end game when development… when build-out is completed in the 2030's.

Also we don't utilize any of the infrastructure that we currently have for warehouses. We have a March Global Port empty with almost no vacancy. We have land that could be annexed by the City from the GPA that could be a logistics facility. We could use… we're building a March… March is building a General Aviation Airport and that could be used for hangar space and logistics. Last month a program for the Perris Valley Line Project; the Metrolink service that is eventually coming to Moreno Valley next year to Perris, Menifee and other communities. The long term goal of that project is to build a freight line for rail back down to San Jacinto and other communities as it used to be many decades ago, so in the long term that's the area that's going to have the most right of way in logistics for logistics. The freeway is wide enough already, but we also need to keep in mind as that with recently President Obama was discussing cutting the budget and the military size. March is not going to be military facility forever. It was eventually downgraded in the 90's to reserve status but eventually it will not be an Air Force Base facility anymore. It is going to close someday.

CHAIR VAN NATTA – Thank you very much for your comments.

SPEAKER CARN – Norton, George and Victorville did the same thing, now their logistics. We need to build and counteract that negativity.

CHAIR VAN NATTA – Could I just comment to the public that if you have something you want to say, turn in a comment card and you can come up and speak, but when you are clapping over what the person is saying, it can sometimes interfere with our ability hear the presentation.

SPEAKER TERELL – My name is Darryl Terrell. I live in Moreno Valley. The Prologis group; this is your land, you can do whatever you want within the confines of the General Plan. I'm not against development, but I'm in favor of

responsible development. I'm here tonight because it's time to put our people and our kids and their future first for a change. We all share a common belief that we want our kid's dreams of tomorrow to eclipse our greatest hopes of today. As I said to the City Council Tuesday, Moreno Valley could be much more than a blue collar city. We could be a white, brown collar, green collar or any collar because I believe in our kids and our people and their God given ability to raise the bar and set their sights even higher beyond a blue collar City. There is nothing wrong with blue collar jobs because I have one and my dad as I said before, I've got two of them, but we could be much more than that. Our kids deserve more.

Our people deserve more for a brighter future and greater economic opportunities. We could be a City where all collars are welcome to our General Plan. We could be a 21st century city. We have all the tools to achieve this in the existing General Plan and diversify our economy and building a (inaudible) a green, a research and development light factory, a biomed (?) economy and creating everlasting prosperity, a sustainable economic growth that will provide our people with a living wage or a career that would lift them out of poverty and keep them off of the freeway and closer to home and most importantly provide a future for our kids to come home to after College. We must give our people hope and raise our kids and their aspirations and their future and their dreams in (inaudible) and not (inaudible).

It's time to raise the bar now. It's time to put our people; our kids and their future first for a change because we have enough warehouses right now. It's time for us to start thinking about building something. We have never attracted businesses that build, manufactured or building something that can lift people out of poverty because our kids don't want to come back here because there is nothing for them to come back to. It's time to start thinking forward to the new global economic frontier of the 21st century. That's where our future lies right now because we're going to be 21st century city. Then we've got to look forward; not backward. Logistics is going to have its time, but what about beyond that where our kids, if we want to have an establishment like Riverside, then that's what we have to look for bringing our kids home. Thank you.

CHAIR VAN NATTA – Thank you very much Mr. Terrell. Our next speaker is Lindsay Robinson followed by Jaime Moreno.

SPEAKER ROBINSON – I'm not a public speaker so bear with me. I'm not opposed to the business park being built as it zoned. I am opposed to them coming in and asking to change the zoning so more warehouses can go in when it should be residential. I researched the zoning before I purchased my property here. This is someplace I wanted to retire and stay. I don't know if I would be able to afford to leave. I participated in the process with City Staff and other residents to come up with the General Plan to build out the eastern end that was satisfactory to everyone. I think it is unfair that people with money and

speculators can come in and get these zone changes in. We had a great General Plan for that area; schools, small business, light industrial, business parks. Schools would have brought better paying jobs, longer term jobs than warehouses, however the zone change that allowed Sketchers to come in has negatively affected the whole area down there. I'm asking… well we know that warehouses; his warehouse in particular did not bring in the promised jobs nor the revenue to the City. We were told that it only brought in 200 thousand when he was telling us it going to bring two million. I'm asking that you please do what is morally right and ethically correct thing and do not permit any more zone changes for warehouses on the eastern end. They are detrimental to our health and wellbeing of the residents and don't bring the jobs and revenue.

Regarding traffic, she brought up if it was built out residential, how many vehicles it would be versus the trucks. I did not hear that they included for the 600 to 1200 employees; their vehicles added to that mix plus any clients, customers etc., we would have all that traffic also and then also the Rami Overlays. I attended that meeting and as we all know from Marcelo Co's testimony, overlays have been used to circumvent the zone change process. The current General Plan was not presented to the people, only these three alternatives that have been kind of crammed down everyone's throat as well as what are the three we can choose from and I still think the original General Plan is the best one for the eastern end of Moreno Valley. Thank you.

CHAIR VAN NATTA – Thank you for your comments. Our next speaker is Debra Coggins Ortiz followed by Melody Lardner.

SPEAKER COGGINS ORTIZ – Hello Commissioners. I love you guys; really I do. You have a lot of power in your hands and I know that a lot of what we are seeing pretty much doesn't have a chance against more warehouses being built in the area, but I love you guys anyway and I love Jeff too, wherever he is. I understand it's his property and he would like to make some money and do business and I'm sure he's a very smart businessman, however I have lived in Moreno Valley almost 30 years and raised my family here. We started out in a little biddy new house and moved to a second house as our family grew and then purchased our house in the east end 16 years ago where we absolutely loved it and I am north of the freeway off of Redlands Boulevard right on the corner of Juniper and Redlands Boulevard and nobody has brought up the fact that that is a truck route that goes through San Mateo Canyon and all the traffic goes through there as a short cut to get to Loma Linda, Redlands, the 10 freeway or whatever.

Ever since Sketchers has been built, truck traffic has increased past my house and either of you are welcome to come to my house anytime you like. When the trucks go by my windows rattle and I have to stop and think is that an earthquake or a truck and that's a hell of a way to live. If more warehouses get built there, that will increase as well. I keep hearing everyone talk for years about how we

all want to put Moreno Valley on the map. What kind of map? The king, world capital of warehouses? Is that what we want for our families and our community? I say no. I say logistics and all of California stinks and warehouses are just because we've lost all business and we're importing all of this junk from other countries that we are filling our stores with.
What I would like to see and what I would like the Commission to create is a possibility for making Moreno Valley a haven and have a reputation for being open and encouraging for small businesses to come here; for manufacturing to come here so that American products can be made here and so we don't have to import all this junk from overseas. Thank you.

CHAIR VAN NATTA – Thank you very much. Melody Lardner followed by Bob Palomarez.

SPEAKER LARDNER – I'm Melody Lardner. I live south of this project in Moreno Valley. I'm again concerned our City is trying to change our General Plan. The Plan was a document developed with the City in conjunction with the residents in a vision of how we wanted to City become and this warehouse complex is a far cry from our vision. I'm concerned that the high density housing that was supposed to be there is now going to have to be relocated which happening with every new project that changes our General Plan.

Truck traffic mixed with cars is a big concern. I commute through the Redlands warehouse area and traffic accidents are increasing between cars and trucks there. Potholes are increasing in the roads out there and this City here doesn't seem to have the money to always fix potholes and there is getting to be more and more of them around our City. I also am concerned about the traffic on Moreno Beach like was pointed out. It's a bottleneck and a truck route. I'm concerned… I won't repeat the Highway 60 stuff. I'm concerned with noise from this project because I read that it was going to be 24 hours operations and at night sound really travels. I can hear the freeway at night, so I'll hear this at night too.

I am concerned with the diesel exhaust as others have talked about. I am concerned this development may increase run-off into the Quincy Channel because they are taking away a couple of the smaller channels that absorb the water. I don't know if the detention basins can handle some of these storms we've been having. We've seen what the storms can do in just one event, how much soil can move; how much water can move. This project… I am concerned if this does get approved about lighting to make sure that the dark standards are enforced and also if they have skylights that the light is not coming up from those at night if they are operating 24 hours.

If you do approve this development, the landscaping looked pretty skimpy. Sketchers promised lush us landscaping and if that's the definition of lush landscaping then that's a far cry from what we need to see to screen these

buildings from view especially around the perimeter. There are nice apartments that have nice views. Right now they'll just see buildings and a little wimpy landscaping. There are some good examples of some warehouses in Redlands that have nice landscaping and setbacks and built below grade. I'm not sure if all that is going to be done here and then they said they would build them to accommodate solar panels but nowhere did they promise solar panels. I would like to see you know that is a lot of ground being covered with cement and asphalt and it would be nice if we take advantage to help with the climate change and global warming and maybe bring utility costs for residents in the area and make the City a greener City and I would like to see the parcels if you do approve this, closest to the Auto Mall, give the Auto Mall a little more chance than 18 months. The economy is just barely picking up and making a centralized Auto Mall makes sense for that area and that what was intended. So anyway, thanks for listening and I have a copy of the letter I can submit.

CHAIR VAN NATTA – Thank you very much. Okay Bob Palomarez is next followed by Craig Givens.

SPEAKER PALOMAREZ – Good evening Commissioners. I'm here to speak on my behalf. I am in support of this project. I am concerned with the size of it because a lot of this stuff that we've heard, even the gentleman who came up here at the last minute and professed that he has the answer to everything, those are the same people that said thing when Sketchers was on the drawing board; you know the same concerns; the bumper to bumper traffic on the 60 freeway. I don't see it. I know there are concerns but you know they just don't want it out there, but I know you'll make the right decision based on everything that you receive; you know paperwork. These people, that's their land and if they meet City, State and Federal guidelines and go beyond it, why should you deny them. They have been denied seven years, but this City has been denied since 1986 for these kinds of projects. I am concerned with the size, but I'm looking at the big picture. I mean the City of Riverside, threw their two cents in saying they are concerned with the pollution. I don't think they came to this City and told us we're going to build a lot of warehouses on the south side of the 215. Do you have any concerns? Of course we do. But they didn't give us a courtesy, but yet they'll get in the Press Enterprise and say that they're concerned. They aren't concerned. They just don't want anything here period. You know these people are entitled to their due. Thank you very much.

CHAIR VAN NATTA - Thank you. Craig Givens followed by Jonathan Lipscomb.

SPEAKER GIVENS – Good evening Planning Commission. I'm here to oppose approval of this project. If I can look and just read something that Highland Fairview sent out dated February 28th. It said that it's an opportunity, when they are talking about the World Logistics Center, for our City to meet its potential as one of the nation's leading warehouse centers. Now if that is the only potential that Moreno Valley has is warehouses, that's pathetic. You represent the people

of Moreno Valley and the Council. These projects are in the interest of the developers and not in the interest of the people of Moreno Valley.

The people want more than just warehouses and if we look at our industrial area; the Joint Powers area, we have plenty of warehouses and more room for more to come. The gentleman that came up here talking about the project said that normally they look for ports, freeways, airports and rail lines. Now there is no port here but three of those items are in the Joint Powers area. That's where our industrial section is and to the gentleman who says that he would have to leave. You don't have to leave. You can joint our movement to remove every single appointed and elected leader that believes we should be in an industrial warehouse city. The people out there, you need to support what we're out here doing in the community. You don't have to give up, you have to fight for the type of city you want. They have a view of a warehouse, industrial city. We don't share that view and we have to use our voice and our votes to make the changes that we need in Moreno Valley so that we will be a first rate city; a city that we can be proud of; that our young people can look forward to living in and that we can proposer in. We have a place for warehouses. It's in our industrial section.

CHAIR VAN NATTA – Thank you very much for your comments. Jonathon Lipscomb followed by Debra Craig.

SPEAKER LIPSCOMB – Good evening. I agree with many of the things that have been put forward tonight as far as the concerns with air quality and traffic and such. There were a few things that I'd like to direct my comments to. It came up while Pat Cavanagh was speaking. As mentioned by one of your Councilmembers, Prologis began this project as a warehouse park in 2007 when the property was zoned as a Business Park. Obviously Prologis in 2007 had no concern for the Moreno Valley General Plan or what the vision for the area was, or its business park intentions, but rather was solely concerned with its fiduciary vision for delivering dividends to its shareholders via development of a warehouse park.

Now obviously warehouses provide lots of jobs; 600 jobs at warehouse pay is not going to give you a whole lot of tax revenue. If the laws have already been structured to reduce tax revenue for large scale businesses and developers of this type, you can't count on that for revenue either, so you're at a loss and taking on a liability for the sake of a well moneyed and possibly well intentioned developer may be counterproductive to the community as a whole. Beyond that, the Sabian (?) site was and is that the ideal site for Prologis' project according to the company's website was spoke earlier today, is a major port or harbor or other sort of hub, which Moreno Valley really isn't, except for perhaps the fact that it does have a potential maybe airport in the future and a lot of highway access and some roads that can be converted over. With that idea then, this project was created to exploit the region as a hub even before the idea of the development or the General Plan was presented.

This vision that they wanted to share with us has nothing to do with us except for the fact that we have a potential for an airport and a bunch of highways that they want to exploit. Beyond that strategic hub, perhaps their Moreno Valley vision was seen to be more to exploit us than anything and I would think that you're responsibility to us as a community would be beyond that and that focusing on small business and manufacturing would help get us beyond a short sided goal. Thank you.

CHAIR VAN NATTA – Thank you for your comments. Debra Craig followed by Scott Heveran.

SPEAKER CRAIG – Good evening. I came here just to get information. I didn't plan on speaking tonight, but then when I heard the presentation on the traffic report and they said they didn't include the traffic leading up to the 215 and 60 freeway, I had to speak. For the record I live in District 2. I don't even live on the east side but I am against this project. I am teacher in the District. I live a mile from my school. I don't even have to get on the freeways and I'm sure Prologis is a really good company but the City Council they just recently approved Aldi warehouse and they said they might have 250 stores that they will be delivering to and that's already adding truck traffic to our freeways, so I don't know how in good conscientious this City Planning Commission can approve this project. How could you do this to the people who are already sitting on the 60 freeway sitting stuck in traffic? I just don't understand why. It's not worth the 600 jobs we might gain. I've often that the right thing to do is often the hard thing to do, but in this case I think the right thing to do is really easy. You should just say no to this project. It's really a no-brainer. Thank you.

CHAIR VAN NATTA – Thank you for your comments. Okay our next speaker is Scott Heveran followed by Brian Sharrow.

SPEAKER HEVERAN – Good evening. First of all I'd like to thank the Commission and I guess the City Council for televising these things. I watched my first one last week. Chairwoman Natta said Moreno Valley is a beautiful town surrounded on three sides by beautiful views, beautiful mountains and it is and during that meeting that was about possibly bringing in higher end homes. Of course you know it seems to be the motto of this City is aim low. You know it was said that we can't build high end homes because we're not Temecula. We're not 30 miles closer to San Diego and I believe one the Commissioners said we're 30 miles closer to Vegas. What happens in Vegas stays in Vegas, but what I would suggest to you is that we're 30 miles closer to the mountains. We're 30 miles closer to Coachella Valley, to Palm Springs, but the logic of that is anybody closer to San Diego would be a more affluent City and that's just not true. The problem with Moreno Valley is that we don't choose to be; we don't choose to aim high. We choose to aim low. I don't understand why you would go to such trouble of re-branding a section of the City as Rancho Belago and then turning it into warehouses.

Nobody I know bought a house in Moreno Valley thinking well one day we'll just have all these warehouses here. How can you turn a bedroom community into a warehouse community and just expect the citizens to go along with it. The whole idea of changing the General Plan is a bad idea. First of all, the City is under a cloud of corruption. Now the Council can blame the citizens for drawing attention to that, but by not looking at that and not trying to show the City and the rest of the community that we are thinking of the citizens. We're not giving the developers whatever they want. That's how you clean up the City's image, not by changing the General Plan at the whim of the developer. Now they say that this project is going to bring in x amount of traffic and pollution. Well that's not cumulative. You have all these warehouses going in with the big monster coming down the road of the World Logistics Center. All of these things are going to brand Moreno Valley as a warehouse City. That's not a good thing.

CHAIR VAN NATTA – Thank you for your comments. Our final speaker is Bryan Sharrow.

SPEAKER SHARROW – Hi, thank you for your time. I'm probably maybe one of the newest residents here. I've lived here for about three months. I've been out here since 1979, grew up in Nuevo, went to Perris High School, moved out to the May Ranch Development out there when it was just nothing more than potato fields all around where I lived and I saw the bigger master plan businesses coming in and it was proposed that they wouldn't be a burden to our community. Well they were. The noise was horrible. I mean you can argue whatever you want on any kind of study, but I was a resident and I sat there listened to these trucks in the middle of the night going beep, beep, beep backing up and what not. Well that wasn't the big problem. The big problem was really the freeways that weren't designed to hold that. Not only the roads and the damage they did to it, but the freeways was really a problem to where I see it's going to be a huge problem where I live now up on Moreno Beach Drive just north of there.

That exit is designed for two people going left and right and they are night timed properly, especially on the north side. If you guys could do something about that, that would be great, but anyhow the problem that I see that really should be looked into, aside from this whole concept which I'm not a fan of; sorry, is that on the Ramona Expressway where I lived off of, the added truck traffic alone, not to mention all the vehicles that were involved backed up that freeway oh I'd say a good mile and unfortunately there were a lot of accidents caused because people would try to get way up front and dive in there and it wasn't designed ever to hold all the people on the side of the shoulder, which is actually for emergencies not for regular traffic stopped, so then you come up here to where you're out on the freeway, which your study didn't really cover and I'm thinking guys you've got to deal with that because we're merging from Nason onto Moreno Beach to the freeway and then you've got people exiting on Moreno Beach Drive and I see a lot of truck traffic going to be piling that up and I'm trying to get in there as a resident and not to mention there are 600 jobs.

I'm for job creation; absolutely fabulous, but how many people are going to suffer. You know when I leave in the morning for traffic purposes, it's a nightmare. So now all the people coming from LA for this 2,000 trucks or whatever, going to be coming in here and creating more traffic in the morning for me and then leaving, more traffic at night. I don't see how that helps us. I think there is maybe better ideas hopefully on putting this location out at March or something like that. I think there are areas that are developed for this. I'm not here to point fingers or to say you guys are doing a bad job or anything, I would just hope that you would take it into consideration what the people here are saying and maybe do due diligence and so thanks.

CHAIR VAN NATTA – Thank you very much for your comments. Seeing no other speaker slips having been handed in, I'm going to close the Public Comment Section and I do have a couple of questions for Staff on a couple of the items that were brought up during the public comment if I may.

COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL – Do you want to ask those in advance of the rebuttal by the Applicant?

CHAIR VAN NATTA – Oh, actually I would because there might be something that could be included in their rebuttal. So one of them was and this would be for our Economic Development Director here. There was some comments about all the vacant warehouses we have in town. Do we? Are there a lot of warehouses that haven't been leased or spoken for?

COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL – As of today, there are two vacant warehouses in Moreno Valley. One is on Cactus and the other is down in the south industrial area. Together one is about half a million square feet and the other is about 600,000 square feet and those are recently completed and are not leased, so yes there are two vacant buildings in Moreno Valley. That is approximately five percent of the current inventory in town.

CHAIR VAN NATTA – Would that be considered a good percentage of occupancy factors?

COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TERELL – Well I'm sure for those people who own those buildings, it's not a good percentage. Across the region the vacancy rate on warehouse logistics, which also includes manufacturing, they all use the same kinds of buildings is right around 10 percent or a little bit less, so the vacancy rate in Moreno Valley is not higher than average. It's somewhat lower than average, so it's not an anomaly.

CHAIR VAN NATTA – The other question that was brought up was about the trucks going north on Redlands and we had asked about truck routes and you

had mentioned that south Redlands is not a truck route. Is it still a truck route north?

TRAFFIC DIVISION ENGINEER LLOYD – Yes that is correct.

CHAIR VAN NATTA – And that's because it goes through to Redlands and…

TRAFIC DIVISION ENGINEER LLOYD – Correct into the County.

CHAIR VAN NATTA – Okay then at this point the rebuttal from the Applicant if there was anything that they want to address that was brought up in the public comments.

APPLICANT CAVANAGH – There was a couple of things that I wanted to comment and I'm not going to go deep on all the comments. A lot of it is dealt with in the Traffic Study and I'll leave that alone. There is a couple of things. One is the notion that it would be much better to have business park designation and build business parks as the General Plan allows for and I would tell you that that segment of the market was probably the hardest hit; maybe as bad or worse than the residential market. It's still slowly recovering. It will take a long time to recover and it's a different kind of market. We have an average size building in the Inland Empire of about 300,000 feet. That's our average building size. In Los Angeles our average building size is about 60,000 feet, so we know this market. We know the market for business parks because we own a lot of it in Los Angeles and you generally end up with smaller companies, poor credit and more vacancy. It just comes with some baggage so I guess my only comment is that if we thought that business park was a viable good workable idea in this location, we would be pursuing that and we just don't think that makes a whole lot of sense in this location for anytime in the near or long term.

One of the things that was cited in the Traffic Study and I want to just make a point of it is the Traffic Study conducted for the proposed project shows a 47 percent reduction in daily trips when the proposed project is compared to the General Plan build out condition. According to the study, it can be reasonable to conclude that air pollution emissions would be correspondingly reduced, so I'm just pointing that out because it seems like I hear a lot of comments that if we just build it to General Plan it will be so much better and what will happen if you build it to the General Plan is that you will have a significantly larger amount of traffic to deal with, so it doesn't go away, as a matter of fact it gets worse and I wanted to make that point. They were comments about landscaping. I mean I would invite anybody that was interested to be objective to look at the projects in Redlands that we built that's close by. We own five million feet in Redlands. I think they are beautiful buildings. They are landscaped with a high degree of care and I think the comment was we need more landscaping. Look at what they did in Redlands; not they being us, but I think the buildings that they are talking about are the buildings we own.

COMMISSIONER LOWELL – Are those buildings typical of your … sorry Commissioner Lowell up here. Are those buildings typical of the landscaping that you'd be proposing here on this project?

APPLICANT CAVANAGH – Very much so; yes.

COMMISSIONER LOWELL – Could you provide a couple of addresses for now or after the meeting? I'd like check those out?

APPLICANT CAVANGH – I'd be glad to do that. And I stayed away from solar in my earlier discussion because it is a complicated concept and the reason I stayed away from is that generally speaking for you to install solar on a roof there has to be a buyer and the buyer is typically the utility company and Moreno Valley has their own utility company. We have met with your utility company and we've talked about our solar program. There is an opportunity to do something there, but it is more on Moreno Valley's initiative than ours. We just wouldn't build a solar installation for millions of dollars on a roof and not have anybody to use it, so I don't want to get too deep into the weeds on it, but solar is complicated. There is nobody doing more of it than us. We would love to have a further discussion with your utility provider to see if we can incorporate that into what we are doing, but the one thing that we do is we set the buildings up so that they can accommodate solar, so that down the road if the utility decides that they want to have that installation we can do that. And the last comment is there was no subterfusion in 2007. We were not trying to undermine the General Plan. We did not have an agenda that was inconsistent with what the City Council members knew about and bought into at the time and you know a lot of time has gone by and the Council is different and we understand all that. We sat down with the Council members at the time before we made the decision to spend 40 million dollars on this site and we had buy in. They felt the plan was good. The concept was good and the product was the right product and here we are today and there is a lot of people pointing fingers at people that I don't think is entirely appropriate, so thank you.

CHAIR VAN NATTA – Thank you very much. Okay at this point normally we would go into our Commissioner Discussion, but I think we have an issue here that we need to talk about and decide what to do and that is that we were given a large piece of information here, five minutes before the meeting started and I'm trying to get some direction as to was this submitted in a timely manner? Do we have… does the email confirm that and if it was, do we have a defective Environmental Impact Report because this information was not addressed and I'm going to ask the Attorney?

CITY ATTORNEY CURLEY – I'm glad you did. Well I'll give you a good lawyerly answer. I can't answer that. The point being because it did just come in; CEQA is a complex law as you well know. We would want to be able to thoughtfully and carefully look at the history of this, look at what their letter covers, look at what

our responses have done. Perhaps those items are already addressed and isn't known. The two main issues are was the information received timely? Was the letter received and does the current environmental information address it? If it doesn't; yes the re-circulation reprocessing would be in order. You do it when there is significant new information. That is the CEQA buzz word that you use. If there isn't significant new information, then you don't. You would just augment the Final EIR that you have and move it along. With that amount of paper and the care that we want to attribute to this, shooting from the hip tonight is not what we would recommend. A recommendation is you can continue it to a date certain and I'd say to the next meeting unless Staff thinks otherwise. Let everybody get their arms around the facts and details; give you the right information so that you can make the right decision. That's how we could properly advise you. It may be just hunky dory and it may not; we'll sort that out.

CHAIR VAN NATTA – That was kind of my take on it, that continuing this meeting to a date certain. I didn't want to do this earlier in the meeting because we have a lot of people here who had things they wanted to say and we want to be able to get that information without telling them you came out here for nothing and come back another day, but I think receiving this amount of information, not having any opportunity to even look at it and see if it is something that should have been included, I don't think those of us who got it at the last minute are comfortable with that.

CITY ATTORNEY CURLEY – And Staff echoes that and I echo that.

CHAIR VAN NATTA – Okay, then this particular Agenda item, do we have motion to… would we do it that way… a motion to continue it to a specific date?

INTERIM PLANNING OFFICIAL ORMSBY – Yes but we would recommend it to a date specific which would be your next regular meeting of April 24th.

VICE CHAIR GIBA – I thought it was the 27th?

CHAIR VAN NATTA – Okay, we have another meeting

INTERIM PLANNING OFFICIAL ORMSBY – We do, but that would not be adequate time and if we did need to re-notice the Final EIR it wouldn't be adequate time to that.

CHAIR VAN NATTA – Okay, so then would I ask for a motion to continue this Agenda item to our meeting of April 24th and then we would take action on that?

CITY ATTORNEY CURLEY – That would be in order

VICE CHAIR GIBA – I make that motion that we continue it to April 24th.

COMMISSIONER BAKER – I'll second it.

COMMISSIONER LOWELL – I wanted to second it

CHAIR VAN NATTA – Okay you can third it

COMMISSIONER LOWELL – I third it

CHAIR VAN NATTA – Okay all those in favor and we'll do it by roll call vote.

COMMISSIONER SIMS – Yes

COMMISSIONER LOWELL – In light of the information, I vote yes

COMMISSIONER BAKER – Yes

COMMISSIONER RAMIREZ – Yes

COMMISSIONER BARNES – Yes

VICE CHAIR GIBA – Yes

CHAIR VAN NATTA – Yes. All ayes and the motion passes. This item now goes to our next; not the meeting scheduled for March but the meeting scheduled for April 24th and Staff is requested to give us a report on what has been discovered as far as when this was received and if it should have had an impact on the EIR. Okay so other business.

STAFF COMMENTS

INTERIM PLANNING OFFICIAL ORMSBY – With regard to Staff Comments I would just mention that for the March 27th meeting you have the same two items I believe I briefed you on last time which is smaller warehouse project not too far from City Hall; Veteran and New Hope area, which is 366,000 square feet approximately and then you have also an Amended CUP for a use on Sunnymead Boulevard. So you'll be seeing that as well and those will be the two items. We're also hoping to bring forward the Study Session to at least begin talking or discussion on the Overlay Zones that we already have in place and introduce the concept of Overlay Zone and so forth at that meeting as well.

CHAIR VAN NATTA – Are there any other Staff Comments?

INTERIM PLANNING OFFICIAL ORMSBY – I didn't have any other Staff Comments?

VICE CHAIR GIBA – Are we having another one for the Hillside Residential Zoning?

INTERIM PLANNING OFFICIAL ORMSBY – Well we were… Yeah we'll have to see how the dates play out now with this project going for April, but we're probably looking at May for that.

COMMISSIONER LOWELL – I have a general comment. I had a comment for Staff. I noticed on the Prologis project that the conditions of approval are somewhat out of date. There are conditions of improvements for Nason Street and Moreno Beach and whatnot that have already been done. Is there any way we have of updating the conditions of approval before our next meeting so we can review those in association with the project?

INTERIM PLANNING OFFICIAL ORMSBY – We can certainly review that. We should have adequate time to look at any of that. I don't know if some of those are perhaps mitigation measures of if they are actually…

COMMISSIONER LOWELL – Some of them are adding a turn lane on Nason Street and a two lane center turn pocket and other things like that and revised striping and Nason has been improved; Eucalyptus has been improved, so items like that would be nice to address.

INTERIM PLANNING OFFICIAL ORMSBY – Okay we'll take a look at that further.

COMMISSIONER LOWELL – I appreciate it. Thank you.

PLANNING COMMISSIONER COMMENTS

CHAIR VAN NATTA – Any other Commissioners have comments? I do have one comments. I would request could we get the air conditioner to be on a little bit earlier in the evening. I don't think I was the only person up here who was uncomfortably warm.

INTERIM PLANNING OFFICIAL ORMSBY – We will certainly try to do that.

CHAIR VAN NATTA – Thank you I would appreciate that for our comfort and the audience or public as well.

AJOURNMENT

CHAIR VAN NATTA – Okay may I have a motion to adjourn?

COMMISSIONER BAKER – I move we adjourn

COMMISSIONER LOWELL – I'll second

CHAIR VAN NATTA – All in favor raise your right hand and say aye. Motion carries. We are adjourned.

_____ _____

Chris Ormsby Date

Interim Planning Official

_____ _____

Meli Van Natta Date

Chair

PLANNING COMMISSION STAFF REPORT

Cases:	PA07-0081 - Zone Change PA07-0082 - General Plan Amendment PA07-0083 - Master Plot Plan including Building 2 PA07-0084 - Tentative Parcel Map 35679 PA07-0158 - Plot Plan for Building 1 PA07-0159 - Plot Plan for Building 3 PA07-0160 - Plot Plan for Building 4 PA07-0161 - Plot Plan for Building 5 PA07-0162 - Plot Plan for Building 6 P07-186 - Environmental Impact Report
Date:	April 24, 2014 – Continued from the March 13, 2014 meeting
Applicant:	Prologis
Representative:	Prologis
Location:	South of State Route 60 and east of Moreno Valley Auto Mall, at Fir Avenue (Future Eucalyptus Avenue) and between Pettit Street and the Quincy Channel.
Proposal:	General Plan Amendment and Zone Change from existing Business Park, Business Park Mixed-use, R15, R5, and RA-2 land use designations to Light Industrial for 122 acres. The land use changes are required for development of six distribution warehouse facilities totaling 2,244,419 square feet with building sizes that range from 160,106 square feet to 862,035 square feet. The applicant also proposes Tentative Parcel Map No. 35679 to subdivide the project site into six parcels. A General Plan Amendment is also required for proposed changes to the City's circulation element and the Master Plan of Trails. Approval of this project will require certification of an EIR.
Recommendation:	Approval

SUMMARY

The applicant proposes to develop a 2.2 million square foot industrial park on 122 acres subject to approval of a General Plan Amendment and Zone Change from BP, BPX, R15, R5 and RA-2 to LI, and certification of a Final EIR.

PROJECT DESCRIPTION

The applicant, Prologis, has submitted ten applications for development of the Prologis Eucalyptus Industrial Park Project, which include a General Plan Amendment, Zone Change, Master Plot Plan, related Plot Plans, a Tentative Parcel Map, and an Environmental Impact Report, in order to develop a 2,244,419 square foot industrial park on a 122 acre site (Assessor's Parcel Numbers 488-330-011, 012, -013, -017, -018, -019, -020, and -021) located South of State Route 60 and east of Moreno Valley Auto Mall, at Fir Avenue (Future Eucalyptus Avenue) and between Pettit Street and the Quincy Channel.

Background

A public hearing for this project was held on March 13, 2014. At the meeting information about the project and the related Final Environmental Impact Report (FEIR) was presented to the Planning Commission by Planning Division staff and representatives from LSA Associates, Inc. who prepared the FEIR. Following the staff report, comments were taken from the applicant and interested parties and residents.

The speakers included Gideon Kracov, an attorney representing Laborers International Union of North America (LIUNA). He was concerned that a second of two comment letters submitted by Lozeau Drury, LLP on behalf of LIUNA in response to the Draft Environmental Impact Report was not included in the Final Environmental Impact Report.

It was verified at the meeting that the City had received a second letter dated August 31, 2012, that should have been included in the FEIR. Following discussion with staff, the Planning Commission determined that the most appropriate action was to continue the item to the Commission's April 24, 2014 agenda, to allow for time to update the FEIR to include the August 31, 2012 letter and responses to the letter.

Following the March 13, 2014 meeting it was determined that there was an inadvertent omission in the distribution and tracking of the August 31, 2012 letter. Planning worked with LSA Associates, Inc. to update the FEIR to address the concerns raised in the letter. The FEIR was then redistributed to all agencies and interested parties and published on the City's webpage. Notice of the status of the FEIR and the Planning Commission's April 24, 2014 meeting was published in the newspaper, posted at the project site and sent to all property owners within 300 feet and all interested parties.

ENVIRONMENTAL

Final Environmental Impact Report

Responses to the fourteen comments received during the 45 day review period, including the August 31, 2012 letter from Lozeau Drury, LLP, are included in the Response to Comments. The updated Final Environmental Impact Report (FEIR) was mailed to all interested parties and responsible agencies on April 4, 2014, to allow for their review prior to the Planning Commission hearing on April 24, 2014.

The City issued a press release referencing the updated FEIR and the continued Planning Commission meeting and the updated Final EIR along with the Draft EIR and technical studies were provided for public review at City Hall, the City Library and posted on the City's website.

The concerns raised in the August 31, 2012 letter including segmentation of the project, loss of farmland, hazardous materials and soils, greenhouse gas, and air quality, have been addressed in detail in LSA Associate's response to comments.

Planning worked with LSA Associates, Inc. to provide responses to each of the concerns raised in the letter.

The site was previously surveyed for pesticides and removal of a former underground storage tank was documented and determined to result in no significant impacts in the Draft EIR. The following mitigation measure has been added by LSA Associates, Inc., in response to concerns raised in the letter, even though impacts would remain less than significant without the additional measure:

- **4.6.6.1A** Prior to issuance of a grading permit for the project, a qualified contractor shall test onsite soils for contamination by agricultural chemicals. If present in concentrations above established actionable levels or thresholds, these materials shall be removed and transported to an appropriate landfill by a licensed contractor. This measure shall be implemented to the satisfaction of the Building Division including written documentation of the disposal of any agricultural chemical residue in conformance with all applicable regulations.

The above mitigation measure has also been added to the conditions of approval for the project.

<u>Significant and Unavoidable Impacts</u>

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts. 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 Final EIR document, these impacts are considered to be significant and unavoidable.

Where a project's impacts 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 Air Quality, Biological Resources, Cultural Resources, Hydrology and Water Quality, Noise, Transportation, and Greenhouse Gases and Global Climate Change. All other environmental effects evaluated in the EIR are considered to be less than significant, or can be adequately mitigated 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 and forward a recommendation to City Council. Before the proposed project can be acted upon, the City Council will need to review the final environmental document, receive public testimony and either certify or reject the EIR and project Mitigation Monitoring Program.

NOTIFICATION

Public notice of the April 24, 2014 Planning Commission hearing 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 received a comment letter from Caltrans which is included as an attachment to the staff report.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No's. 2014-09 and 2014-10 and thereby recommend that the City Council take the following actions:

1. **CERTIFY** that the Environmental Impact Report (EIR) for the Prologis Eucalyptus Industrial Park Project (Attachments 5 and 6) has been completed in compliance with the California Environmental Quality Act; and

2. **ADOPT** the Findings and Statement of Overriding Considerations regarding the Final EIR for the Prologis Eucalyptus Industrial Park Project, attached hereto as Exhibit A to Attachment 2; and

3. **APPROVE** the Mitigation Monitoring Program for the Final EIR for the proposed Prologis Eucalyptus Industrial Park Project, attached hereto as Exhibit B to Attachment 2; and

4. **APPROVE** General Plan Amendment application PA07-0082 as shown on Exhibit A to Attachment 3; and

5. **APPROVE** Zone Change application PA07-0081 as shown on Exhibit B to Attachment 3; and

6. **APPROVE** Master Plot Plan PA07-0083 and related Plot Plans PA07-0158 through PA07-0162, subject to the attached conditions of approval included as Exhibit C to Attachment 3; and

7. **APPROVE** Tentative Parcel Map 35679 (PA07-0084), subject to the attached conditions of approval included as Exhibit D to Attachment 3.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

Chris Ormsby, AICP
Interim Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2014-09
   Exhibit A – Statement of Overriding Considerations
   Exhibit B – Mitigation Monitoring Program
3. Planning Commission Resolution No. 2014-10
   Exhibit A – General Plan Amendment Map
   Exhibit B – Zone Change Map
   Exhibit C – Plot Plan Conditions of Approval
   Exhibit D – TPM 35679 Conditions of Approval
4. Public comment letters
5. Final Environmental Impact Report – April 2014
6. Draft Environmental Impact Report

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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: PA07-0081 - Zone Change
PA07-0082 - General Plan Amendment
PA07-0083 - Master Plot Plan including Building 2
PA07-0084 - Tentative Parcel Map 35679
PA07-0158 - Plot Plan for Building 1
PA07-0159 - Plot Plan for Building 3
PA07-0160 - Plot Plan for Building 4
PA07-0161 - Plot Plan for Building 5
PA07-0162 - Plot Plan for Building 6
P07-186 - Environmental Impact Report

APPLICANT: Prologis

OWNER: Prologis

REPRESENTATIVE: Prologis

LOCATION: South of State Route 60 and east of Moreno Valley Auto Mall, at Fir Avenue (Future Eucalyptus Avenue) and between Pettit Street and the Quincy Channel.

PROPOSAL: General Plan Amendment and Zone Change from existing Business Park, Business Park Mixed-use, R15, R5, and RA-2 land use designations to Light Industrial for 116.99-net acres. The land use changes are required for development of six distribution warehouse facilities totaling 2,244,419 square feet with building sizes that range from 160,106 square feet to 862,035 square feet. The applicant also proposes Tentative Parcel Map No. 35679 to subdivide the project site into six parcels. A General Plan Amendment is also required for proposed changes to the City's circulation element and the Master Plan of Trails. Approval of this project will require certification of an EIR. This item was continued from the 03/13/14 Planning Commission agenda to ensure the preparation of a Final EIR that would include responses to all comment letters submitted during the 45 day review period for the Draft EIR.

ENVIRONMENTAL DETERMINATION: Environmental Impact Report

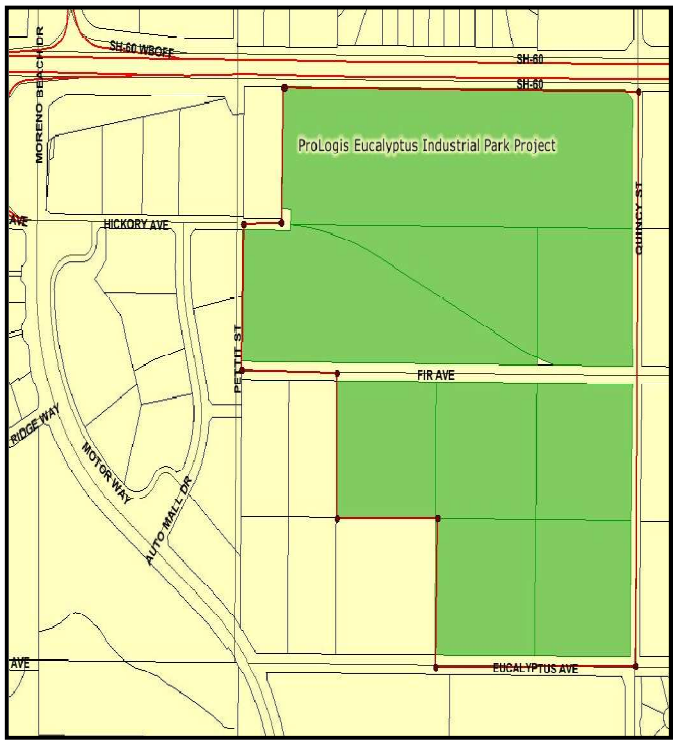
COUNCIL DISTRICT: 3

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 6:00 p.m., Monday through Thursday and 2nd and 4th Fridays from 7:30 a.m. to 1:30 p.m.), 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: April 24, 2014 at 7 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

ATTACHMENT 1

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PLANNING COMMISSION RESOLUTION NO. 2014-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT (P07-186) AND ADOPT THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATION AND APPROVE THE MITIGATION MONITORING PROGRAM FOR THE PROLOGIS EUCALYPTUS INDUSTRIAL PARK PROJECT.

Section 1:

WHEREAS, the applicant, Prologis, submitted applications for the Prologis Eucalyptus Industrial Park which include an Environmental Impact Report (P07-186), a General Plan Amendment (PA07-0082), a Zone Change (PA07-0081), Master Plot Plan PA07-0083 and related Plot Plans for a total of six buildings. The development of the industrial park include a total of 2,244,419 square feet of warehouse distribution space on 122 acres (this application also includes an 862,035 square foot warehouse facility on 39.32 acres), Plot Plan PA07-0158 for a 168,342 square foot warehouse distribution building on 8.84 acres, Plot Plan PA07-0159 for a 160,106 square foot warehouse distribution building on 8.5 acres, Plot Plan PA07-0160 for a 339,015 square foot warehouse distribution building on 15.66 acres, Plot Plan PA07-0161 for a 390,102 square foot warehouse distribution building on 19.29 acres, Plot Plan PA07-0162 for a 325,038 square foot warehouse distribution building on 17.55 acres, and Tentative Parcel Map 35679 (PA07-00084). A General Plan Amendment is also required for proposed changes to the City's Circulation Element and the Master Plan of Trails. The above applications shall not be approved unless the Final Environmental Impact Report (P07-186) is certified and approved;

WHEREAS, the applicant, Prologis, and the environmental consultant, LSA Associates, 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 February 4, 2008 for the Notice of Preparation (NOP) of a Draft EIR for the project. The public review period of the NOP was February 4, 2008 through March 4, 2008. A public scoping meeting was held in connection with the NOP on February 13, 2008 in the Council Chamber at City Hall;

WHEREAS, the applicant, Prologis, and the environmental consultant, LSA, worked with the City 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 July 18, 2012 and ending on September 4, 2012;

WHEREAS, the City has prepared responses to comments on the Draft EIR received during the 45 day comment period, which have been included in the Final EIR;

WHEREAS, on April 12, 2014, 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 Prologis Eucalyptus Industrial Park 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 July 18, 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 Prologis Eucalyptus Industrial Park Project, including, but not limited to Aesthetics, Agricultural Resources, Air Quality, Land Use and Planning, and Transportation;

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 March 13, 2014**,** the Planning Commission conducted a public hearing to consider the Final EIR for the proposed project and continued the item to their April 24, 2014 agenda;

WHEREAS, on April 24, 2014**,** the Planning Commission conducted a public hearing to consider the Final EIR for the proposed project;

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 April 24, 2014, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. **Independent Judgment and Analysis –** The Final Environmental Impact Report represents the City's independent judgment and analysis.

FACT: A public hearing was conducted by the Planning Commission on April 24, 2014, during which opportunity was given to address the adequacy of the Final Environmental Impact Report. All comments on the Final EIR raised during the public and agency comment period and at the Public Hearing(s) on the project were considered by the Planning Commission.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2014-09, recommending that the City Council:

1. **CERTIFY** that the Final Environmental Impact Report (EIR) for the Prologis Eucalyptus Industrial park 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 Prologis Eucalyptus Industrial Park Project, attached hereto as Exhibit A; and

3. **APPROVE** the Mitigation Monitoring Program for the Final EIR for the proposed Prologis Eucalyptus Industrial Park Project, attached hereto as Exhibit B.

APPROVED this 24th day of April, 2014.

_____
Meli Van Natta
Chair, Planning Commission

ATTEST:

_____
Chris Ormsby, Interim Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

_____
City Attorney

Attachments

Facts, Findings and Statement of Overriding Considerations
Regarding the Environmental Effects and the Approval of the
ProLogis Eucalyptus Industrial Park
(State Clearinghouse No. 2008021002)

I. INTRODUCTION

The City Council of the City of Moreno Valley (this "Council"), in certifying the EIR for the Prologis Eucalyptus Industrial Park and approving Tentative Parcel Map 35679 and a Site Plan authorizing the construction of up to approximately 2,244,638 square feet of distribution warehouse space (the "Project"), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report ("EIR") was prepared by the City of Moreno Valley ("City") acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). Hereafter, unless specifically identified, the 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 and Reporting Program ("MMRP") 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 eastern portion of the City of Moreno Valley. The Project site consists of ten parcels totaling approximately 122.8 net acres located south of and adjacent to SR-60, east of Moreno Valley Auto Mall, and adjacent to and west of the Quincy Channel.

The Project site is vacant and supports mainly weedy vegetation. The major road that provides access to the Project site is Eucalyptus Avenue. Land adjacent to the Project site includes vacant land east and south of the proposed Project site, SR-60 to the north, and the Moreno Valley Auto Mall and the City of Moreno Valley Fire Station No. 58 northwest of the Project site. Existing single-family residential uses are located approximately 50 feet southeast of the southeastern corner of the Project site.

2. Project Description

The Project site is approximately 122.8 acres in size. The proposed Project includes the construction and operation of a warehouse facility comprising six buildings consisting of a total of approximately 2,244,638 square feet. The Project site is divided into northern and southern areas. The northern area, north of the future Eucalyptus Avenue, would contain approximately 1,030,377 square feet of warehouse uses divided between two buildings (No. 1 and 2). Development in the southern area, south of the future Eucalyptus Avenue, would consist of approximately 1,214,261 square feet of warehouse uses divided among four separate buildings (No. 3 through 6). The master and individual building plans, including grading, landscaping, elevations, and selected line of sight plans. The proposed Project includes the construction of asphalt/concrete surfaces in parking and driving areas, and landscaping along the perimeter and roadway frontages.

The Project site is currently designated Residential in the City's General Plan. The site is zoned as Business Park (BP), Business Park/Mixed Use (BPX), Residential 15 District (R15), Residential 5 District (R5), and Residential Agriculture 2 (RA-2). The zoning is not consistent with the existing General Plan land use and the Project is not consistent with the General Plan and zoning. Therefore the Project will require a General Plan Amendment which would change the designation to Business Park and a Zone Change that would change the zoning of the site to Light Industrial (LI).

3. Actions Covered by the EIR

The EIR will support the following discretionary and non-discretionary approvals:

- General Plan Amendment to amend the Land Use Element resulting in a change of land use designations for the southern portion of the project site (approximately 71.3 acres) from Residential 15, Residential 5, and Residential Agriculture to Business Park.
- General Plan Amendment to amend the Circulation Element including (1) elimination of undeveloped Quincy Street from Eucalyptus Avenue to Encilia Avenue; and (2) realignment of Encilia Avenue from its current alignment such that its westerly terminus is located at Moreno Beach Drive instead of the current General Plan westerly terminus at Eucalyptus Avenue. The segment between Quincy Channel and Moreno Beach Drive would be classified as a Collector.

- Change of Zone resulting in a change from Business Park (BP), Business Park Mixed-Use (BPX), Residential 15 (R15), Residential 5 (R5), and Residential Agriculture (RA-2) to Light Industrial (LI) on the project site.
- Modification of the Primary Animal Keeping Overlay (PAKO) zone district per the recommended change of zone.
- Modification of the Master Plan of Trails to eliminate trail segment along the west side of the Quincy Channel north of the future Eucalyptus Avenue and add a segment along the north side of Eucalyptus Avenue from the Quincy Channel to the west boundary of the project site.
- Approval of a Master Plot Plan and five related Plot Plans.
- Tentative Parcel Map approval.
- Certification of the Environmental Impact Report.
- Final Parcel Map, public improvement agreement, and related securities approval.
- Issuance of an encroachment permit for any construction work done in any City-controlled ROW. Encroachment permit issuance requires approval of improvement plans, public improvement agreement execution with securities posted, and satisfying those conditions of approval required prior to grading.
- Approval of a Storm Water Pollution Prevention Plan (SWPPP) to accommodate site runoff during construction.
- Approval of a Preliminary Water Quality Management Plan (P-WQMP) and Final Water Quality Management Plan (F-WQMP) to mitigate for post-construction runoff flows (non-discretionary).
- Issuance of a Grading Permit that requires approval of a grading plan, approval of the final drainage study, approval of the F-WQMP, obtaining an Notice of Intent and Water Discharge Identification Number, obtaining a WQMP#, and satisfying those conditions of approval required prior to grading (non-discretionary).
- Issuance of a Building permit. The comprehensive building permit includes building, plumbing, mechanical, and electrical permits (non-discretionary).

Approvals and permits required by other agencies include:

- Approval from the City and Riverside County Flood Control and Water Conservation District (RCFCWCD) to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions and downstream water quality is not worsened
- Approval of Quincy Channel improvements from the RCFCWCD
- A Section 404 Permit from the U.S. Army Corps of Engineers (USACE)
- A Section 401 Water Quality Certification from the Regional Water Quality Control Board (RWQCB)
- A Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife (CDFW)
- Encroachment permits from Caltrans for any construction work done in any State-controlled right of way(i.e., SR-60)

B. PROJECT OBJECTIVES

The Project Objectives include the following:

- Provide industrial warehouse facilities that meet the substantial and unmet demands of businesses located in the City and County;
- Provide new industrial development that is attractive and minimizes conflicts with the surrounding existing uses;
- Provide a variety of new employment opportunities for the citizens of Moreno Valley and surrounding communities;
- Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors;
- Encourage new development consistent with the capacity and municipal service capabilities;
- Provide infrastructure improvements to meet phased Project needs in an efficient and cost-effective manner;

- Cluster industrial warehouse uses near access points to the state highway system to reduce traffic congestion on surface streets and to reduce air pollutant emissions from vehicle sources;
- Develop land uses that provide the City with a positive revenue/cost ratio and provide needed infrastructure in a timely fashion;
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersection or road segments; and
- Reduce peak hour vehicle trips, energy and water consumption compared to existing General Plan 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 Notice of Preparation/Initial Study and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On February 4, 2008, 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 February 13, 2008, 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 public review period ran for 30 days, from February 4 to March 4, 2008. Written comments on the NOP were received from 22 different agencies, organizations, and individuals. The scope of the issues identified in the comments expressing concern included potential impacts associated with:
    - Change in use from established General Plan and zoning designations. This issue was discussed in Section 4.1, Aesthetics, and Section 4.8, Land Use, of the DEIR;

- Short-term and long-term air pollutant emissions including dust and diesel particulates from truck exhaust that could negatively affect nearby residential uses. This issue was discussed in Section 4.3, Air Quality, of the DEIR;

- Short-term and long-term noise impacts that could affect nearby residential uses. These issues were discussed in Section 4.9, Noise, of the DEIR;

- Potential impacts to future planned school sites were addressed in Section 4.8, Land Use, of the DEIR;

- Potential water-related impacts (drainage, water quality of runoff from the project) were addressed in Section 4.7, Hydrology and Water Quality, in the DEIR;

- Project truck traffic causing congestion on local roads, intersections, and freeway ramps, primarily on Redlands Boulevard, and impacts to vehicular, bicycle, and pedestrian safety. These issues were discussed in Section 4.11, Transportation, of the DEIR;

- Impacts to aesthetics from loss of views, loss of neighborhood character, and increased night lighting as this area transitions from previously planned residential and business park uses to industrial uses along the south side of SR-60. These issues were discussed in Section 4.1, Aesthetics, and 4.8, Land Use, of the DEIR; and

- Potential loss of biological or cultural (archaeological) resources by grading and development of the site, and suggestions to consult with local Native American tribes per SB 18. These issues were discussed in Section 4.4, Biological Resources, and 4.5, Cultural Resources, of the DEIR.

- 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, analysis, and mitigation to conclude that there was little or no potential for significant impacts. These environmental topics included: (1) Geology and Soils; (2) Mineral Resources; (3) Public Services; (4) Recreation; and, (5) Forest Resources.

- As required by the California Environmental Quality Act (CEQA) Guidelines Section 15087, a Notice of Completion (NOC) of the Draft EIR State Clearinghouse No. 2008021002 for the Eucalyptus Industrial Park project was filed with the State Clearinghouse on July 17, 2012, and the Notice of Availability (NOA) of the Draft EIR was filed with the Riverside County Clerk on July 18, 2012.

- The Draft EIR was circulated for public review for a period of 48 days, from July 18, 2012 to September 4, 2012. Copies of the Draft EIR were distributed to all Responsible Agencies and to the State Clearinghouse in addition to various public agencies, citizen groups, and interested individuals. Copies of the Draft EIR were also made available for public review at the City Planning Department, at one area library, and on the internet. A total of thirteen (13) comment letters were received on the DEIR. Ten of the comment letters received were from Federal, State, regional, or local agencies. Three comment letters were received from private organizations or conservation groups – no letters were received from individuals. The City prepared specific responses to all comments. The responses to comments are included in Section 2.0 of the FEIR.

- On (date) in accordance with *Public Resources Code* Section 21092.5, the City provided written responses to public agencies that commented on the DEIR.

- On (date), Notice of the City Council hearing to consider the Project was provided in the following newspaper(s) of general and/or regional circulation: Press Enterprise.

- On (date), this Council held a public hearing to consider the Project and staff recommendations. The City, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, this Council certified the EIR, adopted these Facts, Findings and the Statement of Overriding Considerations, 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 LSA Associates, Inc. ("LSA") to prepare the EIR for the Project. LSA has prepared the EIR under the supervision, direction and review of

the City with the assistance of an independent peer review (Willdan Engineering). 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 City 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 of the DEIR and Section 3.0 of the FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Chapter 2.0 of the FEIR.

The EIR evaluated thirteen major environmental categories for potential impacts including Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Hazerds and Hazardous Materials, Hydrology and Water Quality, Land Use, Noise, Population and Housing, Transportation, Utilities and Service Systems, and Greenhouse Gases and Global Climate Change. Both Project-specific and cumulative impacts were evaluated. Of these thirteen 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. Aesthetics

a. Light and Glare

Potential Significant Impact: Whether the Project would create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

Findings: Potential impacts of the Project related to light and glare are discussed in detail in Section 4.1 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 light and glare with the adherence to established City ordinances and development guidelines, therefore, no mitigation is required.

Facts in Support of the Findings: Section 4.1 identifies no sources of light or glare on the Project site. Development of the Project site would introduce new sources of light and glare into the area in the form of street lighting, parking lot lighting, and security lighting for the buildings. Lighting within loading areas (areas within the public view include the loading areas of Buildings 1, 2, and 3) will be directed

downward so as to not Project lighting into the sky. The overall increase in ambient light in the area is expected to be incremental with compliance with the City's development standards for lighting. The proposed Project will incrementally increase the amount of daytime glare in the Project area from introducing windows and metal fixtures into the area. All development in the City, which includes light generated from warehouse buildings and parking lots, is required to adhere to lighting requirements contained in the City's Municipal Code. The Project is consistent with General Plan policies and Municipal Code requirements regarding light and glare, therefore, no impacts associated with this issue would occur and no mitigation is required (DEIR, pgs. 4.1-8 to 4.1-9).

b. Light and Glare

Potential Significant Impact: Whether the Project would create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

Findings: Potential impacts of the Project related to light and glare are discussed in detail in Section 4.1 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 light and glare with the adherence to established City ordinances and development guidelines, therefore, no mitigation is required.

Facts in Support of the Findings: Section 4.1 identifies no sources of light or glare on the Project site. Development of the Project site would introduce new sources of light and glare into the area in the form of street lighting, parking lot lighting, and security lighting for the buildings. Lighting within loading areas (areas within the public view include the loading areas of Buildings 1, 2, and 3) will be directed downward so as to not Project lighting into the sky. The overall increase in ambient light in the area is expected to be incremental with compliance with the City's development standards for lighting. The proposed Project will incrementally increase the amount of daytime glare in the Project area from introducing windows and metal fixtures into the area. All development in the City, which includes light generated from warehouse buildings and parking lots, is required to adhere to lighting requirements contained in the City's Municipal Code. The Project is consistent with General Plan policies and Municipal Code requirements regarding light and glare, therefore, no impacts associated with this issue would occur and no mitigation is required (DEIR, pgs. 4.1-8 to 4.1-9).

2. Air Quality

a. Construction-Chronic Health Risk Impacts

Potential Significant Impact: Whether the Project would expose sensitive receptors to substantial pollutant concentrations.

For Maximum Individual Cancer Risk (MICR), the applicable thresholds are:

- An increased cancer risk greater than 10 in 1 million (1.0×10^{-5}) at any receptor location; or
- A cancer burden greater than 0.5.

For non-cancer chronic Hazard Index (HI); the applicable threshold is:

- A cumulative increase for any target organ system exceeding 1.0 at any receptor location.

Findings: Potential impacts of the Project related to construction-chronic health risks 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 sensitive receptor health risks and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.3 of the DEIR, the only toxic air pollution emissions in any significant quantity associated with the construction of the Project occur from diesel-powered equipment exhaust. A screening health risk assessment was performed according to the published Office of Environmental Health Hazard Assessment (OEHHA) health risk techniques.[1] According to the health risk assessment, the cancer risk due to construction of the Project is less than the threshold of 10 in 1 million. Therefore, health risks would be less than significant and no mitigation is required. (DEIR, pgs. 4.3-13 to 4.3-14)

b. Operational-Acute Health Risk Emission Impacts

Potential Significant Impact: Whether the Project would expose sensitive receptors to substantial pollutant concentrations.

For MICR, the applicable thresholds are:

- An increased cancer risk greater than 10 in 1 million (1.0×10^{-5}) at any receptor location; or

For non-cancer chronic and acute HI; the applicable threshold is:

- A cumulative increase for any target organ system exceeding 1.0 at any receptor location.

Findings: Potential impacts of the Project related to operational-acute health risks 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 operational-acute health risks and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.3 of the DEIR, a screening level health risk assessment was performed for the operational emissions associated with the proposed Project based on the SCAQMD's *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* guidance. The operations expected to occur at this facility will not emit any toxic chemicals in any significant quantity other than vehicle exhaust. According to the health risk assessment the nearest residences would experience a cancer risk of 4.33 in 1 million, which is below the 10 in 1 million threshold. The nearest residences would also experience a chronic HI of 0.0016 and an acute HI of 0.0000088. Both the chronic and acute HI would be below the chronic and acute HI threshold of 1.0. Since the operational phase of the proposed Project would not exceed any of the long-term acute health risk assessment thresholds, a less than significant impact would occur. No mitigation is required. (DEIR, pgs. 4.3-14 to 4.3-18)

c. Operational-Carcinogenic and Chronic Health Risk Emission Impacts

Potential Significant Impact: Whether the proposed Project would expose sensitive receptors to substantial pollutant concentrations.

For MICR, the applicable thresholds are:

- An increased cancer risk greater than 10 in 1 million (1.0×10^{-5}) at any receptor location; or

For non-cancer health risk HI; the applicable threshold is:

- A cumulative increase for any target organ system exceeding 1.0 at any receptor location.

Findings: Potential impacts of the Project related to operational-carcinogenic and chronic health risk emission impacts are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us,

[1] OEHHA, *Air Toxics Hot Spots Program Risk Assessment Guidelines*, August 2003, Appendix D, *Risk Assessment Procedures to Evaluate Particulate Emissions from Diesel-Fueled Vehicles.*

this Council finds that development of the Project will not result in significant impacts related to health risks related to operational emissions and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.3 of the DEIR, the closest residences to the Project would be exposed to a lifetime inhalation cancer risk of no more than 4.33 in 1 million, a 30-year inhalation cancer risk of no more than 3.88 in 1 million, and nearby workers a 40-year career inhalation cancer risk of no more than 1.5 in 1 million. The chronic health risk index is significantly less than the threshold of 1.0, in this case 0.0016 for residents and workers. No significant carcinogenic or chronic health risks would occur from Project-related traffic. No significant health risk would occur from Project-related truck traffic, and no mitigation is necessary. (DEIR, pg. 4.3-18)

d. Air Quality Impacts to Adjacent Future Development

Potential Significant Impact: Whether the proposed Project would expose sensitive receptors to substantial pollutant concentrations.

Findings: Potential impacts of the Project related to air quality impacts to adjacent future developments 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 air quality impacts to adjacent future development and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.3 of the DEIR, based on the land use assumptions for the future L-Aquila D'Pietra (LADP) Project, residential development would be located along the southern Project boundary between the proposed Project and the proposed LADP. It is anticipated that the proposed Project site would be fully developed prior to the occupation of any dwelling units in LADP; therefore, no construction-related air quality impacts to adjacent sensitive receptors would result from development of the proposed Project.

The primary health risk is from heavy-duty truck emissions is diesel particulate exhaust. According to the screening-level assessment, the future residential units south of the Project site would be exposed to an unmitigated inhalation cancer risk of approximately 4.3 in 1 million, which is less than the threshold of 10 in 1 million. The corresponding chronic and acute hazard indices would be approximately 0.0016 and 0.000088, which is less than the threshold of 1.0 for the chronic hazard index and acute hazard index. Since the screening-level analysis overall Project health risks are below established thresholds, any detailed assessment would also produce less than significant health risk levels. Therefore, a less than significant impact associated with future uses that may occupy adjacent properties subsequent to

development of the proposed Project would occur. No mitigation is required. (DEIR, pgs. 4.3-18 to 4.3-19)

e. Long-Term Microscale (CO Hotspot) Impacts

Potential Significant Impact: Whether the proposed Project would violate any air quality standard or contribute substantially to an existing or projected air quality violation. For CO, the applicable thresholds are:

- California State one-hour CO standard of 20.0 ppm; and
- California State eight-hour CO standard of 9.0 ppm.

Findings: Potential impacts of the Project related to long-term microscale 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 long-term microscale emissions and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.3 of the DEIR, the highest one-hour CO concentration experienced at any of the intersections in the Project vicinity would not exceed the one hour CO State standard of 20 ppm. Based on the *Air Quality Analysis* prepared for the proposed Project, the proposed Project would contribute, at most, a 0.1 ppm increase to the one-hour CO concentrations for all scenarios. This is below the 1.0 ppm increase threshold. Also the highest eight-hour CO concentration experienced at any of the intersections in the Project vicinity would not exceed the eight-hour CO state standard of 35 ppm. Based on the *Air Quality Analysis* prepared for the proposed Project, the proposed Project would contribute, at most, a 0.1 ppm increase to the eight-hour CO concentrations for all scenarios. This is below the 0.45 ppm increase threshold. Since the proposed Project would not exceed the one-hour or eight-hour CO concentration standards, it is reasonable to conclude that no CO hot spots would occur. Therefore, the proposed Project would not have a significant impact on local air quality for CO and no mitigation measures would be required. (DEIR, pgs. 4.3-19 to 4.3-20)

f. Odors

Potential Significant 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: According to Section 4.3 of the DEIR, the Project does not propose land uses typically associated with emitting 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/ maintenance activities are typical of industrial/commercial activities and would be localized to the immediate Project vicinity, with little or no off-site effects. Accordingly, impacts related to objectionable odors will be less-than-significant and no mitigation is required. (DEIR, pg. 4.3-20)

3. Biological Resources

a. Habitat Fragmentation/Wildlife Movement

Potential Significant Impact: Whether the Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Findings: Potential impacts of the Project related to habitat fragmentation and wildlife movement 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 significant impacts to habitat and wildlife movement and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.4 of the DEIR, the proposed Project site is isolated from regional wildlife corridors by existing barriers including urban development, agricultural uses, and roadways. Land uses adjacent to the Project site include fallow agricultural land to the south and east, commercial uses to the west, and residential uses to the north across SR-60. Due to the nature of development occurring in the Project area and the current condition of the Project site, it is highly unlikely that the Project site is utilized as a wildlife movement corridor, with the exception of the Quincy Channel. The proposed Project will not affect the majority of Quincy Channel, thus allowing wildlife to continue using the existing channel to traverse the site. The quality of on-site habitat has been diminished due to the previous and frequent ground disturbance and past agricultural activities. In addition, the existing roadways and infrastructure features further isolate the Project site from natural areas. Due to the disturbed condition of the Project site, the nature of development to the southeast and west, the intervening presence of roadways and infrastructure, and adherence to City development standards identified in the Municipal Code, development of the proposed Project will not result in significant

habitat fragmentation or substantially affect established wildlife corridors or wildlife movement. A less than significant impact would result and no mitigation is required. (DEIR, pg. 4.4-23)

b. Adopted Policies and Ordinances

Potential Significant Impact: Whether the Project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Findings: Potential impacts of the Project related to adopted policies and ordinances 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 conflict with local policies or ordinances and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.4 of the DEIR, city policies or ordinances identified in the General Plan protecting biological resources include: mitigation of impacts to riparian areas or other natural sensitive communities (Policy 7.4.1), preservation of natural drainage courses in their natural hydrological state (Policy 7.4.3), and City fulfillment of obligations set forth within any agreements and permits related to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) implementation (Policy 7.4.5).

The Quincy Channel, located adjacent and to the east of the proposed Project site, is considered a sensitive natural habitat due to the value it provides as nesting sites and foraging sites for migratory birds. The proposed Project would be designed to minimize encroachment into this natural area through setback requirements established in Sections 9.16.120 and 9.05.040 of the City's Municipal Code, thus preserving this habitat area in its natural state pursuant to the City's General Plan. At the northeast corner of Building 2, the development plans call for a minimum setback from Quincy Channel due to the topography and alignment of the creek. From that point, the plan provides a setback and landscaped buffer area between the drainage area and the structures proposed on the site that widens and varies from 25 to 50 feet (including the flood control access road). Therefore, the proposed Project would not conflict with local policies or ordinances protecting biological resources and a less than significant impact would occur. No mitigation is required. (DEIR, pg. 4.4-24)

c. Adopted Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Findings: Potential impacts of the Project related to adopted habitat conservation plans 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 conflicts with local habitat conservation plans and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.4 of the DEIR, the Project site is located within the Western Riverside County MSHCP, however, the Project site is not within any MSHCP criteria cell or habitat linkage. Furthermore, the Project site is not located within an MSHCP mammal or amphibian survey area; a Narrow Endemic Plant Species Survey Area or Criteria Area Plant Species Survey Area; or a riparian, wetland, or vernal pool habitat/species survey area. A habitat assessment for the burrowing owl is required under the MSHCP. While the Project site is not within any MSHCP conservation areas, the Project is still subject to provisions of the MSHCP. In particular, the Project applicant will be required to provide payment of mitigation fees and adhere to the requirements established in the MSHCP. Pursuant to agreements with the USFWS and the CDFG, the payment of the mitigation fee prior to the issuance of a building permit by the City, and compliance with applicable provisions of the MSHCP provides full mitigation under CEQA, FESA, and CESA for impacts to the species and habitats covered by the MSHCP. Therefore, development of the proposed Project will not conflict with the provisions of the MSHCP. A less than significant impact would occur and no mitigation is required.

In addition to the MSHCP, the Project site is within the boundaries of the Stephens Kangaroo Rat Habitat Conservation Plan (SKR HCP) established by the County of Riverside. Development of the proposed Project will not conflict with the provisions of the SKR HCP. The payment of a local mitigation fee prior to issuance of a grading permit by the City will be required. There are no other requirements for the Project under the SKR HCP and a less than significant impact would occur with payment of the fee and no further mitigation is required. (DEIR, pg. 4.4-24)

d. Endangered and Threatened Species

Potential Significant Impact: Whether the Project would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as endangered or threatened in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS).

Findings: Potential impacts of the Project related to endangered and threatened species 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 significant impacts to endangered or threatened species and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.4 of the DEIR, no species listed by the State and/or Federal Government as Endangered or Threatened was identified on site during the field surveys; however, Swainson's hawk, a State-listed species, and Stephens' kangaroo rat, a federally and State-listed species, have a low potential to occur on the site.

The Project site is not located within any USFWS designated critical habitat . Swainson's hawk would be expected to occur on the site, if at all, only during migration as foraging individuals. Swainson's hawk is covered by the MSHCP. Mitigation for covered species consists of participation in the MSHCP.

The Project site is also within the SKR HCPFee Area. The proposed Project site is not within an SKR Core Area. The SKR HCP provides Take Authorization for the SKR within its boundaries, and no surveys or additional measures are required other than paying a development fee prior to issuance of a grading permit by the City. In the absence of a significant impact, no mitigation is warranted. (DEIR, pg. 4.4-25)

e. Cumulative Biological Impacts

Potential Significant Impact: Whether the Project in connection with past, current, and probably future projects would incrementally effect biological resources.

Findings: Potential impacts of the Project related to cumulative biological impacts 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 significant cumulative impacts to biological resources and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.4 of the DEIR, the proposed Project would not make a cumulatively considerable contribution to impacts on endangered or threatened species, riparian habitat or natural plant communities, jurisdictional waters, habitat fragmentation, wildlife movement, local policies and ordinances, or habitat conservation plans. There are no projects that would, in combination with the proposed Project, produce a significant impact to non-listed sensitive species. Therefore, there are no significant cumulative impacts anticipated to occur that are associated with biological resources. With implementation of Project-level Mitigation Measures 4.4.6.1 through 4.4.6.3, the Project's contribution to cumulative biological impacts will not be cumulatively considerable and no additional mitigation is required. (DEIR, pgs 4.4-30 to 4.4-31)

4. Cultural Resources

a. Historical Structures and Features

Potential Significant Impact: Whether the Project would cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.

Findings: Potential impacts of the Project related to historical structures and features are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts to historical structures and features and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.5 of the DEIR, no structures or unique features are currently located within the Project limits. An online title search was conducted and historic maps were reviewed to determine the potential for structures and/or the remains of former sites of buildings or resources within the Project limits. No evidence of past structures or historic features was identified, nor was evidence of such structures identified during the on-site cultural resource survey or the records search. As no evidence has been identified to suggest the presence of past or current structures on site, no impacts related to historic structures or features will occur. In the absence of a significant impact, no mitigation is warranted. (DEIR, pg.4.5-5)

b. Human Remains

Potential Significant Impact: Whether the Project would disturb any human remains, including those interred outside of formal cemeteries.

Findings: Potential impacts of the Project related to human remains are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts to human remains and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.5 of the DEIR, the Project site was utilized for agricultural production. No evidence suggesting the Project site has been utilized in the past for human burials has been identified.[2] In the unlikely event human remains are discovered during grading or construction activities, State law (Health and Safety Code §7050.5) requires that no further disturbance shall occur until the County Coroner has made determination of the origin and disposition pursuant to Public Resources Code 5097.98. Because adherence to provisions of Health and Safety Code §7050.5 is required of all development projects, and because adherence to the requirements in State law sufficiently

[2] *Chapter 5.10 Cultural Resources*, City of Moreno Valley General Plan Final EIR, July 2006.

mitigates for potential impacts to human remains, no significant impact related to this issue will occur. Because potential impacts associated with this issue are less than significant, no mitigation is required. (DEIR, pg. 4.5-5)

c. Cumulative Cultural Resources

Potential Significant Impact: Whether the Project in connection with past, current, and probable future projects would have a cumulative significant impact on cultural resources.

Findings: Potential impacts of the Project related to cumulative cultural resources are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts to cultural resources and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.5 of the DEIR, on-site sediments and cumulative archaeological and paleontological discoveries elevate the potential for the on-site presence of archaeological and paleontological resources. The proposed Project includes measures to identify, recover, and/or record any archaeological or paleontological resource that may occur within the Project limits. Although unlikely to occur, potential impacts associated with human remains would be reduced to a less than significant level through adherence to existing State law. There are no projects that would, in combination with the proposed Project, result in any significant cumulative impacts on historical, archaeological, or paleontological resources, or cumulative impacts to human remains. Therefore, the Project will not make a significant contribution to any cumulatively considerable impacts associated with cultural resources, and no mitigation is required. (DEIR, pg. 4.5-8)

5. <u>Hazards and Hazardous Materials</u>

a. Routine Transport, Use, or Disposal of Hazardous Materials and Reasonable Foreseeable Upset and Accident Conditions

Potential Significant Impact: Whether the Project would 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. Also, whether the Project would create a significant hazard to the public through the routine transport, use, or disposal of hazardous materials.

Findings: Potential impacts of the Project related to routine transport, use or disposal of hazardous materials and/or the risk of upset or accidental relaease of hazardous materials into the environment are discussed in detail in Section 4.6 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 routine transport, use or disposal of hazardous materials and, therefore, no mitigation is required.

Facts in Support of the Findings: Two *Phase I Environmental Site Assessments* (ESAs) were prepared for the proposed Project site. During the on-site inspection, no hazardous materials handling, storage, or disposal areas were observed. Additionally, no evidence of stressed vegetation, discolored water, or pools of liquid was observed during the on-site reconnaissance. However, because the Project site has been historically utilized for agricultural production and because of the close proximity to SR-60, soil samples were taken in various parts of the Project site to further evaluate the potential contamination on the site. Laboratory results indicated no detectable concentrations of hydrocarbon compounds in the samples collected. However, there were detectable concentrations of organochlorine pesticides and PCBs in samples collected from possible drainage accumulation and pesticide usage on site. These concentrations were within the allowable Preliminary Remedial Goals (PRGs) for the Project.

During the Project's construction and operation, it is likely that materials such as fuels, lubricants, solvents, cleansers, and paints will be transported to and from the site. The use and transport of these materials and all potentially hazardous materials would be handled according to the appropriate State and Federal regulations. Adherence to existing regulations as they relate to the handling and transport of potentially hazardous materials during construction would reduce impacts associated with this issue to a less than significant level and no mitigation is required. (DEIR, pgs. 4.6-6 through 4.6-11)

b. Hazardous Material Sites

Potential Significant Impact: Whether the Project would 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.

Findings: Potential impacts of the Project related to hazardous material sites are discussed in detail in Section 4.6 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 hazardous material sites and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.6 of the DEIR, a database review was conducted for both of the Phase 1 ESAs conducted for the Project site. Based on the database review, the Project site is not included on the State of California Hazardous Waste and Substances Site List (Cortese list) pursuant to the California Code (Section 65962.5). The Project site is not listed in the NPL; Corrective Action Order Comprehensive Environmental Response, Compensation, and Liability Act

(CERCLA) list; Emergency Response Notification System (ERNS) list; Resource Conservation and Recovery Act System; Toxic Release Inventory System (TRIS); CAL-SITES Database for Annual Work Plan; California Department of Toxic Substances Control (DTSC); Regional Water Quality Control Board (RWQCB); California Waste Management Board (CWMB); Solid Waste Information System (SWIS); Waste Management Units Database System (WMUDS); California Border Zone Properties (Deed Restriction Properties); DTSC Hazardous Waste and Substances Site List (Cortese list); or any Leaking Underground Storage Tank (LUST) database.

Because the Project site is not identified on a list of hazardous materials sites, the potential that the development of the site would create a significant hazard to the public or environment is less than significant. In addition, the results of the site investigations performed by RM Environmental indicate that no significant amount of any hazardous material exists on site. Therefore, impacts associated with this issue are less than significant and no mitigation would be required. (DEIR, pgs. 4.6-11 through 4.6-12)

c. Existing or Proposed Schools

Potential Significant Impact: Whether the Project would create hazardous emissions or handle acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

Findings: Potential impacts of the Project related to existing or proposed schools are discussed in detail in Section 4.6 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 existing or proposed schools and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.6 of the DEIR, at the time the NOP for the proposed Project was released, the Moreno Valley Unified School District (MVUSD) had identified three potential school sites within the Project vicinity. Of these potential school sites, High School #5 was the closest planned school to the Project site as it was to be located on the adjacent parcel east of the Project site. Due to MVUSD concerns regarding the placement of schools in areas that may be rezoned with warehousing uses, MVUSD has made a decision to abandon the development of these school facility projects on the identified sites.[3] Therefore, no planned school facilities would be located adjacent to or within 0.25 mile of the Project site. Since there are no schools planned, proposed, or operating within 0.25 mile of the Project site, no impacts associated with this issue would occur and no mitigation is required. (DEIR, pgs. 4.6-12 through 4.6-13)

[3] *Resolution No. 2007-08-8,* Board of Education of the Moreno Valley Unified School District, April 15, 2008.

d. Emergency Response Plan

Potential Significant Impact: Whether the Project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Findings: Potential impacts of the Project related to emergency response plans are discussed in detail in Section 4.6 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 emergency response plans and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.6 of the DEIR, in February 2006, the County of Riverside, in cooperation with the cities and special districts, completed its Emergency Operations Plan (EOP). The EOP establishes the emergency organization, assigns tasks, specifies general procedures, and provides for coordination of planning efforts of the various emergency staff and resources.

Construction activities that may temporarily restrict vehicular traffic would be required to implement adequate measures to facilitate the passage of people and vehicles through/around any required road closures. During the operational phase of the proposed Project, on-site access for fire and emergency vehicles would be required to comply with standards established by the City Public Works Department. The size and location of fire suppression facilities (e.g., hydrants) and fire access routes would be required to conform to Fire Department standards. As required of all development in the City, the operation of the proposed Project would be required to conform to applicable Uniform Fire Code standards. The submittal of such plans would be considered a condition of approval, which would be part of the permitting process initiated by the applicant and approved by the City in accordance with City standards. As with any development, access to and through the Project would be required to comply with the required street widths, as determined in the General Plan Circulation Element, and the Uniform Fire Code. Therefore, implementation of the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No significant impact would occur and no mitigation is required. (DEIR, pg. 4.6-13)

e. Wildland Fires

Potential Significant Impact: Whether the Project would 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 wildland.

Findings: Potential impacts of the Project related to wildland fires are discussed in detail in Section 4.6 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 wildland fires and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.6 of the DEIR, the Project site is not located within a "High Fire Hazard Area" or within an area susceptible to wildfires identified by the City of Moreno Valley. Areas surrounding the Project site consist of urban, built, and open space. Because of lack of abundant vegetation and the extensive amount of development within the vicinity of the Project site, on-site and adjacent areas do not have the capability to support a wildfire. The proposed uses on site do not typically create a fire hazards nor are they subject to wildland fire hazards due to the type of construction materials used. The Project will be designed and constructed to comply with adopted standards and guidelines for fire protection. Irrigated landscaping will surround Project buildings, and are required to include fire suppression features by law. Due to the location of the fire station adjacent to the Project in the northwest corner and the low probability that the Project site would be subject or susceptible to wildland fires, no significant impact related to this issue would occur. No mitigation is required. (DEIR, pgs. 4.6-13 through 4.6-14)

f. Cumulative Impacts from Hazards and Hazardous Materials

Potential Significant Impact: Whether the Project in connection with past, current, and probable future projects would cumulatively increase the risk of hazardous materials and exposure to hazardous materials.

Findings: Potential impacts of the Project related to cumulative hazardous materials impacts are discussed in detail in Section 4.6 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 cumulative hazardous materials and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.6 of the DEIR, the proposed Project would not result in significant cumulative impacts associated with the routine transport, use, and disposal of hazardous materials; or the emission or handling of hazardous substances. As areas of the eastern portion of Moreno Valley continue to develop, the amount of truck traffic is expected to increase in proportion to the amount of industrial or commercial development that take place in the area. The trucks traveling in the area of the Project and the surrounding areas may contain hazardous materials as well as contribute to emission in the cumulative area. Accidental spills and leaks are unplanned occurrences. It is impossible to predict the occurrences of such events and the likelihood of such events occurring in close proximity to each other at the same time is very small; therefore, such events cannot be considered cumulatively significant.

As anticipated in the City's General Plan, demographic increases, continued retail and service demands, and the availability of vacant property will lead to the new residential, commercial, and industrial development in the City and surrounding area. While the project-specific hazardous material impacts of individual development projects will be addressed separately in future CEQA documents, anticipated future development will contribute, through increases in the number of locations that sell, store, transport, or dispose of hazardous materials, to a cumulative increase in risk for hazardous material incidents. As with the proposed Project, it is anticipated that future development projects will be required to adhere to applicable local, State, and Federal requirements that regulate the use, release, storage, sale, and transport of hazardous materials. Such compliance would ensure that the proposed Project will not make a significant contribution to a cumulatively considerable impact in this regard, and no mitigation measures for cumulative impacts are required. (DEIR, pg. 4.6-14)

6. Hydrology, Drainage, and Water Quality

a. Groundwater

Potential Significant Impact: Whether the Project would 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

Findings: Potential impacts of the Project related to groundwater are discussed in detail in Section 4.7 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 groundwater and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.7 of the DEIR, the proposed Project would obtain water service from the EMWD. It is anticipated that the proposed Project would primarily utilize imported water purchased from Metropolitan. In the event that imported water is not available, this imported water would be supplemented by local groundwater sources.

The implementation of the existing West San Jacinto Groundwater Basin Management Plan would ensure that local groundwater resources are conserved and groundwater overdraft does not occur. If the use of groundwater supplies was necessary, the proposed Project would be required to comply with any future water use restricting regulations further minimizing impacts to groundwater supply.

As identified in the City's General Plan, the proposed Project would not interfere with groundwater recharge as the Project site is not identified as a groundwater recharge area.[4] Therefore, the proposed

[4] *Section 5.7 Hydrology/Water Quality*, City of Moreno Valley General Plan Final Program EIR, City of Moreno Valley, July 2006.

Project would not interfere with groundwater recharge activities. Impacts associated with this issue are less than significant and no mitigation measure is required. (DEIR, pg. 4.7-14)

b. Flooding-Related Impacts

Potential Significant Impact: Whether the Project would place within a 100-year flood hazard area structures that would impede or redirect flood flows.

Findings: Potential impacts of the Project related to flooding are discussed in detail in Section 4.7 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 flooding and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.7 of the DEIR, flooding in the City of Moreno Valley could result from intense storms resulting in rapid runoff. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) identify areas subject to flooding during the 100-year storm.[5] Based on these FIRMs and the Project site does not fall within a 100-year flood zone.[6] The proposed Project is industrial in nature and the implementation of the proposed Project would not result in the placement of housing within a 100-year floodplain. Because the Project site does not lie within a 100-year floodplain and does not include housing, impacts related to this issue are less than significant. No further discussion or mitigation is required. (DEIR, pgs. 4.7-14 through 4.7-17)

c. Drainage Pattern-Related Impacts

Potential Significant Impact: Whether the Project would substantially alter the existing local drainage patterns of the site and substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion, siltation, or flooding on or off site.

Findings: Potential impacts of the Project related to drainage patterns are discussed in detail in Section 4.7 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 drainage patterns and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.7 of the DEIR, the proposed Project would alter the existing drainage patterns and affect surface runoff; however, several BMPs would be designed and installed on site to minimize these alterations, resulting in a less than significant impact. Development of the Project site would result in increased impervious surfaces in the form of roadways, parking lots, and industrial warehouse buildings. The proposed Project incorporates six detention/sedimentation basins

[5] The term "100-year" is a measure of the size of the flood, not how often it occurs. The "100-year flood" is a flooding event that has a one percent chance of occurring in any given year.

[6] FEMA DFIRM Data, 2008.

for both water quality and quantity control purposes. The Project would also include vegetated swales, detention/sedimentation basins, and sand filters.

Under post-development conditions, all on-site flows would be routed to Quincy Channel. This drainage pattern would mimic the existing drainage pattern, which has flows draining to the Quincy Channel and the unnamed dry wash to the south. Since the unnamed dry wash connects to Quincy Channel farther south of the Project, all flows under existing conditions drain into Quincy Channel. Flows in Quincy Channel are routed to the Perris Valley Storm Drain where flows continue onto the San Jacinto River and eventually reach Lake Elsinore.

Increased runoff from the site could result in substantial erosion of local drainage ways and siltation of downstream receiving waters. However, with the proposed drainage system installed on site, the proposed Project would not produce any post-development peak flow leaving the site larger than the pre-development peak flows leaving the site for the analyzed storms. In addition, because the implementation of various BMPs will reduce off-site flow velocity and volume, erosional runoff and silt volumes would be minimized to the greatest extent practical. Because the proposed Project would maintain existing drainage patterns on site and implement BMPs that would minimize erosion and generation of silt on site, impacts associated with this issue are less than significant and no mitigation measures are required. (DEIR, pg. 4.7-17)

d. Hydrology and Water Quality Cumulative Impacts

Potential Significant Impact: Whether the Project in connection with past, current, and probable future projects would have significant cumulative impacts on hydrology and water quality.

Findings: Potential impacts of the Project related to cumulative hydrology and water quality impacts are discussed in detail in Section 4.7 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts to hydrology and water quality and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.7 of the DEIR, increases in the amount and extent of development in the City and surrounding areas will increase the potential for pollutants in runoff, which in turn would affect water quality. The Project's water quality impacts will be mitigated through on-site detention/sedimentation basins and other water pollution control mechanisms such as vegetated swales, sand filters, and storm drain inlet filters. Similar requirements will be placed on all other development in the Project vicinity by the City and the RWQCB, further reducing the potential for cumulative impacts. Since all development within the City is required to account and mitigate for their

individual water quality impacts before runoff leaves each individual site, it is reasonable to conclude that water quality would be maintained throughout the cumulative area. Adherence to NPDES, SWPPP, and WQMP requirements will reduce any such cumulative water quality impact to a less than significant level.

Groundwater recharge policies and practices implemented by the RWQCB and local agencies will ensure groundwater supplies are maintained at appropriate levels. As such, no significant cumulative groundwater supply impacts are anticipated to occur with the development of the proposed Project.

The drainage system for the proposed Project would be designed so that runoff from the Project site after Project development is directed to on-site treatment BMPs and flow volumes would be equal to or less than historic conditions at any given discharge location. This same requirement will be placed on all other development in the vicinity of the Project site by the City of Moreno Valley. Therefore, the proposed Project will not make a significant contribution to any cumulatively considerable impacts related to drainage or water quality and no mitigation is required. (DEIR, pgs. 4.7-28 through 4.7-29)

8. Land Use and Planning

a. Physically Divide an Established Community

Potential Significant Impact: Whether the Project would physically divide an established community.

Findings: Potential impacts of the Project related to the physically dividing an established community are discussed in detail in Section 4.8 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 a physical divide of an established community and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.8 of the DEIR, land uses adjacent to the Project site include residential uses to the southeast, vacant land to the south, commercial uses to the west, SR-60 and residential uses to the north, and active hay/alfalfa production uses to the east. The Project site does not contain any existing housing, nor does the site complement or constitute part of a community or neighborhood. Based on this information, the proposed Project will physically divide an existing established community. No impact related to this issue would occur; therefore, no mitigation is required. (DEIR, pgs. 4.8-4 through 4.8-5)

b. Conflict with Any Applicable Habitat or Natural Community Conservation Plan

Potential Significant Impact: Whether the Project would conflict with any applicable habitat conservation plan or natural community conservation plan.

Findings: Potential impacts of the Project related to the conflict with any applicable habitat conservation plan are discussed in detail in Section 4.8 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 a conflict with any applicable habitat or natural community conservation plan and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.8 in the DEIR, the Project site is located within the MSHCP area.[7]. The Project site is not within an MSHCP criteria cell or habitat linkage. Furthermore, the Project site is not located within an MSHCP mammal or amphibian survey area, Narrow Endemic Plant Species Survey Area (NEPSSA), Criteria Area Plant Species Survey Area (CAPSSA), or a riparian, wetland, or vernal pool habitat/species survey area.[8]

While the Project site is not within any conservation area delineated in the MSHCP, the Project is still subject to provisions of the MSHCP. In particular, the Project proponent will be required to provide payment of mitigation fees and adhere to the requirements established in the MSHCP. Pursuant to agreements with the USFWS and the CDFW, the payment of the mitigation fees and compliance provisions of the MSHCP provides full mitigation under the CEQA, FESA, and CESA for impacts to the species and habitats covered by the MSHCP. Since the City has adopted the MSHCP and its requirements and provisions, and since the Project is within the City, the proposed Project would be required to adhere to applicable MSHCP requirements and fees. Therefore, the proposed Project would not conflict with any applicable HCP and no significant impact associated with this issue would occur. No mitigation would be required. (DEIR, pg. 4.8-4)

c. Cumulative Land Use Impacts

Potential Significant Impact: Whether the Project in connection with past, current, and foreseeable future projects would incrementally affect biological resources.

Findings: Potential impacts of the Project related to cumulative land use impacts are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of

[7] City of Moreno Valley General Plan Final Program EIR, Figure 5.9-4 Reche Canyon/Badlands Area.
[8] http://www.rctlma.org/gis/rciprepgen.html, site accessed December 4, 2007.

the Project will not result in significant cumulative impacts related to land uses and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.8 of the DEIR, implementation of the proposed Project represents establishment of new land uses within the currently undeveloped Project site that would result in an intensification of permitted land uses associated with a land use change from Business Park and Residential to Light Industrial uses, changes to the General Plan Circulation Element, and the loss of the Primary Animal Keeping Overlay (PAKO) associated with the RA-2 zone. However, the proposed Project is generally consistent with regional plans and planning efforts, although it is not fully consistent with the SCAG's RTP and Compass Blueprint Plan because it eliminates some housing in favor of industrial employment uses. It will incrementally improve the City's long-standing jobs/housing ratio, which is also a regional goal of the various SCAG plans. It is also not consistent with existing General Plan land use designations, objectives and policies, nor is it consistent with existing zoning designations on the site. For these reasons, a General Plan Amendment and Zone Change are proposed for consideration by the City.

The proposed changes in land use will also result in a loss of up to 584 (R-15) multi-family residential units, many of which could have contributed to the City's affordable housing supply at some point in the future. However, this was determined to be a less than significant Project impact on local housing because the City's Housing Element identifies over twice as much potential affordable housing as the City's RHNA allocation, so it will not make a significant contribution to a cumulatively considerable impact on regional housing.

The Project would also not make a similar cumulatively considerable land use impact relative to dividing an established community or conflicting with an approved habitat conservation plan and no mitigation is required. (DEIR, pgs. 4.8-17 to 4.8-18)

8. <u>Noise</u>

a. Airport Noise

Potential Significant Impacts: Whether 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 results in exposure of people residing or working in the Project area to excessive noise levels. Or if a Project within the vicinity of a private airstrip, would expose people residing or working in the Project area to excessive noise levels.

Findings: Potential impacts of the Project relating to airport noise are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to airport noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.9 of the DEIR, the proposed Project site is located approximately 5 miles northeast of the March Air Reserve Base. Aircraft operations from the airport currently contribute intermittent single-event noise. However, the proposed Project is not identified as being within the noise or safety contours delineated for the MARB Airport. The proposed Project is not located within two miles of a public or private airport; therefore, the proposed Project would not have the potential to expose people to excessive noise levels from airport operations and no impact regarding this issue would occur with implementation of the proposed Project. No mitigation is required. (DEIR, pg. 4.9-10)

b. Ground-Borne Vibrations

Potential Significant 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 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to ground-borne vibration and groundborne noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.9 of the DEIR, the Project site is not located near steel-wheeled trains. Additionally, roadways in the Project area are either paved or would be paved and would not result in traffic driving over rough roads. Construction activities for the Project site do not include blasting or pile driving. The primary vibratory source during the construction of the proposed Project would be large bulldozers. Based on published data, typical bulldozer activities generate an approximate vibration level of 0.089 in/sec at a distance of 25 feet. At the distance of the nearest residence to the Project boundary (about 50 feet) the estimated vibration level will be 0.0415 in/sec. While heavy-duty earthmoving equipment would be used during the construction phase of the Project, the level of vibration would not be excessive or permanent, nor would it exceed the level at which building damage typically occurs. Therefore, impacts from construction-related groundborne vibration construction would be less than significant and no mitigation is required. (DEIR, pg. 4.-11)

c. Long-Term Traffic Noise

Potential Significant Impact: Whether the Project would result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project.

Findings: Potential impacts of the Project related to long-term noise are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to long-term noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.9 of the DEIR, the *Noise Impact Analysis* (Appendix H) indicates that implementation of the proposed Project would result in relatively minor changes in traffic noise levels except along Eucalyptus Avenue between Moreno Beach Drive and Driveway A. The largest Project-related increase in traffic noise would be along Eucalyptus Avenue/Fir Avenue between Auto Mall Drive and Redlands Boulevard. This segment would experience a 13.6 dBA increase over the baseline (with the Project) scenario and a 13.3 dBA increase over the baseline (with the Project) scenario in opening year (2012). In addition, the roadway segment along Eucalyptus Avenue between Moreno Beach Drive and Auto Mall Drive would experience a 4.5 dBA increase over the baseline scenario in 2012. However, no noise-sensitive uses exist or are planned near either roadway segment.

For the Project build out year (2035) analysis, the greatest increase in noise levels is along Eucalyptus Avenue between Auto Mall Drive and Redlands Boulevard, where an increase of up to 1.3 dBA is predicted, with the ambient noise level predicted to be 71.6 dBA at 50 feet from the centerline of the street. In addition, the greatest increases in noise levels associated with the General Plan Build Out Year is along Eucalyptus Avenue between Auto Mall Drive and Redlands Boulevard, where an increase of up to 0.9 dBA is predicted, with the ambient noise level predicted to be 73.0 dBA at 50 feet from the centerline of the street. However, no noise-sensitive uses exist or are planned near the roadway segment. Therefore, noise impacts at the roadway segments where an increase of more than 3.0 dBA would occur are considered less than significant because there are no sensitive receptors located along the roadway segments that would be affected. All other roadway segments would have an increase in noise of less than 3.0 dBA, which would not be perceptible to the human ear in an outdoor environment. Therefore, impacts would be less than significant and no mitigation measures would be required for off-site areas. (DEIR, pgs. 4.9-11 to 4.9-19)

d. Long-Term Operational Noise

Potential Significant Impact: Whether the Project would cause exposure of persons to or generation of noise levels in excess of standards established in the City of Moreno Valley General Plan, Moreno Valley Municipal Code, or applicable standards of other agencies.

Findings: Potential impacts of the Project related to long-term operational noise are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to long-term operational noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.9 of the DEIR, potential long-term stationary noise impacts would primarily be associated with operations at the proposed warehouse and the light industrial uses. The proposed on-site uses would generate noise from truck delivery, loading/unloading activities at the loading areas, and other noise-producing activities within the parking lot. Through distance divergence, attenuation, and building shielding these sources of noise would be reduced to less than significant levels; and no mitigation is required. (DEIR, pgs. 4.9-20 to 4.9-22)

e. Noise Impacts to Adjacent Future Development

Potential Significant Impact: Whether the Project would result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project.

Findings: Potential impacts of the Project related to noise impacts to adjacent future development are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to noise impacts to adjacent future development and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.9 of the DEIR, based on the land use assumptions for the future LADP Project, residential development would be located along the southern Project boundary between the proposed Project and the proposed LADP. It is anticipated that the proposed Project site would be fully developed prior to the occupation of any dwelling units in LADP; therefore, no construction-related noise impacts to future adjacent sensitive receptors would result from development of the proposed Project. Also, the proposed on-site uses would generate noise from truck delivery, loading/unloading activities at the loading areas, and other noise-producing activities within the parking lot. Through distance divergence, attenuation, and building shielding these sources of noise would be reduced to less than significant levels. Therefore, a less than significant impact would occur to adjacent future development and no mitigation is required. (DEIR, pgs. 4.9-23 to 4.9-24)

f. Cumulative Noise Impacts

Potential Significant Impact: Whether the Project in connection with past, current, and probable future Project would cause cumulative noise impacts within the City of Moreno Valley.

Findings: Potential impacts of the Project related to cumulative noise are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Construction crew commutes and the transport of construction equipment, materials, and fill to the site for the proposed Project would incrementally increase noise levels on access roads leading to the site. Secondary sources of noise would include noise generated during excavation, grading, and building erection on the Project site. Although it is unlikely that adjacent properties will be developed at the same time as the proposed Project, if adjacent properties are developed at the same time as the proposed Project, implementation of the stated mitigation measures in Section 4.9 of the DEIR would render the cumulative impacts of the proposed Project to less than significant levels.

Section 4.9 of the DEIR compared cumulative noise levels that would occur both with and without the Project. According to the analysis the proposed Project would not expose sensitive uses located adjacent to area roadways to excessive noise levels. The future roadway noise assessment concludes that there will be no significant roadway noise impacts associated with cumulative and cumulative plus Project conditions. Therefore, there are no projects that would, in combination with the proposed Project, produce significant noise impacts to sensitive land uses from on-site operational noise. Thus, no cumulatively considerable noise impacts are expected to occur in this area, and the proposed Project will not make a significant contribution to cumulative noise impacts, so no mitigation measures are required. (DEIR, pg. 4.9-27)

9. Population and Housing

a. Population Growth

Potential Significant Impact: Whether the Project would induce substantial population growth in an area, either directly (e.g., new homes and businesses) or indirectly (e.g., extension of roads and infrastructure).

Findings: Potential impacts of the Project related to population growth are discussed in detail in Section 4.10 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts

related to population growth will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.10 of the DEIR, the development of the proposed on-site warehouse distribution uses would create new jobs in the local economy. The proposed Project would generate up to 1,532 job opportunities.[9] The new employment opportunities resulting from development of the proposed warehouse uses would improve the City's current jobs-to-housing ratio by providing jobs to local residents. While the places of residence of the persons accepting employment provided by the proposed uses is uncertain, due to the City's projected jobs-to-housing ratio, it is reasonable that a large percentage of these jobs would be filled by persons already living within the City or Project area; therefore, no significant increase in population of the City would result from the development or operation of the proposed on-site uses. In the absence of a significant impact, no mitigation is required. (DEIR, pgs. 4.10-3 to 4.10-5)

b. Displace Substantial Housing/People

Potential Significant Impact: Whether the Project would displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere.

Findings: Potential impacts of the Project related to displacement of housing or people are discussed in detail in Section 4.10 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to displacement of housing or people will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.10 of the DEIR, the Project site has not been historically utilized for residential uses, and no residential structures are currently located within the Project limits. The construction and operation of the proposed on-site uses would neither displace existing housing or residents nor require the construction of replacement housing elsewhere in the City. However, the areas currently zoned for residential uses on the site could support up to 681 units. Approximately 80 percent of that potential new housing was in the R15 category, which is considered high enough density to support affordable housing programs. In addition, a portion of the Project site is shown in the latest Housing Element for the City (2008–2014) as a potential location for affordable housing in the future (2011 Housing Element, Vacant Properties Inventory). Development of the site as proposed could eliminate as many as 681 housing units from the site, with 80 percent of those units (548) at a density that is generally accepted as helping to promote housing affordability (15 units per acre) on a regional level. These changes may incrementally hinder the City's ability to achieve its affordable housing goals in the

future. However, the proposed Project would not reduce the City's potential pool of affordable housing to below its RHNA number; therefore, it would not create a significant impact related to the City's Housing Element, and no mitigation is required. (DEIR, pg. 4.10-6)

c. Cumulative Population and Housing Impacts

Potential Significant Impact: Whether the Project could cause an increase in population that is substantial in relation to the past, current, and probable future projects.

Findings: Potential impacts of the Project related to cumulative impacts of the proposed Project on housing or population are discussed in detail in Section 4.10 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to cumulative impacts on housing or population will occur as a result of development of the Project and, therefore, no mitigation is required.

Fact Supporting the Findings: The project includes development of 2.2 million square feet of new industrial uses, but would eliminate the potential for up to 681 new residential units, most of which would be in the R15 category, which can support affordable housing programs. The proposed industrial uses would provide additional employment opportunities for City and area residents. The proposed project, together with the other developments identified in Chapter 3, will serve existing and future cumulative demands for both housing and employment within the City. The proposed uses would not induce significant population or housing growth in areas where growth was not previously anticipated.

10. Transportation

a. Air Traffic Patterns

Potential Significant Impact: Whether the Project would result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

Findings: Potential impacts of the Project related to air traffic patterns are discussed in detail in Section 4.11 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to 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: According to Section 4.11 of the DEIR, the proposed Project site is located approximately 5.5 miles northwest of the March Air Reserve Base and is not within the

[9] 1 employee/1,465 square feet of warehouse use × 2,244,419 square feet of warehouse uses = 1,532 employees.

designated safety zones or the flight paths established for this facility.[10] The proposed Project does not consist of any uses that would cause changes to air traffic volumes or otherwise affect air traffic patterns. Additionally, the proposed Project does not include any visual, electronic, or physical hazards to aircraft in flight and is not anticipated to disrupt or alter air traffic patterns, including either an increase in traffic levels or a change in location. As such, no impacts associated with this issue would occur and no mitigation is required. (DEIR, pg. 4.11-16)

b. Design Features or Incompatible Uses

Potential Significant Impact: Whether the proposed Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Findings: Potential impacts of the Project related to design features or incompatible uses are discussed in detail in Section 4.11 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to design features or incompatible uses will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.11 of the DEIR, roadway improvements in and around the Project site would be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control as well as incorporate design standards tailored specifically to site access requirements.

The final design of all roadways and intersections within the Project site access would be reviewed by a licensed professional civil engineer to ensure adequate safety when traveling to and from the Project site. The proposed Project does not include any sharp curves or dangerous intersections in its design. Adherence to applicable existing requirements of the City of Moreno Valley consistent with the City's Circulation Element Objectives 5.1 (create a safe, efficient, and neighborhood-friendly street system), 5.5 (maximize efficiency of the local circulation system by using appropriate policies and standards to design, locate, and size roadways), and 5.11 (eliminate obstructions that impede safe movement of vehicles, bicyclists, and pedestrians) and other agencies would reduce impacts associated with this issue to a less than significant level and no mitigation is required. (DEIR, pgs. 4-17)

c. Inadequate Emergency Access

Potential Significant Impact: Whether the Project would result in inadequate emergency access.

[10] March Air Reserve Compatibility Plan, December 29, 2004. http://www.rcaluc.org/filemanager/plan/old//March%20Air%20Reserve%20Base%20(MARB).pdf. Accessed June 3, 2008.

Findings: Potential impacts of the Project related to emergency access are discussed in detail in Section 4.11 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to emergency access will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.11 of the DEIR, the developers of the proposed Project would be required to design, construct, and maintain structures, roadways, and facilities to provide for adequate emergency access and evacuation. Construction activities, which may temporarily restrict vehicular traffic, would be required to implement adequate and appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. The proposed Project design would be submitted to and approved by the City's Fire and Police Departments prior the issuance of building permits. Adherence to applicable existing requirements of the City of Moreno Valley and other agencies would reduce impacts associated with this issue to a less than significant level and no further discussion is required. (DEIR, pgs. 4.11-17 to 4.11-18)

d. Inadequate Parking Capacity

Potential Significant Impact: Whether the Project would result in inadequate parking capacity.

Findings: Potential impacts of the Project related to parking capacity are discussed in detail in Section 4.11 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to parking capacity will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.11 of the DEIR, the preliminary site plan indicates that 1,091 automobile parking spaces are provided, which includes spaces for employees, drivers, and handicap spaces, and is well above the minimum requirement of 562 spaces. The design of the proposed Project would be required to comply with parking standards prior to final site plan approval. Adherence to parking standards contained in the Zoning Code would ensure that the proposed Project would not result in inadequate parking capacity. Impacts associated with parking capacity are less than significant and no mitigation is required. (DEIR, pg. 4.11-18)

e. Alternative Transportation

Potential Significant Impact: Whether the proposed Project would conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Findings: Potential impacts of the Project related to alternative transportation are discussed in detail in Section 4.11 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to alternative transportation will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.11 of the DEIR, the design of the Project would be required to adhere to applicable City of Moreno Valley standards that support and/or facilitate alternative modes of transportation, including but not limited to pedestrian pathways and sidewalks consistent with the City's Circulation Element Objective 5.8. Through the City's Project review process, policies, plans, and/or programs supporting alternative transportation would be reviewed and incorporated as applicable. Consequently, a less than significant impact would occur as a result of the proposed Project and no mitigation is required. (DEIR, pg. 4.11-18)

11. Utilities and Service Systems

a. Solid Waste Facilities

Potential Significant Impact: Whether the Project would be served by a landfill with insufficient permitted capacity to accommodate the Project's solid waste disposal needs.

Findings: Potential impacts of the Project related to solid waste facilities are discussed in detail in Section 4.12 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to solid waste facilities will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.12 of the DEIR, based on a solid waste generation of 0.006 pound per square foot per day for industrial uses, the proposed Project is anticipated to generate approximately 6.73 tons of solid waste per day (2,456 tons/year). Solid waste from the proposed Project would be hauled by Waste Management of Inland Valley and transferred to the Badlands Sanitary Landfill, located in Moreno Valley, northeast of the Project site. The volume of solid waste generated by the proposed Project per day represents 0.17 percent of the current permitted throughput and 0.29 percent of the current surplus capacity at the Badlands Sanitary Landfill. As adequate daily surplus capacity exists at the receiving landfill, development of the proposed Project would not significantly affect current operations or the expected lifetime of the landfill serving the Project area. No significant solid waste disposal impact would occur and no mitigation is required. (DEIR, pgs. 4.12-3 to 4.12-4)

b. Solid Waste Reduction

Potential Significant Impact: Whether the Project would fail to comply with applicable Federal, State, and local statutes and regulations related to solid waste.

Findings: Potential impacts of the Project related to solid waste reduction are discussed in detail in Section 4.12 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to solid waste reduction will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.12 of the DEIR, the proposed Project would be required to coordinate with the waste hauler to develop collection of recyclable materials for the Project on a common schedule as set forth in applicable local, regional, and State programs. Recyclable materials that would be recycled by the Project include paper products, glass, aluminum, and plastic.

Additionally, the proposed Project would be required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991) and other applicable local, State, and Federal solid waste disposal standards, thereby ensuring that the solid waste stream to the Badlands Sanitary Landfill is reduced in accordance with existing regulations. Impacts are considered less than significant and require no mitigation. (DEIR, pg. 4.12-4)

c. Solid Waste Cumulative Impacts

Potential Significant Impact: Whether the Project in connection with past, current, and probable future projects would have an incremental impact on solid waste.

Findings: Potential impacts of the Project related to cumulative solid waste are discussed in detail in Section 4.12 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to solid waste will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.12 of the DEIR, the Badlands Sanitary Landfill has an estimated closure date of 2016, the City's waste hauler will also use other County landfills in the area (e.g., Lamb Canyon Landfill and El Sobrante Landfill). The estimated closure date of the Lamb Canyon Landfill is 2023 and the estimated closure date of the El Sobrante Landfill is 2030. With planned expansion activities of landfills in the Project vicinity and projected growth rates contained within the City's General Plan EIR, sufficient landfill capacity would exist to accommodate future

disposal needs through City build out in 2030. Therefore, build out of the City General Plan would not create demands for solid waste services that would exceed the capabilities of the County's waste management system. Consequently, cumulative impacts associated with solid waste within the City would be considered less than significant and no mitigation is required. (DEIR, pg. 4.12-5)

d. Construction or Expansion of Water Treatment Facility

Potential Significant Impact: Whether the Project would require the construction of new water treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.

Findings: Potential impacts of the Project related to construction or expansion of water treatment facilities are discussed in detail in Section 4.12 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts that would cause the construction or expansion of water treatment facilities will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.12 of the DEIR, the water demand required for the proposed Project totals 0.04 and 0.03 percent of the 2015 and 2035 projected Eastern Municipal Water District (EMWD) supplies. The amount of water demand would be within the existing available supply even with a reduction in deliveries from the State Water Project (SWP). Imported sources of water will be supplemented by an increase in desalination of brackish groundwater, recycled water use, and water use efficiency, and implementation of aggressive conservation measures by the EMWD. The proposed Project would not require the construction of new water treatment facilities or expansion of existing facilities, which could cause significant environmental effects. Impacts related to this issue would be less than significant and no mitigation is required. (DEIR, pgs. 4.12-15 to 4.12-16)

e. Adequate Water Supply

Potential Significant Impact: Whether the Project would have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed.

Findings: Potential impacts of the Project related to adequate water supply are discussed in detail in Section 4.12 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to adequate water supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.12 of the DEIR, the anticipated water demand for the proposed Project is substantially less than what is identified for the General Plan land uses and what was used in the formulation of the 2010 Urban Water Management Plan. The water demand required for the proposed Project would total 0.05 and 0.04 percent of the EMWD's 2015 and 2035 supplies. The Project's water consumption represents substantially less than 1 percent of the consumption yearly capacity and because the EMWD indicates that water to service the Project's proposed industrial uses is available, no significant water supply impacts would occur with implementation of the industrial use, and no mitigation would be necessary. (DEIR, pg. 4.12-17 to 4.12-22)

f. Cumulative Impacts to Water Supply Services

Potential Significant Impact: Whether the Project in connection with past, current, and probable future projects would have a cumulative impact to water supply services.

Findings: Potential impacts of the Project related to cumulative water supply services are discussed in detail in Section 4.12 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to water supply services will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.12 of the DEIR, the projected demand for the EMWD service area for the year 2015 is 213,900 acre-feet per year (AFY). The cumulative projects including the proposed Project would make up approximately 0.11 percent of the projected demand for 2015. For the year 2035, the EMWD service area projected demand is 302,200 AFY. The proposed Project would consist of 0.63 percent of the Project water demand. As the cumulative projects including the proposed Project constitute less than one percent of the projected water demand in both 2015 and 2025, the cumulative impact of the proposed Project would be less than significant.

Metropolitan Water District (Metropolitan) will continue to rely on the plans and policies outlined in its Regional Urban Water Master Plan (RUWMP) and Integrated Regional Water Plan (IRP) to address water supply shortages and interruptions (including potential shut downs of SWP pumps) to meet water demands. Metropolitan has also analyzed the reliability of water delivery through the SWP and the Colorado River Aqueduct. Metropolitan's IRP and RUWMP conclude that, with the storage and transfer programs developed by Metropolitan, there will be a reliable source of water to serve its member agencies' needs through 2035. The EWMD is a member agency of Metropolitan and would have water supplies for projected growth through 2035 in wet, dry, and multiple-dry years, so cumulative impacts to water supply would be less than significant. The proposed Project would connect to existing conveyance infrastructure and adequate treatment capacity is available, so the proposed Project would not make a

significant contribution to any cumulatively considerable impacts on water supply or infrastructure and no mitigation is required. (DEIR, pg 4.12-22)

g. Wastewater Treatment Requirements

Potential Significant Impact: Whether the Project would exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board (RWQCB).

Findings: Potential impacts of the Project related to wastewater treatment requirements are discussed in detail in Section 4.12 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to wastewater treatment requirements will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.12 of the DEIR, the proposed Project would result in a connection to the sewer line underlying the future Eucalyptus Avenue. The EMWD expects this sewer to be in service once it is necessary for demand expected from the proposed Project. It is anticipated that all wastewater generated by the proposed Project would be routed to and treated by the Moreno Valley Regional Water Reclamation Facility (MVRWRF). The MVRWRF is a Publically Owned Treatment Works (POTW), so operational discharge flows treated at the MVRWRF would be required to comply with the Waste Discharge Requirements (WDRs) for that facility. Compliance with condition or permit requirements established by the City and WDRs at the MVRWRF would ensure that discharges into the wastewater treatment facility system from the operation of the proposed Project would not exceed applicable Santa Ana RWQCB wastewater treatment requirements. Expected wastewater flows from the proposed Project will not exceed the capabilities of the serving treatment plant, so no significant impact related to this issue would occur and no mitigation would be required. (DEIR, pg. 4.12-24)

h. Wastewater Treatment Capacity and/or New or expanded Wastewater Treatment Facilities

Potential Significant Impact: Whether the Project would result in a determination by the wastewater treatment provider, which serves or may serve the Project, that it lacks adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments.

Also, whether the proposed Project would require the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

Findings: Potential impacts of the Project related to wastewater capacity are discussed in detail in Section 4.12 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to wastewater capacity will occur as a result of development of the Project and no new wastewater treatment facilities or expansion of existing facilities would be required, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.12 of the DEIR, the proposed Project would result in a connection to the sewer line underlying the future Eucalyptus Avenue. The EMWD expects this sewer to be in service once it is necessary for demand expected from the proposed Project. It is anticipated that all wastewater generated by the proposed Project would be routed to and treated by the MVRWRF. The MVRWRF is a POTW, so operational discharge flows treated at the MVRWRF would be required to comply with the WDRs for that facility. Compliance with condition or permit requirements established by the City and WDRs at the MVRWRF would ensure that discharges into the wastewater treatment facility system from the operation of the proposed Project would not exceed applicable Santa Ana RWQCB wastewater treatment requirements. Expected wastewater flows from the proposed Project will not exceed the capabilities of the serving treatment plant, so no significant impact related to wastewater would occur and no mitigation would be required. (DEIR, pg. 4.12-25)

i. Cumulative Impacts to Wastewater Facilities

Potential Significant Impact: Whether the Project in connection with past, current, and probable future projects would result in cumulative impacts to wastewater facilities.

Findings: Potential impacts of the Project related to cumulative wastewater facilities are discussed in detail in Section 4.12 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to wastewater facilities will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.12 of the DEIR, the proposed Project would not have a cumulatively significant impact on wastewater infrastructure because the proposed Project would not require the expansion of existing infrastructure; only connections to existing infrastructure would be required by the Project. By adhering to the wastewater treatment requirements established by the Santa Ana RWQCB through the NPDES permit, wastewater from the Project site that is processed through the MVRWRF would meet established standards. As the wastewater from all development within the service area of the MVRWRF would be similarly treated under the NPDES, no cumulatively significant exceedance of Santa Ana RWQCB wastewater treatment requirements would occur.

The proposed Project would not result in significant impacts to wastewater treatment or wastewater treatment facilities. The MVRWRF also plans expand the capacity of the wastewater facility. The ultimate expansion of the MVRWRF will allow it to process 41 mgd of wastewater. The wastewater generation of the listed cumulative projects represents 4.8 percent of the future capacity of the 2013 expansion and 2.5 percent of the ultimate expansion of the MVRWRF. The projected wastewater generation of the cumulative projects represents a small percentage of the average wastewater capacity and, because there are no projects that would, in combination with the proposed industrial uses, result in any significant impact related to wastewater treatment or cause significant environmental effects, the Project will not make a significant contribution to any cumulatively considerable impacts associated with wastewater and no mitigation is required. (DEIR, pg. 4.12-26)

11. Global Climate Change

a. Greenhouse Gas Plan, Policy, Regulation Consistency

Potential Significant Impact: Whether the Project would conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

Findings: Potential impacts of the Project related to greenhouse gas plans, policies, or regulation consistency are discussed in detail in Section 4.13 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related greenhouse gas plans, policies or regulations will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.13 of the DEIR, the proposed Project includes a variety of physical attributes and operational programs that would generally contribute to a reduction in operational-source pollutant emissions including GHG emissions. Future development that would occur under the proposed Project would be consistent with state and local greenhouse gas emission reduction strategies and policies. The Project would implement appropriate GHG reduction strategies and would ensure that it does not conflict with or impede implementation of reduction goals identified in AB 32, Governor's Executive Order S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor. In addition, the Project would also be subject to all applicable regulatory requirements, which would also reduce the GHG emissions of the Project. Therefore, the proposed Project would not conflict with any applicable plan, program, policy, or regulation related to the reduction of GHG emissions. Impacts are considered less than significant and no mitigation is required. (DEIR, pgs. 4.13-10 to 4.13-17)

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 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 biological resources, cultural and paleontological resources, hydrology, drainage, and water quality, noise (short-term construction), transportation (local intersections), utilities, and global climate change (individually and cumulatively) 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 included as Conditions of Approval and set forth in the Mitigation Monitoring and Reporting Program (MMRP) adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. <u>Air Quality</u>

a. Localized Construction Equipment Exhaust Emissions Impacts

Potentially Significant Impact: The EIR evaluated and concluded that the Project has the potential to exceed short-term construction thresholds.

Finding: Implementation of the following mitigation measures will reduce the potential adverse impacts to sensitive or special status species to less than significant:

4.3.6.3A *Prior to the issuance of grading permits, the project applicant shall require by contract specifications that all trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least 2 feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and top of the trailer).*

4.3.6.3B *Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that construction access roads shall be paved at least 100 feet onto the site from the main road.*

4.3.6.3C *Prior to the issuance of grading permits, the project applicant shall require by contract specifications that all streets within the construction site shall be swept once per day if visible soil materials are carried to adjacent streets.*

Facts in Support of the Finding: SCAQMD has developed LST methodology that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. LSTs represent the maximum emissions from a project that would not cause or contribute to an exceedance of the most stringent applicable Federal or State ambient air quality standard and are developed based on the ambient concentrations of that pollutant for each source receptor area. The emissions of concern from construction activities are NOX, CO, PM_{10}, and $PM_{2.5}$ resulting from on-site combustion emissions from construction equipment and on-site fugitive PM_{10} dust from construction site preparation activities.

According to Section 4.3 of the DEIR, the air pollutant emission rates for the proposed construction activities are below the localized construction thresholds at the nearest sensitive receptor for CO, NO_X, PM_{10}, and $PM_{2.5}$. Thus, no mitigation is required. However, implementation of **Mitigation Measures 4.3.6.2A through 4.3.6.2M** and the incorporation of these additional requirements as **Mitigation Measures 4.3.6.3A through 4.3.6.3C** are designed to track both standard requirements and mitigation measures as part of the project's Mitigation Monitoring and Reporting Program (MMRP). Therefore, impacts related to construction exhaust emissions are less than significant. (DEIR, pgs. 4.3-29 to 4.3-30)

2. Biological Resources

a. Candidate, Non-listed Sensitive, or Other Special Status Species

Potential Significant Impact: The EIR evaluated and concluded that the Project has the potential to affect migratory bird species and 15 non-listed special status species, including burrowing owl.

Finding: Implementation of the following mitigation measures will reduce the potential adverse impacts to sensitive or special status species to less than significant:

4.4.6.1A *If tree removal or clearing and grubbing activities must take place during the general nesting season (February 1 through August 31), a nesting bird survey shall be conducted within seven (7) days prior to any vegetation disturbance activities. If passerine birds are found to be nesting or there is evidence of nesting behavior inside the impact area, an exclusion buffer, to be determined by the appropriate agency (e.g. the City, County, and/or CDFG), shall be set in place around the nest where no vegetation disturbance will be permitted. For raptor species, such as hawks and owls, this buffer may be as large as 500 feet. A qualified biologist shall closely monitor nests until it is determined that they are no longer active, at which time construction activity in the vicinity of nests may continue.*

4.4.6.1B *Prior to site grading, a pre-construction survey shall be required for the burrowing owl to confirm the presence/absence of this species from the site. The survey shall be conducted by a qualified biologist within 30 days prior to ground disturbance, and in accordance with MSHCP survey requirements, to avoid direct take of burrowing owls. If burrowing owls are determined to occupy the project site or immediate vicinity, the City of Moreno Valley Planning Department shall be notified and avoidance measures as identified in Mitigation Measure 4.4.6.1C shall be implemented. Implementation of avoidance measures shall be executed pursuant to the MSHCP, the California Fish and Game Code, and the MBTA, and according the Burrowing Owl Survey Protocol and Mitigation Guidelines (CBOC 1993) and reviewed the City of Moreno Valley, the County of Riverside, and/or by the CDFG.*

4.4.6.1C *As recommended in the BUOW Survey and Mitigation Guidelines prepared by the CBOC, no disturbance to an occupied burrow shall occur within approximately 160 feet of an occupied burrow during the non-breeding season (September 1 through January 31), or within approximately 250 feet of an occupied burrow during the breeding season*

(February 1 through August 31). For unavoidable impacts, passive relocation of burrowing owls shall be implemented. Passive relocation shall be conducted by a qualified biologist in accordance with procedures set forth by the MSHCP and California Burrowing Owl Consortium. Passive relocation of occupied burrows supporting a breeding pair of burrowing owls shall be conducted outside of the breeding season pursuant to the California Fish and Game Code and the MBTA.

Facts in Support of the Finding: According to Section 4.4 of the DEIR, one non-listed special status species, grasshopper sparrow, was observed on the site during the burrowing owl survey. Fourteen other non-listed special status species, including burrowing owl, have a low to moderate potential to occur on the site based on existing habitat quality. None of these species is listed as Threatened or Endangered under State or Federal law, all are relatively widespread, and the site does not contain high quality habitat for any of them. Therefore, any impacts to these species by the Project would not be considered significant. Neither additional surveys nor additional conservation measures for these species will be required for the proposed Project, with the exception of burrowing owl.

The planning area may support habitat for bird species protected under the California Fish and Game Code and Migratory Bird Treaty Act (MBTA). If clearing and grubbing activities take place during the general bird nesting season (February 1 through August 31), potential impacts to bird species protected under the California Fish and Game Code and MBTA may occur, therefore **Mitigation Measure 4.4.6.1A** is required.

The Project site also contains habitat suitable to support the burrowing owl. Although burrowing owl was not found on the site during the focused survey, the species is highly mobile, so there is a potential that at some future date prior to Project development, this species may occupy the site. This is a potentially significant impact requiring **Mitigation Measures 4.4.6.1B and 4.4.6.1C.** Implementation of the above-listed mitigation measures would reduce impacts to migratory bird species and non-listed sensitive species to a less than significant level. (DEIR, pgs. 4.4-25 to 4.4-27).

b. Riparian Habitat or Other Sensitive Natural Communities

Potential Significant Impact: The EIR evaluated and concluded that the Project has the potential to permanently affect 0.36 acre of riparian/riverine habitat and to temporarily affect 0.35 acre of riparian/riverine habitat.

Finding: Implementation of the following mitigation measures will reduce the potential adverse impacts to riparian habitat or other sensitive natural communities to less than significant:

4.4.6.2A *As outlined in the project's Determination of a Biologically Equivalent or Superior Preservation (DBESP) report, the project applicant shall compensate for the temporary and permanent impact on and loss of jurisdictional waters and streambeds by providing a minimum 2:1 off-site replacement of equivalent riverine/riparian habitat prior to project construction. Offsite restoration, enhancement, and/or land purchase mitigation for the drainage impacts will occur at an offsite location through one or more of the following: an USACE approved mitigation bank, through an in lieu fee mitigation program, and/or land purchase and conservation. CDFW and USFWS will need to provide concurrence that this mitigation is equivalent or superior to that proposed for impact through their review and acceptance of the DBESP.*

4.4.6.2B *Riparian/riverine resources that are temporarily impacted by project construction shall be returned to their preconstruction contours and hydroseeded, as outlined in the DBESP.*

Facts in Support of the Findings: According to Section 4.4 of the DEIR, the Project site consists of highly disturbed land from which most natural vegetation has been removed by regular disking for weed abatement and historical citrus cultivation. No special status species plants were recorded on site within the southern and western drainages due to the site's long-standing disturbances and the fact that on-site soils may not be capable of supporting most sensitive plant species.

However, implementation of the proposed Project would result in permanent impacts on 0.36 acre of riparian/riverine areas as a result of the construction of the detention basins, and drain outlets. In addition to permanent impacts, the proposed Project would result in temporary impacts on 0.35 acre of riparian/riverine areas associated with construction activities. Minimal intrusion into the drainages would be necessary and no construction is anticipated in the drainages themselves.

Following construction, temporary impact areas would be restored to their pre-construction contours and revegetated per a Habitat Mitigation and Monitoring Plan (HMMP) to be written for the Project site. The HMMP would be developed to address temporary impacts on riverine/riparian areas subject to jurisdiction under the MSHCP, waters of the United States subject to jurisdiction under Section 404 of the Clean Water Act (CWA), waters of the state subject to jurisdiction under Section 401 of the CWA, and jurisdictional streambeds subject to jurisdiction under Sections1600–1616 of the California Fish and Game Code. Therefore, the proposed mitigation design is directed at providing adequate mitigation based on impacts on the largest jurisdictional area (namely, CDFW jurisdictional streambeds). Because implementation of the proposed Project would have impacts on riparian/riverine areas on site, mitigation

would be required. Implementation of the **Mitigation Measures 4.4.6.2A and 4.4.6.2B** would reduce impacts to riparian habitat to a less than significant level. (DEIR, pgs. 4.4-29 to 4.4-27)

c. Jurisdictional Waters/Wetlands

Potential Significant Impact: The EIR evaluated and concluded that the Project has the potential to permanently affect 0.051 non-wetland waters of the United States (US) and 0.362 acre of CDFW jurisdictional area, and to temporarily affect 0.054 acre of non-wetland waters of the U.S. and 0.33 acre of CDFW jurisdictional area.

Findings: Implementation of the following mitigation measures will reduce the potential adverse impacts to jurisdictional waters and wetlands to less than significant:

4.4.6.3A *The project applicant shall obtain a Section 404 Nationwide or Individual Permit, as appropriate, from the USACE, a Section 401/Porter-Cologne Water Quality Certification from the RWQCB, and a Section 1602 Streambed Alteration Agreement from the CDFW. Offsite restoration, enhancement, and/or land purchase mitigation of jurisdictional drainage impacts will occur at an off-site location through one or more of the following: an USACE approved mitigation bank, through an in-lieu fee mitigation program, and/or land purchase and conservation.*

Facts in Support of the Findings: According to Section 4.4 of the DEIR, there is a clear connection to drainages associated with the San Jacinto watershed, and all three drainages (western, southern, and eastern) located on or adjacent to the Project site are determined to be jurisdictional waters of the United States. Implementation of the proposed Project would result in permanent impacts to 0.051 acre (354 linear feet) of non-wetland waters of the US and waters of the State and 0.362 acre (440 linear feet) of state streambed associated with the eastern, southern, and western drainages. In addition to permanent impacts, the proposed Project would result in temporary impacts to 0.054 acre (332 linear feet) of non-wetland waters of the US and waters of the State and 0.33 acre (547 linear feet) of State streambed associated with construction activities. This is a significant impact requiring mitigation.

The proposed on-site restoration of temporary impact areas and the long-term enhancement of off-site riparian/riverine habitat managed by Santa Ana Water Authority provides adequate mitigation for identified impacts to on-site jurisdictional areas. Implementation of the recommended **Mitigation Measure 4.4.6.3A** would reduce impacts to jurisdictional waters to less than significant levels. (DEIR, pgs. 4.4-29 to 4.4-30)

3. Cultural Resources

a. Prehistoric Cultural Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on significant archaeological resource pursuant to Section 15064.5.

Finding: Implementation of the following mitigation measures will reduce the impact to unique archaeological resources to less than significant:

4.5.6.1A *Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Moreno Valley that a Cultural Resources Monitoring Agreement has been secured for qualified Tribal representatives, and that a professional archaeological monitor meeting Secretary of Interior standards has been retained by the Applicant to conduct monitoring of all mass grading and trenching activities and has the authority to temporarily halt and redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist and Tribal representatives shall attend the pre-grading meeting with the City and contractors to explain and coordinate the requirements of the monitoring program.*

4.5.6.1B *Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Moreno Valley that appropriate Native American representative(s), Project Archaeologist, and the Tribal representative(s) shall be allowed to monitor and have received a minimum of 30 days advance notice of all mass grading and trenching activities. During grading and trenching operations, the Tribal representatives and the project archaeological monitor shall observe all mass grading and trenching activities per the Cultural Resources Monitoring Agreement. If the Tribal representatives suspect that an archaeological resource may have been unearthed, the archaeologist, in consultation with the tribal representative, shall immediately halt and redirect grading operations in a 100-foot radius around the find to allow identification and evaluation of the suspected resource. In consultation with the appropriate Native American Tribe(s), the archaeological monitor shall evaluate the suspected resource and make a determination of significance pursuant to California Public Resources Code Section 21083.2.*

4.5.6.1C *If a significant archaeological resource(s) is discovered on the property, ground disturbing activities shall be suspended 100 feet around the resource(s). The archaeological monitor and representatives of the appropriate Native American Tribe(s), the Project Applicant, and the City Planning Division shall confer regarding mitigation of the discovered resource(s). A treatment plan and/or preservation plan shall be prepared and by the archaeological monitor and reviewed by representatives of the appropriate Native American Tribe(s), the Project Applicant, and the City Planning Division and implemented by the archaeologist to protect the identified archaeological resource(s) from damage and destruction. The landowner shall relinquish ownership of all archaeological artifacts that are of Native American origin found on the Project site to the culturally affiliated Native American tribe(s) for proper treatment and disposition. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to the City Planning Division, the appropriate Native American tribe(s), and the Eastern Information Center at the University of California, Riverside. All cultural material, excluding sacred, ceremonial, grave goods and human remains, collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site shall be curated, as determined by the treatment plan, according to the current professional repository standards and may include the Pechanga Bands curatorial facility.*

4.5.6.1D *Prior to grading permit issuance, the City shall verify that the following note is included on the Grading Plan:*

"If any suspected archaeological resources are discovered during ground-disturbing activities and the archaeological monitor or Tribal representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the project archaeologist and the Tribal representatives to the site to assess the significance of the find."

4.5.6.1E *If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner. If the Riverside County Coroner determines the remains to be Native American, the California Native American Heritage Commission must be contacted*

within 24 hours. The Native American Heritage Commission must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code §5097.98.

Facts in Support of the Finding: Based on Section 4.5 of the DEIR, a reconnaissance pedestrian-survey for the Project site was conducted in November 2007. Although the Project site is located within the Moreno Hills Complex, no archaeological resources were identified on the Project site during the field survey, and the cultural resource assessment concluded the Project would have no significant impacts; however, there is a potential for Project grading to disturb previously undiscovered cultural resources. While there is no recorded or surface evidence that archaeological resources are present on site, the Project is located in an area with a high potential of containing prehistoric archaeological resources. Therefore, a potential exists that excavation and construction activities may uncover previously undetected prehistoric or historic cultural resources. This is a potentially significant impact under CEQA and requires mitigation. Adherence to the above **Mitigation Measures 4.5.6.1A** through **4.5.6.1E** would reduce potential impacts to archaeological resources to a less than significant level. (DEIR, pgs. 4.5-6 to 4.5-7)

b. Paleontological Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on significant paleontological resource or site or unique geologic feature.

Findings: Implementation of the following mitigation measures will reduce the impact to unique paleontological resource or unique geologic feature to less than significant:

4.5.6.2A *Prior to the issuance of grading permits, the project applicant shall submit to and receive approval from the City, a Paleontological Resource Impact Mitigation Program (PRIMP). The PRIMP shall include the provision of a trained paleontological monitor during on-site soil disturbance activities. The monitoring for paleontological resources shall be conducted during the rough-grading phase of the project. In the event that paleontological resources are unearthed or discovered during excavation, Mitigation Measure 4.5.6.2C shall apply. Conversely, if no paleontological resources are unearthed or discovered on site during excavation, no additional action is required.*

4.5.6.2B *The paleontological monitor shall be equipped to rapidly remove any large fossil specimens encountered during excavation. During monitoring, samples of soil shall be*

collected and processed to recover microvertebrate fossils. Processing shall include wet screen washing and microscopic examination of the residual materials to identify small vertebrate remains.

4.5.6.2C *If paleontological resources are unearthed or discovered during excavation of the project site, the monitoring for paleontological resources shall be conducted on a full-time basis for the duration of the rough-grading of the project site. The following recovery processes shall apply:*

- *Upon encountering a large deposit of bone, salvage of all bone in the area shall be conducted with additional field staff and in accordance with modern paleontological techniques.*
- *All fossils collected during the project shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of all material collected and identified shall be provided to the museum repository along with the specimens.*
- *A report documenting the results of the monitoring and salvage activities and the significance of the fossils shall be prepared.*
- *All fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a museum repository for permanent curation and storage.*

4.5.6.2D *Prior to grading permit issuance, the City shall verify that the following note is included on the Grading Plan:*

"If any suspected paleontological resources are discovered during ground-disturbing activities, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call a qualified paleontologist to the site to assess the significance of the find. A qualified paleontologist shall evaluate the suspected resource. If the paleontologist determines that the find is not unique, construction shall be permitted to proceed. However, if the paleontologist determines that further information is needed to evaluate significance, the City of Moreno Valley shall be notified and a treatment plan shall be prepared and implemented in consultation with the City to protect the identified paleontological resource(s) from damage and destruction."

Facts in Support of the Findings: According to Section 4.5 of the DEIR, the proposed Project site is located within an area that has a high potential to contain near-surface Pleistocene fossils.[11] The paleontological literature search indicated that there is potential for significant, nonrenewable resources that to encountered during onsite construction activities. Therefore, a paleontological resources impact mitigation program (PRIMP), including excavation monitoring by a qualified paleontologist, is recommended for earthmoving activities in Pleistocene sediments on the Project site with potential to contain significant, nonrenewable paleontological resources. Although no paleontological resources were identified on site during the field survey, because of the location of the Project site and associated sensitivity for paleontological resources, the potential exists that paleontological resources maybe uncovered during construction. Adherence to the **Mitigation Measures 4.5.6.2A through 4.5.6.2D** will reduce potential impacts to paleontological resources to a less than significant level. (DEIR, pgs. 4.5-7 to 4.5-8)

4. Hydrology, Drainage, and Water Quality

a. Construction-Related Water Quality Impacts

Potential Significant Impact: The EIR evaluated and concluded that the Project could violate water quality standards or waste discharge requirements during construction phases of the Project in form of increased soil erosion, sedimentation, or storm water discharges.

Findings: Implementation of the following mitigation measures will reduce the impact to construction-related water quality to less than significant:

4.7.6.1A *Prior to grading plan approval and the first issuance of a grading permit by the City, the project applicant shall provide evidence to the City that a Notice of Intent (NOI) has been filed with the Regional Water Quality Control Board for coverage under the State NPDES General Construction Permit for discharge of storm water associated with construction activities.*

4.7.6.1B *Prior to grading plan approval and the first issuance of a grading permit by the City, the project applicant shall submit to the City of Moreno Valley a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and nonvisible discharges*

[11] Ibid.

from the site. BMPs to be implemented in the SWPPP may include (but shall not be limited to) the following:

- *Sediment discharges from the site may be controlled by the following: sandbags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.*
- *No materials of any kind shall be placed in drainage ways.*
- *Materials that could contribute nonvisible pollutants to storm water must be contained, elevated, and placed in temporary storage containment areas.*
- *All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected per RWQCB standards to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.*
- *The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.*
- *Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary.*
- *The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.*

In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

4.7.6.1C *Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that the following provisions have been added to construction contracts for the project:*

- *The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of*

Moreno Valley and the representatives of the Regional Water Quality Control Board.

Facts in Support of the Findings: According to Section 4.7 of the DEIR, the construction and grading phases of the project site would require the disturbance of surface soils and removal of existing orange groves and vegetative cover. During the construction period, grading and excavation activities would result in exposure of soil to storm runoff, potentially causing erosion and sediment in runoff. If not managed through Best Management Practices (BMPs), the runoff could cause erosion and increased sedimentation in local drainage ways such as the Quincy Channel. The potential for chemical releases is present at most construction sites in the form of fuels, solvents, glues, paints, and other building construction materials. However, implementation of construction practices and adherence to existing water quality regulations and **Mitigation Measures 4.7.6.1A** through **4.7.6.1C** would reduce these impacts to a less than significant level. (DEIR, pgs. 4.7-21 to 4.7-23)

b. Operational-Related Water Quality Impacts

Potential Significant Impact: The EIR evaluated and concluded that the Project could violate water quality standards or waste discharge requirements during the operational phases of the project in the form of increased soil erosion, sedimentation, or urban runoff.

Findings: Implementation of the following mitigation measure will reduce the impact to operational-related water quality to less than significant:

4.7.6.2A *Prior to grading plan approval and the first issuance of a grading permit by the City, the project applicant shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollution prevention, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable. BMPs to be implemented in the F-WQMP may include (but shall not be limited to) the following:*

- *Required landscaped areas shall not use decorative concrete or impervious surfaces.*
- *Landscape plans shall incorporate native and drought-tolerant plants, trees, and shrubs. Landscaping shall be maintained weekly and maintenance contractor will properly dispose of all landscape wastes.*

- *Irrigation systems shall be inspected monthly by the landscape contractor to check for overwatering, leaks, or excessive runoff to paved areas. Timers will be used to prevent overwatering.*

- *Signage will be inspected and maintained twice a year for legibility.*

- *Outdoor Loading/Unloading truck docks shall be kept in a clean and orderly condition with weekly inspections, continuous monitoring and immediate clean up of spills.*

- *Parking area maintenance shall be swept or vacuumed at least quarterly, if there is any trash or debris in between the routine sweeping, it shall be swept or vacuumed immediately.*

- *Trash enclosures will be inspected and maintained weekly or as needed by maintenance contractor.*

- *On-site extended detention/sedimentation basins and sand filters will treat all of the site's runoff via vegetated swales and will be maintained and inspected at least twice a year and prior to October 1.*

- *Additional BMPs will be documented in the WQMP and utilized if necessary.*

In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

Facts in Support of the Findings: According to Section 4.7 of the DEIR, the proposed Project would result in the conversion of existing on-site permeable surfaces to impermeable surfaces, thereby altering the current drainage pattern. Upon development of the proposed on-site uses, storm runoff from the roadways, parking lots, and buildings may carry a variety of pollutants such as sediment, pathogens, petroleum products, commonly utilized construction materials, landscaping chemicals, and (to a lesser extent) trace metals such as zinc, copper, lead, cadmium, and iron, which may lead to the degradation of storm water in downstream channels. These impacts to water quality are considered significant impacts that require mitigation. **Mitigation Measure 4.7.6.2A** has been identified to reduce impacts to water quality to less than significant.

The proposed Project would also incorporate on-site drainage that would have hydrodynamic infrastructure components that would meet City and County water quality requirements. Through the use of site design BMPs, source control BMPs, and treatment control BMPs, the resulting pollutant loads

coming from the proposed Project would be reduced thereby ultimately reducing pollutants discharged from urban storm water runoff to surface water bodies. Because adherence to the requirements of the NPDES permit, which include implementation of the BMPs outlined in the WQMP, would be required by the City during the operation of the proposed Project, potential water quality impacts resulting from storm water and urban runoff would be reduced to a less than significant level. (DEIR, pgs. 4.7-23 to 4.7-26)

c. Drainage Capacity-Related Impacts

Potential Significant Impact: The EIR evaluated and concluded that the Project could create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.

Findings: Implementation of the following mitigation measure will reduce the impact to drainage to less than significant:

4.7.6.3A *Prior to the approval of a rough grading plan, the project proponent shall receive approval on a project-specific Final Hydrology Study, with supporting engineering calculations, from the City Engineer. The Final Hydrology Study shall incorporate relevant requirements identified by the City, and/or site-specific geotechnical investigations.*

Facts in Support of the Findings: According to Section 4.7 of the DEIR, development and operation of the proposed Project would result in the generation of the additional storm water flows that would be above those generated in existing site conditions. With the construction and maintenance of adequate storm water drainage systems, through the adherence of **Mitigation Measure 4.7.6.3A**, impacts would be less than significant. In addition, the design and installation of the proposed drainage improvements will be required to adhere to applicable City and County standards. (DEIR, pgs. 4.7-26 to 4.7-28)

5. <u>Noise</u>

a. Short-Term Construction Noise

Potential Significant Impact: The EIR evaluated and concluded that noise levels from grading and other construction activities for the proposed Project may range up to 91 dBA at the closest residences southeast of the Project site for very limited times when construction occurs near the Project's boundary. Construction-related noise impacts from the proposed Project would be potentially significant.

Finding: Implementation of the following mitigation measures will reduce potential short-term construction noise impacts to less than significant:

4.9.6.1A *During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.*

4.9.6.1B *The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.*

4.9.6.1C *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 to the project site during all project construction.*

4.9.6.1D *During all project site construction activities at Building 6 (i.e., closest to existing residences), the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer for specific construction activities that must be conducted outside of the permitted time periods.*

Facts in Support of the Finding: According to Section 4.9 of the DEIR, two types of short-term noise impacts could occur during the construction of the Project. First, construction crew commutes and the transport of construction equipment and materials to the site for the proposed Project would incrementally increase noise levels on access roads leading to the site. The second type of short-term noise impact is related to noise generated during excavation, grading, and building erection on the Project site. Construction of the proposed Project is expected to require the use of scrapers, bulldozers, and water and pickup trucks. The site preparation phase, which includes excavation and grading of the site, tends to generate the highest noise levels, because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve one or two minutes of full-power operation followed by three to four minutes at lower power settings. The maximum noise level generated by each scraper on the proposed Project site is assumed to be approximately 87 dBA L_{max} at 50 feet from the scraper. Each bulldozer would generate approximately 85 dBA Lmax at 50 feet. The maximum noise level generated by water and pickup trucks is approximately 86 dBA L_{max} at 50 feet from these vehicles. Each doubling of the sound sources with equal strength increases the noise level by three (3) dBA. Assuming that each piece of construction equipment operates at some distance from the other equipment,

the worst-case composite noise level during this phase of construction would be 91 dBA L_{max} at a distance of 50 feet from the active construction area.

The nearest noise-sensitive receptor locations to the Project site are existing residences approximately 50 feet to the southeast. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 91 dBA L_{max}, generated by construction activities on the Project site. This noise level would exceed the City's exterior noise standard of 60 dBA[12] CNEL for residential uses. However, no significant construction noise impacts would occur if construction of the proposed Project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on Sundays and Federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures have been identified to reduce the noise levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards.

With adherence to the City's designated construction hours and with implementation of the proposed **Mitigation Measures 4.9.6.1A through 4.9.6.1D**, potential short-term construction noise impacts would be reduced below the level of significance. (DEIR, pgs. 4.9-25 to 4.9-27)

6. <u>Transportation</u>

a. Future Year 2035 with Project Conditions (Intersection) Traffic and Level of Service

Potential Significant Impact: The EIR evaluated and concluded that the Project could cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system.

Findings: Implementation of the following mitigation measures will reduce the impact related to future traffic LOS to less than significant:

4.11.6.4A. *Prior to issuance of a Certificate of Occupancy the project applicant shall construct the following traffic improvements:*

- *Redlands Boulevard/SR-60 Westbound Ramps. Install a traffic signal. This improvement is currently approved, and permitted by Caltrans. If not otherwise completed prior to project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.*

- *Redlands Boulevard/Fir Avenue/Eucalyptus Avenue. If not otherwise completed prior to project opening, prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements: Install a traffic signal and add a northbound left-turn lane and a southbound left-turn lane.*

If the improvements are constructed by others prior to the Certificate of Occupancy, the applicant shall pay its fair share towards the improvements through the City's DIF program.

4.11.6.4B *Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program:*

- ***Moreno Beach Drive/SR-60 Eastbound Ramps.*** *The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF would mitigate the significant impact at this location. This project is scheduled to go into construction by the end of this year and completed by the end of 2013.*
- ***Redlands Boulevard/SR-60 Westbound Ramps.*** *Install a traffic signal. This improvement is currently approved, and permitted by Caltrans. If not otherwise completed prior to project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.*
- ***Redlands Boulevard/Fir Avenue/Eucalyptus Avenue****. If not otherwise completed prior to project opening, prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements: Install a traffic signal. This improvement is listed in the City's DIF program. Add a northbound left-turn lane and a southbound left-turn lane.*

4.11.6.4C *Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program:*

- ***Moreno Beach Drive/SR-60 Eastbound Ramps.*** *The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The*

[12] *Chapter 11.80.030 Table 11.80.030-2, City of Moreno Valley Municipal Code,* City of Moreno Valley.

interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF would mitigate the significant impact at this location.

- ***Moreno Beach Drive/Cottonwood Avenue.*** *Add a southbound through lane. This improvement is listed in the City's DIF program. Therefore, payment of the DIF would mitigate the significant impact at this location.*

- ***Moreno Beach Drive/Alessandro Boulevard.*** *Add a southbound through lane. This improvement is listed in the City's DIF program. Therefore, payment of the DIF would mitigate the significant impact at this location.*

- ***Redlands Boulevard/SR-60 Westbound Ramps.*** *Install a traffic signal. This improvement is listed in the City's DIF program and will be installed before building occupancy since it was identified as a direct project impact. Add a northbound through lane. The Redlands Boulevard/SR-60 Interchange reconstruction would implement the northbound through lane. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the DIF and TUMF would mitigate the significant impact at this location.*

- ***Redlands Boulevard/SR-60 Eastbound Ramps.*** *The Redlands Boulevard/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the TUMF would mitigate the significant impact at this location.*

- ***Redlands Boulevard/Fir Avenue/Eucalyptus Avenue.*** *Install a traffic signal. Add a westbound right-turn lane and provide overlap phasing for the westbound right turns. Add a westbound left-turn lane and an eastbound left-turn lane. These improvements are programmed in the City's DIF program. Add a northbound left-turn lane a southbound through lane and a southbound left-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF would mitigate the significant impact at this location.*

- ***Redlands Boulevard/Eucalyptus Avenue.*** *Add a southbound right-turn lane. This improvement is programmed in the TUMF. Therefore, payment of the TUMFs would mitigate the significant impact at this location.*

- ***Redlands Boulevard/Alessandro Boulevard.*** *Add a southbound left-turn lane. This improvement is programmed in the TUMF. Therefore, payment of the TUMFs would mitigate the significant impact at this location.*

4.11.6.4D *Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program. At some locations, the DIF and TUMFs would not fully mitigate the projects impact. For these locations, additional improvements shall be implemented by the project applicant prior to the issuance of a certificate of occupancy for the project:*

- ***Nason Street/Eucalyptus Avenue.*** *Add a northbound right-turn lane. This improvement is programmed in the City's DIF; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, the project shall contribute a fair share (calculated to be 1.76%) toward restriping the westbound approach to provide dual left-turn lanes*

- ***Nason Street/Alessandro Boulevard.*** *Add an eastbound through lane and a westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, the project shall contribute a fair share (calculated to be 1.4%) toward modification of the traffic signal to provide overlap phasing for the eastbound right-turn lane.*

- ***Moreno Beach Drive/SR-60 Westbound Ramps.*** *The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF would mitigate the significant impact at this location.*

- ***Moreno Beach Drive/SR-60 Eastbound Ramps.*** *The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF would mitigate the significant impact at this location.*

- ***Moreno Beach Drive/Eucalyptus Avenue.*** *Convert the existing eastbound through lane to a left-turn lane and the eastbound right-turn lane to a shared through/right-turn lane.*

These improvements are programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, the project shall contribute a fair share (calculated to be 8.63%) toward modification of the traffic signal to provide right-turn overlap phasing for the westbound right turn.

- ***Moreno Beach Drive/Cottonwood Avenue.*** *Add a southbound through lane. This improvement is programmed in the City's DIF program. Therefore, payment of the DIF would mitigate the significant impact at this location.*

- ***Moreno Beach Drive/Alessandro Boulevard.*** *Add 2 southbound through lanes, 2 northbound through lanes, an eastbound through lane, and a westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would mitigate the significant impact at this location.*

- ***Redlands Boulevard/SR-60 Westbound Ramps.*** *Install a traffic signal. This improvement is programmed in the City's DIF program and will be installed before building occupancy since it was identified as a direct project impact.*

- ***Redlands Boulevard/SR-60 Eastbound Ramps.*** *The Redlands Boulevard/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the TUMF would mitigate the significant impact at this location.*

- ***Redlands Boulevard/Fir Avenue-Eucalyptus Avenue.*** *Install a traffic signal and add a westbound left-turn lane, eastbound through lane, eastbound left-turn lane, and a westbound right-turn lane with overlap phasing. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, add a southbound through lane, southbound left-turn lane, northbound through lane, northbound left-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF would mitigate the significant impact at this location.*

- ***Redlands Boulevard/Eucalyptus Avenue.*** *Install a traffic signal and add a westbound left-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, add a northbound left-turn lane and a southbound left-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF would mitigate the significant impact at this location.*

- ***Redlands Boulevard/Alessandro Boulevard.*** *Install a traffic signal. This improvement is programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, add a southbound left-turn lane, a northbound left-turn lane, a westbound left-turn lane, an eastbound left-turn lane, a westbound right-turn lane, and a southbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF would mitigate the significant impact at this location.*

4.11.6.4E *Prior to issuance of building permits, the project applicant shall implement the following improvements, either through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program, or through a fair-share contribution to the City of Moreno Valley as noted below:*

- ***Nason Street/Eucalyptus Avenue.*** *Add a northbound right-turn lane and an eastbound right-turn lane. These improvements are programmed in the City's DIF; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. Implementation of the improvements identified for this intersection in* ***Mitigation Measure 4.11.6.4D*** *would also partially mitigate the significant impact at this intersection. In addition, the project shall pay a fair share (calculated to be 1.6%) toward modification of the traffic signal to provide right-turn overlap phasing for the eastbound and northbound right turns.*

- ***Nason Street/Alessandro Boulevard.*** *Add an eastbound through lane and westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. Implementation of the improvements identified for this intersection in* ***Mitigation Measure 4.11.6.4D*** *would also partially mitigate the significant impact at this intersection. In addition, the project shall pay a fair share (calculated to be 1.35%) toward the addition of an eastbound left-turn lane and modification of the traffic signal to provide overlap phasing for the westbound right-turn lane.*

- ***Moreno Beach Drive/SR-60 Westbound Ramps.*** *The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF would mitigate the significant impact at this location.*

- ***Moreno Beach Drive/SR-60 Eastbound Ramps.*** *The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF would mitigate the significant impact at this location.*

- ***Moreno Beach Drive/Eucalyptus Avenue.*** *Restripe eastbound approach to dual left-turn lanes and add a northbound through lane, a westbound through lane, and a southbound right-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. Implementation of the improvements identified for this intersection in* ***Mitigation Measure 4.11.6.4D*** *would also partially mitigate the significant impact at this intersection. In addition, the project shall pay a fair share (calculated to be 5.17%) toward modification of the traffic signal to provide right-turn overlap phasing for the southbound right-turn lane.*

- ***Moreno Beach Drive/Cottonwood Avenue.*** *Add a southbound through lane, a northbound through lane, an eastbound left-turn lane, an eastbound through lane, a westbound through lane, and a westbound left-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would mitigate the significant impact at this location.*

- ***Moreno Beach Drive/Alessandro Boulevard.*** *Add 2 southbound through lanes, add 2 northbound through lanes, an eastbound through lane, and a westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would mitigate the significant impact at this location.*

- ***Auto Mall Drive/Eucalyptus Avenue.*** *Install a traffic signal. This improvement is programmed in the City's DIF program; therefore, payment of the DIF would mitigate the significant impact at this location.*

- ***Redlands Boulevard/SR-60 Westbound Ramps.*** *Install a traffic signal. This improvement is programmed in the City's DIF program and will be installed before building occupancy since it was identified as a direct project impact. Therefore, payment of the DIF would mitigate the significant impact at this location.*

- ***Redlands Boulevard/SR-60 Eastbound Ramps.*** *The Redlands Boulevard/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The*

interchange reconstruction project is programmed in the TUMF. Therefore, payment of the TUMF would mitigate the significant impact at this location.

- ***Redlands Boulevard/Fir Avenue-Eucalyptus Avenue.*** *Install a traffic signal and add a westbound left-turn lane, eastbound through lane, eastbound left-turn lane, a westbound right-turn lane with overlap phasing, and a southbound right-turn lane with overlap phasing. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, add a southbound through lane, a southbound left-turn lane, a northbound through lane, a northbound left-turn lane, and a northbound right-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the TUMF would also partially mitigate the significant impact at this location. In addition, the project shall pay a fair share (calculated to be 10.44%) of the cost of adding a southbound left-turn lane.*

- ***Redlands Boulevard/Eucalyptus Avenue.*** *Install a traffic signal and add a westbound left-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, add a northbound left-turn lane, a northbound through lane, a southbound left-turn lane, and a southbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF would mitigate the significant impact at this location.*

- ***Redlands Boulevard/Cottonwood Avenue.*** *Add an eastbound through lane and westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, add a northbound through lane, and a southbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF would mitigate the significant impact at this location.*

- ***Redlands Boulevard/Alessandro Boulevard.*** *Install a traffic signal. This improvement is programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, add a southbound left-turn lane, a northbound left-turn lane, a westbound left-turn lane, an eastbound left-turn lane, a westbound right-turn lane, a southbound through lane, a westbound through lane, and an eastbound through lane. These improvements are programmed in the TUMF.*

Therefore, payment of the DIF and TUMF would mitigate the significant impact at this location.

4.11.6.4F *If the Encilia Avenue and Quincy Street Connection plan is implemented as part of the proposed project, then prior to issuance of building permits, the project applicant shall implement the following improvements: In addition to those identified in* ***Mitigation Measure 4.11.6.4E****, either through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program, or through a fair-share contribution to the City of Moreno Valley as noted below:*

- ***Moreno Beach Drive/Eucalyptus Avenue.*** *Restripe the southbound shared through/right-turn lane to a southbound through lane. This improvement is programmed in the City's DIF program; therefore, payment of the DIF would mitigate the impacts of the project at this intersection.*
- ***Redlands Boulevard/Fir Avenue-Eucalyptus Avenue.*** *Pay the fair share (calculated to be 10.84%) to add a southbound right-turn lane.*
- ***Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue.*** *Install a traffic signal and add a westbound left-turn lane. These improvements are programmed in the City's DIF program. In addition, add a northbound left-turn lane, northbound through lane, southbound left-turn lane, and a southbound through lane. These improvements are programmed in the TUMF program. Therefore, payment of the DIF and TUMF would fully mitigate the impact of the project at this intersection.*
- ***Moreno Beach Drive/Encilia Avenue.*** *Install a traffic signal, add a northbound through lane, southbound left-turn lane, and a southbound through lane. This improvement is programmed in the City's DIF program; therefore, payment of the DIF would mitigate the impacts of the project at this intersection.*

Facts in Support of the Findings: Future Year (2035) with Project conditions considers the addition of traffic generated by the proposed project to Future Year (2035) Baseline conditions. The addition of project traffic to the Future Year (2035) scenario would result in conditions exceeding City and Caltrans LOS standards at twelve intersections.

All of the intersections that are forecast to experience a deficient LOS with the proposed project would also operate with a deficient LOS without the proposed project. Although the proposed project does not cause these intersections to operate at an unsatisfactory LOS, it does contribute to the worsening of the

intersections' LOS and therefore mitigation would be required to offset the cumulative impact of the project.

Freeway mainline and ramp junctions were evaluated in the Future Year 2035 plus Project condition. Nine segments are forecast to operate at an unsatisfactory level of service in the Future Year 2035 Cumulative plus Project condition. The Traffic Study for the proposed Project also analyzes the Future Year 2035 plus Project conditions a.m. and p.m. peak hour ramp merge-diverge volumes and levels of service for the freeway segments on SR-60. Nine ramp junctions are forecast to operate at an unacceptable level of service in the future Year 2035 plus Project condition. (DEIR pgs. 4.11-25 to 4.11-27)

According to Section 4.11 in the DEIR, with the implementation of the recommended improvements, the minimum level of service standards would be maintained for the Future Year (2035) with Project scenario and impacts would be reduced to a less than significant level for all identified intersections. In addition, reconstruction of the interchanges at the location of the deficient freeway ramp intersections identified in **Mitigation Measure 4.11.6.2D** are already programmed into the TUMF program. It is anticipated that by future year (2035) improvement to the identified freeway ramps and intersections would be built through the TUMF process and coordination by Caltrans, WRCOG, and the City of Moreno Valley. Because the project would pay its fair-share cost associated with these improvements and because such improvements are anticipated to be constructed by the future year (2035), impacts associated with this issue are less than significant after the identified mitigation measures have been implemented. (DEIR, pg. 4.11-35)

b. General Plan Build Out With Project Conditions (Intersection) Traffic and Level of Service Impacts

Potential Significant Impact: The EIR evaluated and concluded that the Project could cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system.

Findings: Implementation of **Mitigation Measure 4.11.6.4E** will reduce the impact related to General Plan buildout to less than significant.

Facts in Support of the Findings: General Plan Build Out with project conditions considers the addition of traffic generated by the proposed project to General Plan Build Out baseline conditions. An intersection LOS analysis was conducted to determine General Plan Build Out intersection performance. The addition of project traffic to the General Plan Build Out scenario would result in conditions exceeding City and Caltrans LOS standards at 13 intersections.

All of the intersections that are forecast to experience a deficient LOS with the proposed project would also operate with a deficient LOS without the proposed project. Although the proposed project does not cause these intersections to operate at an unsatisfactory LOS, it does contribute to the worsening of the intersections' LOS and therefore mitigation would be required to offset the cumulative impact of the project. (DEIR, pg. 4.11-28)

According to Section 4.11of the DEIR, with the implementation of the recommended improvements, the minimum level of service standards would be maintained for the General Plan Build Out with Project scenario and impacts would be reduced to a less than significant level for all identified intersections. However, as noted previously, improvements to the freeway intersections and infrastructure are under the authority of Caltrans. In addition, the deficient freeway ramp intersections identified in **Mitigation Measure 4.11.6.2E** are already programmed into the TUMF program. It is anticipated that by the General Plan Build Out, improvements to the identified freeway ramps and intersections would be built through the TUMF process and coordination by Caltrans, WRCOG, and the City of Moreno Valley. Because the project would pay its fair-share cost associated with these improvements and because such improvements are anticipated to be constructed by the future year (2035), impacts associated with this issue are less than significant after the identified mitigation measures have been implemented. (DEIR, pg. 4.11-37)

7. Utilities and Service Systems

a. Storm Water Drainage Requirements

Potential Significant Impact: The EIR evaluated and concluded that the Project could result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

Findings: Implementation of the following mitigation measures will reduce the impact to storm water drainage to less than significant:

4.7.6.3A *Prior to the approval of associated project rough grading plan, the project proponent shall receive approval on a project-specific Final Hydrology Study, with supporting engineering calculations, from the City Engineer. The Final Hydrology Study shall incorporate relevant requirements identified by the City, and/or site-specific geotechnical investigations.*

Facts in Support of the Findings: According to Section 4.12 of the DEIR, the proposed Project would route storm water flows from the Project site into Quincy Channel after flows are routed through a combination of water quality basins and sand filters. Due to the installation of impervious surfaces on the

Project site, the post-development flows would be higher than the pre-development flows. To avoid a significant impact to the existing drainage capacity, the post-development flows coming from the proposed Project site are required to be equal to or less than pre-development flows.[13] To reduce flows to below or equal to pre-development conditions, the on-site storm water flows would be routed to the on-site detention basins[14] before flows are routed off site. While the increase in impervious surfaces attributable to the proposed Project would contribute to a greater volume and higher velocity of storm water flows, the proposed Project's water quality basins would accept and accommodate runoff that would result from project construction at pre-project conditions.

As identified in the Preliminary Hydrology Calculations[15] prepared for the Project, to adequately contain and store the greatest volume that would be generated, the Project site would require a minimum storage volume of 13.6 acre-feet. The proposed amount of storage area (20.3 acre-feet) is greater than the required amount of storage area. Based on this, it appears there is excess capacity of 6.7 acre-feet (20.3 acre-feet – 13.6 acre-feet = 6.7 acre-feet) of storage area available from the on-site detention basins; therefore, the proposed Project appears to have adequate drainage capacity that would result in post-development flows being reduced to pre-development flows before leaving the Project site. However, to ensure that impacts associated with on-site drainage capacity are reduced to a less significant level, the **Mitigation Measure 4.7.6.3A** has been identified to reduce potential impacts to less than significant levels. (DEIR, pgs. 4.12-16 to 4.12-17)

8 Global Climate Change

a. Greenhouse Gas Emissions

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect due to the generation of greenhouse gas emissions (GHGs).

Findings: Implementation of the following mitigation measures will reduce the impact related to greenhouse gas emissions to less than significant:

4.13.6.1A *Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building*

[13] As part of the MS4 Permit issuance requirements, projects must identify any Hydrologic Conditions of Concern and demonstrate that changes to hydrology are minimized to ensure that post-development runoff rates and velocities from a site do not adversely affect downstream erosion, sedimentation, or stream habitat.

[14] A detention basin is an area where excess storm water is stored or held temporarily and then slowly drains when water levels in the receiving channel recede. In essence, the water in a detention basin is temporarily detained until additional room becomes available in the receiving channel.

[15] *Preliminary Hydrology Calculations for ProLogis Park Moreno Valley-Eucalyptus TPM 35679*, Thienes Engineering, November 4, 2008.

plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following:

- *Exterior windows shall utilize window treatments for efficient energy conservation.*
- *Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used.*
- *Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, and water heating) shall be commissioned by the Commissioning Authority.*
- *Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.*

4.13.6.1B *Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the design and construction of the project:*

- *Use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.*
- *Use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.*
- *Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.*
- *Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.*
- *Design the project building to exceed the California Building Code's (CBC) Title 24 energy standard, including, but not limited to, any combination of the following:*
    - *Increase 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 ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.*

- *Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping.*
- *Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings.*
- *Install light-colored "cool" roof) and cool pavements.*
- *Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.*
- *Install solar or light-emitting diodes (LEDs) for outdoor lighting for auto parking areas.*

4.13.6.1C *Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project:*

- *The project applicant shall use less than 3,900 Global Warming Potential (GWP) hydrofluorocarbon (HCF) refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment.*
- *Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows.*
- *Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate:*
  - *Install drought-tolerant plants for landscaping.*
  - *Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water.*

- *Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance.*

- *Provide employee education about reducing waste and available recycling services.*

Facts in Support of the Findings: Future development that could occur on the proposed Project site could generate GHG emissions during construction and operation activities. It is anticipated that the majority of energy consumption (and associated generation of GHG emissions) would occur during the project's operation (as opposed to its construction). The total GHG emissions over the entire construction process are expected to be 2,700 metric tons. Based on a comparison of the proposed Project to the South Coast Air Quality Management District tiered interim GHG significance criteria, the most applicable screening threshold listed is the Industrial at 10,000 ton per year (tpy) CO_2e. The long-term project operational GHG emissions for the proposed Project are 79,000 tpy CO_2e and exceed this threshold; therefore, the project operational GHG emissions are significant. In order to ensure that the proposed Project complies with and would not conflict with or impede the implementation of reduction goals identified in AB 32, the Governor's EO S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor, **Mitigation Measures 4.13.6.1A** through **4.13.6.1C** shall be implemented. The mitigation measure would contribute to a reduction in GHG emissions from energy, mobile, and water usage sources. With implementation of the identified mitigation measures, the proposed Project's GHG emissions would be reduced to less than significant levels.

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Moreno Valley City Council finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: aesthetics (individually and cumulative), agricultural resources (individually and cumulative), air quality (individually and cumulative), cumulative population and housing, and transportation. In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City 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 provisions of employment opportunities to highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the EIR; 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. Aesthetics (Individual and Cumulative Impacts)

a. Scenic Vistas

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have adverse effects on one or more scenic vistas, notably views of the Box Springs Mountains, the Badlands, Moreno Peak, and the Russell Mountains.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to scenic vistas will remain significant and unavoidable.

Facts in Support of the Finding: According to Section 4.1 of the DEIR, the nearest sensitive permanent visual receptor to the Project would be the existing single-family residences to the southeast across future Encilia Avenue. In general, views for the residences southeast of the site will change from vacant land to industrial buildings with extensive landscaping including rows of citrus trees to help provide a visual buffer. Permanent views for residences north of SR-60 and transient views for travelers on SR-60 will change as the tops of the proposed industrial buildings will partially block views of the mountains to the south. Despite the provision of ornamental landscaping and citrus trees along the northern, western, and southern boundaries, implementation of the proposed Project would obstruct background views of the distant Box Springs Mountains for residences southeast of the Project, foreground and midground views of travelers on SR-60, and background views of the Mount Russell Range for residences north of SR-60 and along Pettit Street. This obstruction of views is a significant visual impact of the proposed Project. The sizes, heights, and general locations of buildings on the site are limited by the types of uses being proposed as part of this Project. Therefore, there is no feasible mitigation available to reduce impacts related to the loss of this viewshed. Since there is no feasible mitigation available to reduce adverse effects on scenic vistas, impacts associated with this issue would remain significant and unavoidable. (DEIR, pgs. 4.1-9 to 4.1-17)

b. Scenic Resources and Scenic Highways

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have adverse effects on one or more scenic vistas, including views of the Box Springs Mountains and the Badlands for both residents and travelers on SR-60.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to scenic vistas and scenic highways will remain significant and unavoidable.

Facts in Support of the Finding: According to Section 4.1 of the DEIR, the City of Moreno Valley identifies SR-60 as a local scenic road.[16] According to the City's General Plan, the man-made environment is equally important as natural landforms in terms of scenic values (e.g., buildings, landscaping and signs). Agricultural uses, such as citrus groves, are one example of a man-made environment that constitutes a visually pleasing feature.

Existing views for motorists traveling eastbound and westbound on SR-60 consist of noise attenuation walls, commercial and residential development, landscaping, parking lots, open space, and orange groves in addition to the mountains and badlands in the distance. Development of the proposed Project would alter the existing view by introducing large industrial buildings adjacent to the freeway. Existing eastbound views on SR-60 would be altered with the development of the proposed Project. Motorists would still view noise attenuation walls, urban development, landscaping, and scattered trees as they look to the south, although these views would be of short duration for motorists traveling at normal freeway speeds.

The proposed Project would have highly reflective surfaces at the taller (43 feet) glass veneered office towers, but would not result in development along ridge lines. The proposed Project would result in an increased number of large bulk structures, but would include colors and materials that are compatible with the existing environment. The proposed ornamental landscaping and citrus trees would provide some visual screening. However, the proposed Project would result in the obstruction of most of the Mount Russell Range for motorists traveling on SR-60, so the proposed buildings would obstruct the view of a scenic feature. The proposed Project meets criteria in both the moderate and major visual intrusion categories. In an overabundance of caution, the worst-case scenario is utilized. Therefore, it is anticipated that based on Project design features, the proposed Project would have a major visual intrusion (i.e., significant impact) for motorists traveling on SR-60. Incorporation of the proposed building façades and ornamental landscaping design features will soften the visual appearance of the buildings from SR-60; however, the obstruction of local views will still be significant, and there are no feasible mitigation measures available that would reduce these impacts to less than significant levels. Therefore, impacts associated with this issue would remain significant and unavoidable. (DEIR, pgs. 4.1-17 to 4.1-19)

[16] *Conservation Element, Figure 7-2 Major Scenic Resources,* City of Moreno Valley General Plan, adopted July 11, 2006.

c. Existing Visual Character or Quality of Site and its Surroundings

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have adverse effects that change the general character of the Project site (e.g., loss of open area), the components of the visual settings (e.g., landscaping and architectural elements), and the visual compatibility between proposed site uses and adjacent land uses.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to the existing visual character of the site will remain significant and unavoidable.

Facts in Support of the Finding: The significance of visual impacts is inherently subjective as individuals respond differently to changes in the visual characteristics of an area. Development of the proposed Project would change the existing character of the Project site from open space to a more urbanized setting with large industrial buildings. The change in the character of the site would constitute a significant alteration of the existing visual character of the Project site.

According to Section 4.1 of the DEIR, the proposed Project features a variety of architectural elements including façade accents such as corner treatments and roof trim. The Project also provides variation in wall planes that serve to avoid an institutional appearance and break up the bulk of the buildings. This variation would create shadow lines at various times of the day. The proposed ornamental landscaping would replace the scattered weedy vegetation. Landscaping on the site would be provided in accordance with City Municipal Code Chapter 9.17, which requires the installation of landscaping on site and the planting of one tree for every 30 linear feet of building dimension that is visible from the parking lot or public right-of-way. As part of conditions of approval for the proposed Project, orange trees would be planted on the northern portion of the Project site adjacent to SR-60 and along the perimeter of the proposed Project site adjacent to the public right-of-way or residential zoning.

Since the Project site is currently vacant, suburban development of any type would cause a fundamental change in the visual characteristics of the Project site. In addition, the site is currently planned for industrial, business park, single-family, and multifamily uses, which would be different in appearance from the proposed industrial warehouse buildings. Of these uses, the lower density housing (R2) is currently designated adjacent to the existing residences southeast of the Project site.

The proposed Project would replace the existing vacant parcel and citrus groves with development that is visually compatible with the existing commercial development to the west and the existing and the

approved Ridge industrial development to the east, but it will not be compatible with the residential uses to the southeast or farther to the north across SR-60.

Incorporation of the proposed building façades and landscaping design features will soften the visual appearance of the buildings from both SR-60 and nearby residences; however, the fundamental change in visual character of the area will still be significant. Even with compliance with the City's General Plan and Municipal Code development guidelines for industrial development, including the 250-foot buffer between industrial and residential land uses, the anticipated fundamental change in views expected in this area will be significant. Due to the heights and masses of buildings needed to accommodate the proposed land uses, no feasible mitigation is available that would reduce these potential impacts to less than significant levels. Therefore, impacts associated with this issue would remain significant and unavoidable. (DEIR, pgs. 4.1-19 to 4.1-21)

d. Cumulative Aesthetics Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could in connection with past, present, and probable future projects adversely affect one or more scenic vistas.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this cumulative impact to a level of less than significant. Accordingly, Project-related cumulative impacts to scenic vistas will remain significant and unavoidable.

Facts in Support of the Finding: The development of the proposed Project would partially obstruct views of surrounding mountain ranges from current vantage points near the Project structures. However, vistas would not be completely obstructed from viewpoints through parking circulation areas, openings between rows of buildings or trees, or at the end of vehicular rights-of-way. Development of lands within the City, particularly along SR-60, would result in the cumulative conversion from open space to a more urbanized land use. The proposed Project would continue a recent development trend in the City to expand industrial uses along the south side of SR-60 east of the City's Auto Center. This development trend has not yet been incorporated into the City's General Plan. The proposed Project, in conjunction with other cumulative projects, would be developed in a manner consistent with existing development trends in the City. Since other cumulative projects in the area would include similar distribution uses, it can be anticipated that such uses would have a similar design and massing as the proposed Project. Since the proposed Project would obstruct views of the surrounding mountains, it can be reasonable to conclude that similar warehouse distribution uses would also obstruct views of the surrounding mountains. In addition, General Plan Policy 7.7.4 in the Conservation Element requires the designation of SR-60 as a

local scenic roadway. Therefore, the proposed Project, in combination with other cumulative projects in the eastern portion of the City and along SR-60 would have a cumulatively significant and unavoidable impact on aesthetics (i.e., views and scenic resources) in this portion of the City. (DEIR, pgs. 4.1-21 to 4.1-22)

2. Agricultural Resources (Individual and Cumulative Impacts)

a. Conversion of State Designated Farmland

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could impact 82.5 acres of Prime Farmland.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to state designated farmland will remain significant and unavoidable.

Facts in Support of the Finding: Section 4.2 of the DEIR identifies several potential agricultural conservation measures contained in the City's General Plan that include: enrolling productive agricultural land into a Williamson Act Contract; providing protection to ongoing agricultural operations from complaints and nuisance complaints from adjacent new development; protecting productive agricultural land subject to conversion through the purchase of or transfer of its development rights; purchasing conservation easements on existing agricultural land to ensure that the land is never converted to urban uses; and donating funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.

The potential agricultural conservation measures identified in the DEIR are not considered to be feasible by the City for the following reasons:

Williamson Act Contracts: Williamson Act contracts are entered into voluntarily by property owners and the City cannot force owners to participate in this program. In addition, Williamson Act contracts will result only in temporary preservation of agricultural land since property owners have the option of non-renewal of these contracts at any time after the ten-year contract period ends.

Protecting Existing Agricultural Operations: Providing protection for ongoing agricultural activities from new developments, such as buffers between agricultural operations and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent properties, will not permanently protect agricultural land.

Transfer of Development Rights, Conservation Easements, or Agricultural Conservation Bank: The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." For this reason, the City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. The existing and continued reduction in productive agricultural operations within the City is produced by several factors including; urbanization in the City and Inland Empire resulting in dramatically increasing land prices; high water and labor costs; environmental regulation (e.g., insects, odors, groundwater contamination, and solid waste removal); and competition from Kern County and the Central Valley with lower land costs and reduced regulations. (DEIR, pgs. 4.1-10 to 4.1-14)

The City has determined that these measures are economically infeasible and that they are contrary to the City's vision (as stated in its General Plan) for the Project site and alternative mitigation has not been identified, and impacts related to this issue remain significant and unavoidable. (DEIR, pgs. 4.2-6 to 4.2-9)

b. Conversion of Farmland to a Non-Agricultural Use

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would result in the development of industrial uses on land that has historically been utilized for citrus production.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts from the conversion of farmland to a non-agricultural use will remain significant and unavoidable.

Facts in Support of the Finding: According to Section 4.2 of the DEIR, the Project site has historically been in agricultural production and was most recently used to grow citrus. The conversion of the Project site to a non-agricultural use is a result of various economic and demographic factors. Increased cost for water and a continuing demand for housing and other development in the City and region are the primary reasons for this agricultural land conversion. A LESA model was also used to evaluate the site. It was determined that the Project LESA score is 85.3, which is considered significant. The Project does not

include design features that would prevent the existing agricultural operations in the area from continuing. The Project would convert land that was previously used for agriculture and the development of the proposed Project may contribute to the conversion of adjacent lands. However, the Project is a logical extension of development in the City and does not create leapfrog development or islands of agricultural land that would be difficult to farm. The City recognizes development pressures within the City, and that these pressures will increase as the City continues to build out. Additionally, while the Project would not directly cause the conversion of adjacent agricultural land to non-agricultural uses because in has lied fallow for several years, it would contribute to development pressure within the City that could potentially lead to the conversion of agricultural land off site. However, as stated in the previous discussion of these Findings regarding the conversion of state designated farmland, the City has determined the agricultural conservation measures identified by the City are economically infeasible and that they are contrary to the City's vision (as stated in its General Plan) for the Project site and alternative mitigation has not been identified. Therefore, impacts associated with this issue remain significant and unavoidable. (DEIR, pgs. 4.1-9 to 4.1-10)

c. Cumulative Agricultural Resource Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would have a significant cumulative impact on agricultural resources in Riverside County.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to cumulative state designated farmland will remain significant and unavoidable.

Facts in Support of the Finding: According to Section 4.2 of the DEIR, the Project-related impacts to Prime Farmland and the conversion of agricultural land to a non-agricultural use cannot be mitigated through a local or regional program to mitigate impacts to agricultural resources. As stated previously, the City does not maintain a General Plan or zoning designation for agricultural uses and there are no Project-level feasible mitigation measures that would help reduce cumulative impacts. The cumulative effect of development in the region will continue to result in the conversion of agricultural lands to non-agricultural uses. Because agricultural land, including Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance are finite resource, the conversion of approximately 122.8 acres of farmland to industrial uses, combined with planned and future development in the City and region, represents a significant cumulative impact to agricultural operations and resources. As stated in the previous discussion of these Findings regarding the conversion of state designated farmland and conversion of agricultural land to a non-agricultural land use, the City has determined the agricultural

conservation measures identified by the City are economically infeasible and that they are contrary to the City's vision (as stated in its General Plan) for the Project site and alternative mitigation has not been identified. Therefore, cumulative impacts to agricultural resources are considered significant and unavoidable. (DEIR, pg. 4.1-11)

2. Air Quality (Project-Specific and Cumulative Impact)

a. Air Quality Management Plan Consistency

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project has the potential to conflict with implementation of regional Air Quality Management Plan and the SIP.

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 4.3.6.2A** through **4.3.6.2M** and **4.3.6.3A** through **4.3.6.3C** are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the proposed Project will not be consistent with AQMP and the SIP and therefore impacts are considered significant and unavoidable.

Facts in Support of the Finding: An Air Quality Management Plan (AQMP) describes air pollution control strategies to be taken by counties or regions classified as nonattainment areas. The AQMP's main purpose is to bring the area into compliance with the requirements of Federal and State air quality standards. The AQMP uses the assumptions and projections by local planning agencies to determine control strategies for regional compliance status. Therefore, any projects causing a significant impact on air quality would impede the progress of the AQMP. CEQA requires that projects resulting in a General Plan Amendment be analyzed for consistency with the AQMP.

For a Project in the Basin to be consistent with the AQMP, the pollutants emitted from the Project must not exceed the South Coast AQMD significant threshold or cause a significant impact on air quality. One measurement tool in determining consistency with the AQMP is to determine how a Project accommodates the expected increase in population or employment. The proposed Project site is located in an urbanizing area of the City of Moreno Valley along SR-60, which accommodates traffic in the area. In addition, the proposed warehouse uses would be within walking distance of existing homes and commercial areas in the local vicinity. The proposed Project would add jobs resulting from the development of the warehouse uses to the City, with the potential to minimize the VMT traveled within the Project site and community.

The SCAQMD also has the following consistency criteria: the proposed Project cannot 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; and the proposed Project cannot exceed the assumptions in the AQMP in 2010 or increments based on the year of Project build-out phase.

Implementation of the proposed Project would require a zone change from Business Park (BP), Business Park Mixed Use (BPX), Multi-Family Residential (R-15), Suburban Residential (R-5), and Residential Agriculture (RA-2) to Light Industrial for the entire 122.8 acres. Since the proposed Project will require a General Plan Amendment, the Project has not been considered in preparation of the General Plan and therefore it is uncertain if it is consistent with the AQMP.

Because the Project site is located in a nonattainment air basin for ozone, PM_{10} and $PM_{2.5}$, the proposed Project's emission of ozone precursors (CO, ROG, and NO_X), PM_{10} and $PM_{2.5}$ would contribute to the existing nonattainment status in the Basin. Thus, according to the SCAQMD Consistency Criterion No. 1, the proposed Project in not consistent with the AQMP.

The proposed Project would have significant impacts. **Mitigation Measures 4.3.6.2A** through **4.3.6.2M** and **Mitigation Measures 4.3.6.3A** through **4.3.6.3C** shall be implemented as part of the proposed Project. The proposed Project would be considered to be consistent only after the City of Moreno Valley General Plan Amendment is approved. Once the City's General Plan Amendment and the required zoning changes are approved, the proposed Project would be included in the next SCAG and SCAQMD AQMP projections. When that occurs, the proposed Project would be consistent with the regional AQMP and the SIP. However, until that occurs, the Project is inconsistent with the regional AQMP and the impacts are considered significant and unavoidable. (DEIR, pgs. 4.3-21 to 4.3-22)

b. Equipment Exhaust from Construction-Related Activities

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project has the potential to exceed applicable daily thresholds that may affect sensitive receptors.

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 4.3.6.2A through 4.3.6.2M are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the proposed Project will have a significant impact due to equipment exhaust from construction related activities and therefore impacts are considered significant and unavoidable.

4.3.6.2A *Prior to the issuance of a grading permit, the Project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed Project construction documents, which shall be reviewed by the City.*

4.3.6.2B *Prior to the issuance of a grading permit, the Project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel generators. Contract specifications shall be included in the proposed Project construction documents, which shall be reviewed by the City.*

4.3.6.2C *Prior to the issuance of a grading permit, the Project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed Project construction documents, which shall be reviewed by the City.*

Project start to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 horsepower shall meet Tier 3 off-road emission standards. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emission control devises used by the contractor shall achieve emission reductions that are no less than what would be achieved by a Level 3 diesel emission control strategy for a similarly sized engine as defined by CARB regulations.

Post January 1, 2015: All off-road diesel–powered construction equipment greater than 50 horsepower shall meet Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emission control devises used by the contractor shall achieve emission reductions that are no less than what would be achieved by a Level 3 diesel emission control strategy for a similarly sized engine as defined by CARB regulations.

A copy of each unit's certified tier specifications, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

4.3.6.2D *All clearing, grading, earthmoving, or excavation activities shall cease when winds (as instantaneous gusts) exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*

4.3.6.2E *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.*

4.3.6.2F *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*

4.3.6.2G *Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).*

4.3.6.2H *The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and by not allowing construction equipment to be left idling for more than five minutes (per California law).*

4.3.6.2I *The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).*

4.3.6.2J *Grading plans, construction specifications and bid documents shall also include the following requirements:*

- *Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;*
- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*

- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High-pressure injectors shall be provided on diesel construction equipment if feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where gasoline powered equipment is available;*
- *Use electric construction equipment where it is practical to use such equipment;*
- *Install catalytic converters on gasoline-powered equipment where this type of equipment is available;*
- *Ride-sharing program for the construction crew shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch vendor services shall be allowed on site during construction to minimize the need for off-site vehicle trips; and*
- *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*

4.3.6.2K *Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any*

concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.

4.3.6.2L *All Project entrances 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 (3) minutes; and*
- *Telephone numbers of the building facilities manager and CARB, to report violations.*

These measures shall be enforced by the on-site facilities manager (or equivalent).

4.3.6.2M *During Project grading and construction, the various Project contractors shall adhere to the control measures listed in Tables 1 and 2.*

Air Quality Measure 4.3.6.2M Table 1: Best Available Control Measures for Fugitive Dust (Applicable to All Construction Activity Sources)

Source Category	***Control Measures***	***Guidance***
Backfilling	• *Stabilize backfill material when not actively handling; and* • *Stabilize backfill material during handling; and* • *Stabilize soil at completion of activity.*	• *Mix backfill soil with water prior to moving; and* • *Dedicate water truck or high capacity hose to backfilling equipment; and* • *Empty loader bucket slowly so that no dust plumes are generated; and* • *Minimize drop height from loader bucket.*
Clearing and grubbing	• *Maintain stability of soil through pre-watering of site prior to*	• *Maintain live perennial vegetation where possible;*

Air Quality Measure 4.3.6.2M Table 1: Best Available Control Measures for Fugitive Dust (Applicable to All Construction Activity Sources)

Source Category	***Control Measures***	***Guidance***
	clearing and grubbing; and • *Stabilize soil during clearing and grubbing activities; and* • *Stabilize soil immediately after clearing and grubbing activities.*	*and* • *Apply water in sufficient quantity to prevent generation of dust plumes.*
Clearing forms	• *Use water spray to clear forms; or* • *Use sweeping and water spray to clear forms; or* • *Use vacuum system to clear forms.*	• *Use of high pressure air to clear forms may cause exceedance of Rule requirements.*
Crushing	• *Stabilize surface soils prior to operation of support equipment; and* • *Stabilize material after crushing.*	• *Follow permit conditions for crushing equipment; and* • *Pre-water material prior to loading into crusher; and* • *Monitor crusher emissions opacity; and* • *Apply water to crushed material to prevent dust plumes.*
Cut and fill	• *Pre-water soils prior to cut and fill activities; and* • *Stabilize soil during and after cut and fill activities.*	• *For large sites, pre-water with sprinklers or water trucks and allow time for penetration; and* • *Use water trucks/pulls to water soils to depth of cut prior to*

Air Quality Measure 4.3.6.2M Table 1: Best Available Control Measures for Fugitive Dust (Applicable to All Construction Activity Sources)

Source Category	***Control Measures***	***Guidance***
		subsequent cuts.
Demolition – mechanical/ manual	• *Stabilize wind erodible surfaces to reduce dust; and* • *Stabilize surface soil where support equipment and vehicles will operate; and* • *Stabilize loose soil and demolition debris; and* • *Comply with AQMD Rule 1403.*	• *Apply water in sufficient quantities to prevent the generation of visible dust plumes.*
Disturbed soil	• *Stabilize disturbed soil throughout the construction site; and* • *Stabilize disturbed soil between structures.*	• *Limit vehicular traffic and disturbances on soils where possible; and* • *If interior block walls are planned, install as early as possible; and* • *Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes.*
Earthmoving activities	• *Pre-apply water to depth of proposed cuts; and* • *Re-apply water as necessary to maintain soils in a damp condition and to ensure that visible emissions do not exceed 100 ft in any*	• *Grade each Project phase separately, timed to coincide with construction phase; and* • *Upwind fencing can prevent material movement on site; and*

Air Quality Measure 4.3.6.2M Table 1: Best Available Control Measures for Fugitive Dust (Applicable to All Construction Activity Sources)

Source Category	***Control Measures***	***Guidance***
	direction; and • *Stabilize soils once earthmoving activities are complete.*	• *Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes.*
Importing/ exporting of bulk materials	• *Stabilize material while loading to reduce fugitive dust emissions; and* • *Maintain at least 6 inches of freeboard on haul vehicles; and* • *Stabilize material while transporting to reduce fugitive dust emissions; and* • *Stabilize material while unloading to reduce fugitive dust emissions; and* • *Comply with CVC Section 23114.*	• *Use tarps or other suitable enclosures on haul trucks; and* • *Check belly-dump truck seals regularly and remove any trapped rocks to prevent spillage; and* • *Comply with track-out prevention/mitigation requirements; and* • *Provide water while loading and unloading to reduce visible dust plumes.*
Landscaping	*Stabilize soils, materials, slopes*	• *Apply water to materials to stabilize; and* • *Maintain materials in a crusted condition; and* • *Maintain effective cover over materials; and* • *Stabilize sloping surfaces using soil binders until vegetation or ground cover can effectively stabilize the*

Air Quality Measure 4.3.6.2M Table 1: Best Available Control Measures for Fugitive Dust (Applicable to All Construction Activity Sources)

Source Category	***Control Measures***	***Guidance***
		slopes; and • *Hydroseed prior to rain season.*
Road shoulder maintenance	• *Apply water to unpaved shoulders prior to clearing; and* • *Apply chemical dust suppressants and/or washed gravel to maintain a stabilized surface after completing road shoulder maintenance.*	• *Installation of curbing and/or paving of road shoulders can reduce recurring maintenance costs; and* • *Use of chemical dust suppressants can inhibit vegetation growth and reduce future road shoulder maintenance costs.*
Screening	• *Pre-water material prior to screening; and* • *Limit fugitive dust emissions to opacity and plume length standards; and* • *Stabilize material immediately after screening.*	• *Dedicate water truck or high capacity hose to screening operation; and* • *Drop material through the screen slowly and minimize drop height; and* • *Install wind barrier with a porosity of no more than 50 percent upwind of screen to the height of the drop point.*
Staging areas	• *Stabilize staging areas during use; and* • *Stabilize staging area soils at Project completion.*	• *Limit size of staging area; and* • *Limit vehicle speeds to 15 miles per hour; and* • *Limit number and size of*

Air Quality Measure 4.3.6.2M Table 1: Best Available Control Measures for Fugitive Dust (Applicable to All Construction Activity Sources)

Source Category	***Control Measures***	***Guidance***
		staging area entrances/exits.
Stockpiles/ bulk material handling	*Stabilize stockpiled materials, and stockpiles within 100 yards of off-site occupied buildings must not be greater than 8 ft in height; or must have a road bladed to the top to allow water truck access or must have an operational water irrigation system that is capable of complete stockpile coverage.*	• *Add or remove material from the downwind portion of the storage pile; and* • *Maintain storage piles to avoid steep sides or faces.*
Traffic areas for construction activities	• *Stabilize all off-road traffic and parking areas; and* • *Stabilize all haul routes; and* • *Direct construction traffic over established haul routes.*	• *Apply gravel/paving to all haul routes as soon as possible to all future roadway areas; and* • *Barriers can be used to ensure vehicles are only used on established parking areas/haul routes.*
Trenching	• *Stabilize surface soils where trencher or excavator and support equipment will operate; and* • *Stabilize soils at the completion of trenching activities.*	• *Pre-watering of soils prior to trenching is an effective preventive measure. For deep trenching activities, pre-trench to 18 inches, soak soils via the pre-trench and resuming trenching; and* • *Washing mud and soils from equipment at the conclusion of trenching activities can prevent crusting and drying of soil on equipment.*

Air Quality Measure 4.3.6.2M Table 1: Best Available Control Measures for Fugitive Dust (Applicable to All Construction Activity Sources)

Source Category	***Control Measures***	***Guidance***
Truck loading	• *Pre-water material prior to loading; and* • *Ensure that freeboard exceeds 6 inches (CVC 23114).*	• *Empty loader bucket such that no visible dust plumes are created; and* • *Ensure that the loader bucket is close to the truck to minimize drop height while loading.*
Turf overseeding	• *Apply sufficient water immediately prior to conducting turf vacuuming activities to meet opacity and plume length standards; and* • *Cover haul vehicles prior to exiting the site.*	• *Haul waste material immediately off site.*
Unpaved roads/parking lots	• *Stabilize soils to meet the applicable performance standards; and* • *Limit vehicular travel to established unpaved roads (haul routes) and unpaved parking lots.*	• *Restricting vehicular access to established unpaved travel paths and parking lots can reduce stabilization requirements.*
Vacant land	*In instances where vacant lots are 0.10 ac or larger and have a cumulative area of 500 sf or more that are driven over and/or used by motor vehicles and/or off-road vehicles, prevent motor vehicle and/or off-road vehicle trespassing, parking and/or access by installing barriers, curbs, fences, gates, posts, signs, shrubs, trees, or other effective control measures.*	

Air Quality Measure 4.3.6.2M Table 1: Best Available Control Measures for Fugitive Dust (Applicable to All Construction Activity Sources)

Source Category	***Control Measures***	***Guidance***

ac = acre(s) *AQMD = Air Quality Management District*

CVC = California Vehicle Code *ft = feet* *sf = square feet*

Air Quality Measure 4.3.6.2M Table 2: Contingency Control Measures for Fugitive Dust (During High Winds in Excess of 25 mph)

Fugitive Dust Source Category	***Control Measures***
Earthmoving	• *Cease all active operations; or* • *Apply water to soil not more than 15 minutes prior to moving such soil.*
Disturbed surface areas	• *On the last day of active operations prior to a weekend, holiday, or any other period when active operations will not occur for not more than 4 consecutive days: apply water with a mixture of chemical stabilizer diluted to not less than $^{1}/_{20}$ of the concentration required to maintain a stabilized surface for a period of 6 months; or* • *Apply chemical stabilizers prior to wind event; or* • *Apply water to all unstabilized disturbed areas 3 times per day. If there is any evidence of wind driven fugitive dust, watering frequency is increased to a minimum of 4 times per day; or* • *Establish a vegetative ground cover within 21 days after active operations have ceased. Ground cover must be of sufficient density to expose less than 30 percent of unstabilized ground within 90 days of planting, and at all times thereafter; or* • *Utilize any combination of these control actions such that, in total, these actions apply to all disturbed surface areas.*

Air Quality Measure 4.3.6.2M Table 2: Contingency Control Measures for Fugitive Dust (During High Winds in Excess of 25 mph)

Fugitive Dust Source Category	***Control Measures***
Unpaved roads	• *Apply chemical stabilizers prior to wind event; or* • *Apply water 2 times per hour during active operation; or* • *Stop all vehicular traffic.*
Open storage piles	• *Apply water 2 times per hour; or* • *Install temporary coverings.*
Paved road track-out	• *Cover all haul vehicles; or* • *Comply with the vehicle freeboard requirements of Section 23114 of the CVC for both public and private roads.*
All categories	• *Executive Officer and the USEPA as equivalent to the methods specified in this table may be used.*

CVC = California Vehicle Code

USEPA = United States Environmental Protection Agency

Facts in Support of the Finding: Grading and other construction activities produce combustion emissions from various sources such as site grading, utility engines, on-site heavy-duty construction vehicles, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew. The use of construction equipment on site would result in localized exhaust emissions. Activity during peak grading days typically generates a greater amount of air pollutants than other Project construction activities.

Section 4.3 of the DEIR indicates construction equipment/vehicle emissions during proposed on-site grading periods would exceed the SCAQMD daily thresholds for ROG and NO_X. Although construction of the structures uses different types of equipment on site than during grading periods, similarities do exist in terms of equipment exhaust emissions and fugitive dust emissions. While it is anticipated that total emissions during construction would be below the peak grading day emissions, construction emissions of ROG and NO_X would still exceed the SCAQMD daily threshold. This is a significant impact

requiring **Mitigation Measures 4.3.6.2A** through **4.3.6.2M.** The use of low-NO_X diesel fuel in construction equipment typically reduces NO_X emissions by 16 percent.[17] Use of this fuel would reduce NO_X emissions but not below SCAQMD thresholds. However, there is no reasonable way to ensure that that retrofitted diesel-powered equipment, low- NO_X diesel fuel, and alternative fuel sources would be available during the construction period; therefore, it is not possible to quantify reductions in NO_X emissions that would result from **Mitigation Measures 4.3.6.2A** through **4.3.6.2M**. Because no additional feasible mitigation is available to reduce construction-related NO_X emissions, this impact remains significant and unavoidable. Furthermore, there is no feasible mitigation to reduce the ROG emissions during architectural coating phase to less than the daily threshold. Thus, the emissions during construction of NO_X and ROG will remain significant. (DEIR, pgs. 4.3-22 to 4.3-29)

c. Architectural Coating Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed applicable daily thresholds for VOC.

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 Measure 4.2.6.4A is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of this mitigation measures, impacts related to architectural coatings are considered significant and unavoidable.

4.3.6.4A *The Project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Project applicant shall use materials that do not require painting or are pre-painted.*

Facts in Support of the Finding: Architectural coatings contain volatile organic compounds (VOC) that are similar to ROG and are part of the O_3 precursors. Rule 1113 is applicable to any person who applies or solicits the application of any architectural coating within the Basin. Rule 1113 sets limits on the amount of VOC emissions allowed for all types of architectural coatings, along with a time table for tightening the emissions standards in the future.

[17] http://www.aqmd.gov/ceqa/igr/2006/feb/10-01.pdf, site accessed December 30, 2011.

According to Section 4.3 of the DEIR, approximately 344 pounds of ROG would be generated during the architectural coating phase of the Project. Manual applications such as paintbrush, hand roller, trowel, spatula, dauber, rag, or sponge have 100 percent transfer efficiency. Construction of the Project using the required HVLP spray method reduces the daily VOC emissions to 224 pounds per day during the architectural coatings application period. The amount of VOC generated per day from the application of architectural coating even with the use of the required HVLP spray method (224 pounds) during the application of architectural coatings would exceed the SCAQMD VOC threshold of 75 lbs/day. Emissions associated with architectural coatings can be reduced by using precoated/natural-colored building materials, water-based or low VOC coating or by using coating transfer or spray equipment with high transfer efficiency. Adherence to SCAQMD Rule 1113 and **Mitigation Measure 4.3.6.4A** would reduce the Project's architectural coatings emissions impact. However, even with adherence to SCAQMD Rule 1113, the SQAQMD VOC threshold would still be exceeded. Therefore, impacts associated with this issue would remain significant and unavoidable. (DEIR, pg. 4.3-31)

d. Long-Term Project-Related Emissions Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed applicable daily thresholds for operational activities.

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 4.3.6.5A and 4.3.6.5B are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, long term construction emissions-related air quality impacts are considered significant and unavoidable.

4.3.6.5A *Prior to issuance of building permits, the Project applicant shall provide evidence to the City that applicable (as determined by the City) Transportation Demand Management (TDM)/Transportation Control Measure (TCM) strategies such as preferential parking for employee vanpooling/carpooling, bicycle parking facilities (such as bicycle lockers and racks), bus turnouts, and other strategies are incorporated into the design of the proposed Project.*

4.3.6.5B *Prior to issuance of building permits, the Project applicant shall provide evidence to the City that energy-efficient and low-emission methods and features of building construction shall be incorporated into the Project design. These methods and features may include (but are not limited to) the following:*

- *Construction of buildings that exceed statewide energy requirements beyond 20 10 percent of that identified in Title 24, Part 6 Energy Efficiency Standards:*
    - *Use of low-emissions water heaters;*
    - *Use of central water-heating systems;*
    - *Use of energy-efficient appliances;*
    - *Use of increase insulation;*
    - *Use of automated controls for air conditioners;*
    - *Use of energy-efficient parking lot lighting; and*
    - *Use of lighting controls and energy-efficient lighting.*
- *Utilize low-VOC interior and exterior coatings during Project repainting.*
- *Provide on-site improvements such as sidewalks or pedestrian walkways to promote pedestrian activity and reduce the amount of vehicle trips.*
- *Installation of skylights and energy-efficient lighting that exceeds California Title 24 standards where feasible, including electronic dimming ballasts and computer-controlled daylight sensors in the buildings.*
- *Shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and building shall be planted at the proposed Project site. These strategies will minimize the heat island effect and thereby reduce the amount of air conditioning required.*
- *Strategies to be considered include fans to assist natural ventilation, centralized water and space conditioning systems, high efficiency individual heating and cooling units, and automatic setback thermostats.*
- *Reduction of energy demand associated with potable water conveyance through the following methods:*
    - *Incorporating drought-tolerant plants into the landscaping palette; and*
    - *Use of water-efficient irrigation techniques.*

- *Energy-efficient low-pressure sodium parking lot lights or lighting equivalent as determined by the City, shall be used;*
- *Buildings shall be oriented north-south where feasible;*
- *Implement an on-site circulation plan in parking lots to reduce vehicle queuing;*
- *Develop a trip reduction plan to achieve 1.5 average vehicle ridership (AVR) for businesses with fewer than 250 employees or multitenant worksites;*
- *Include bicycle parking facilities such as bicycle lockers and racks;*
- *Include showers for bicycling employees use; and*
- *Construct on-site pedestrian facility improvements such as building access that is physically separated from street and parking lot traffic and walk paths.*

Facts in Support of the Finding: Although implementation of **Mitigation Measures 4.3.6.5A** through **4.3.6.5B** may reduce vehicle trips associated with the proposed Project, it is not possible to quantify the reduction in the amount of emissions that may occur. Considering the volume of emissions generated and current commuter habits, it is unlikely the implementation of TDMs/TCMs will result in a reduction of operational Project emissions to below existing SCAQMD thresholds. Application of Leadership in Energy and Environmental Design (LEED) standards and green building design principles could reduce emissions from building operations such as heating and cooling; however, such standards and principles would not reduce emissions of CO, ROG, NO_X, PM_{10}, and $PM_{2.5}$ to below SCAQMD thresholds. No other feasible mitigation measures have been identified to reduce the operational emissions of CO, ROG, NO_X, PM_{10}, and $PM_{2.5}$ to a less than significant level. Because the Project site is located in a nonattainment air basin for criteria pollutants, the addition of air pollutants resulting from operation of the proposed Project would contribute to the continuation of nonattainment status in the Basin. In the absence of mitigation to reduce the proposed Project's emission of contribution of CO, ROG, NO_X, PM_{10}, and $PM_{2.5}$ to below SCAQMD thresholds, long-term air quality impacts resulting from the operation of the proposed Project would remain significant and unavoidable. (DEIR, pgs. 4.2-26 to 4.2.28)

e. Project-Related Localized Operational Emissions Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed applicable long-term operational daily thresholds.

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 4.3.6.6A** and **4.3.6.6B** are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, long term operational-related emission impacts are considered significant and unavoidable.

4.3.6.6A *Prior to issuance of the first building permit, building and site plan designs shall ensure that the Project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 10 percent until January 1, 2014. For building permits issued after that date, new state energy standards require a 20 percent reduction from 2008 Title 24, Part 6 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. The following design features shall be used to fulfill this requirement:*

- *Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.*
- *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 shall be installed, as deemed acceptable by the City. Automatic devices to turn off lights when they are not needed shall be implemented.*
- *To the extent that they are compatible with landscaping guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.*
- *Paint and surface color palette for the Project shall emphasize light and off-white colors which reflect heat away from the buildings.*
- *All buildings shall 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 shall implement the following:*
    - *Landscaping palette emphasizing drought-tolerant plants;*
    - *Use of water-efficient irrigation techniques; and,*
    - *U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.*
- *The Project shall provide secure, weather-protected, on-site bicycle storage/parking.*
- *The Project shall provide on-site showers (one for males and one for females). Lockers for employees shall be provided.*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce greenhouse gas (GHG) emissions. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information.*
- *The Project shall provide preferential parking for carpools and vanpools. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the Project site plan.*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- *Lease/purchase documents shall identify that tenants are encouraged to promote the following:*
    - *Implementation of compressed workweek schedules.*
    - *SmartWay partnership;*
    - *Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long-haul trips carried by SmartWay 1.0 or greater carriers.*

- *Achievement of at least 15 percent 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 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles.*
- *Provision of preferential parking for EV and CNG vehicles.*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks.*
- *Use of SmartWay 1.25 rated trucks.*
- *Each facility operator shall provide regular sweeping of onsite parking and drive areas using street sweepers that comply with applicable SCAQMD Rules.*
- *Each facility operator shall maintain a log of all trucks entering the facility to ensure that, on average, the daily truck fleet meets applicable air quality emission standards. This log shall be available for inspection by City staff at any time.*
- *Each facility operator shall prohibit all vehicles from idling in excess of five minutes in all onsite areas.*
- *Each facility operator shall ensure that onsite staff in charge of keeping the daily log and monitoring for excess idling will be trained and certified in diesel health effects and technologies, such as by requiring attendance at CARB-approved courses.*
- *Each facility operator which upon occupancy does not already operate 2077 and newer trucks shall in good faith be required to apply for funding to replace or retrofit their trucks such as Carl Moyer, VIP, Prop 1B or similar funds. Should funds be awarded, the tenant shall be required to accept and use them.*

4.3.6.6B *The Project shall 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 are dedicated to the collection and storage of recyclable materials including paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project site plan.*

f. 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 as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts cumulative air quality impacts will remain significant and unavoidable.

Facts in Support of the Finding: Included in Section 4.3 of the DEIR, the Project would contribute criteria pollutants to the area during Project construction. A number of individual projects in the area may be under construction simultaneously with the proposed Project. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. This would be a contribution to short-term cumulative air quality impacts.

The traffic study included vehicular trips from all present and future projects in the Project vicinity; therefore, the CO hot spot concentrations calculated at these intersections include the cumulative traffic effect. Based on this, no significant cumulative CO impacts would occur.

Long-term operation of the Project would exceed the standards for CO, ROC, NO_X, PM_{10}, and $PM_{2.5}$. The Basin is in nonattainment for PM_{10} and ozone at the present time; therefore, the construction and operation of the proposed Project would exacerbate nonattainment of air quality standards for PM_{10} and ozone within the Basin and contribute to cumulative air quality impacts. Therefore, long-term cumulative air quality impacts are considered to be significant and unavoidable.

The Health Risk Assessment (HRA) conducted for the proposed Project identified the increase in health risks to the nearby sensitive receptors from the proposed Project's air pollutant emissions. This HRA identified that the Project's incremental increase is only a very small fraction of the ambient condition. Therefore, the concentration of diesel particulates at the Project site is below the established risk threshold. Individuals living and working in southern California may be exposed to levels of diesel emissions that are cumulatively significant; however, that circumstance is not created by the Project.

It is reasonable to anticipate that advancements in truck/transportation technology would reduce the amount of particulate matter in future years. However, a determination of the amount and extent of that reduction in diesel particulate matter from these types of activities is not available at this time. Therefore, in an overabundance of caution, because other cumulative projects in the area would also contribute diesel particulates in the area and because the Riverside area has a level of particulate matter that is above the SCAQMD's recommended cancer risk threshold of 10 in one million, regional impacts associated with diesel particulate matter are considered cumulatively considerable and the proposed Project will make a significant contribution to that cumulative impact. (DEIR, pgs. 4.3-37 to 4.3-38)

4. <u>Land Use and Planning (Individual and Cumulative)</u>

b. Conflict with Applicable Land Use Plans, Policies, or Regulations

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would potentially conflict with various land use plans, policies, or regulations.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce bring the Project into compliance with all land use plans. Accordingly, Project-related conflicts with land use plans will remain significant and unavoidable.

Facts in Support of the Finding: According to Section 4.8 of the DEIR, a discussion of the proposed Project's consistency with the 2007 AQMP has been analyzed in Section 4.3 (Air Quality) of this EIR. "Since the proposed Project will require a General Plan Amendment, the Project has not been considered in preparation of the City's General Plan and therefore is inconsistent with the AQMP. Amendments to the City of Moreno Valley General Plan, zoning reclassification, and plan approval are required before the affected portion of the proposed Project can be implemented. This is a significant impact requiring mitigation." That section of this EIR concluded that, despite the recommended mitigation, Project air quality impacts related to the AQMP would remain significant.

The Project proposes the development of warehouse uses, which would result in an inconsistency with the existing residential zoning on the southern portion of the site, and the BP zone on the northern portion of the site. The development that would occur with the zone change has the potential to create indirect environmental impacts since the zone change would permit more intense and larger industrial/warehousing uses on the Project site, requiring a discretionary action based on an environmental determination of the Project. These environmental impacts are analyzed through this EIR for each of the environmental topics. The baseline for comparative analysis of environmental impacts would be the existing condition of the Project site. Currently, there is no existing development on the Project site, which represents the worst-case scenario on which the EIR analysis is based. With implementation of the zone change, the proposed Project would be consistent with zoning requirements identified by the City.

According to the latest development plans, the closest loading and unloading operations of the proposed Project (e.g., truck courts) would be located 395 feet northwest of the nearest single-family residence (see plans in Appendix K). In addition, the reconfigured roadways surrounding the Project site would discourage industrial traffic through the residential areas to the southeast. Despite these design characteristics, the fundamental change from residential/business park uses to industrial adjacent to residential represents an incremental adverse effect on the "quality of life" of existing residents in this area, which represents a potentially significant land use compatibility impact. This impact requires the City Council to approve a Zone Change to bring the proposed zoning designations into consistency with the Zoning Map and Municipal Code.

The Compass Growth Vision plan provides a framework for local and regional decision-making regarding growth, transportation, land use, and economic development. The main objective of the Compass Growth Vision is to manage the forecast growth while improving future living conditions for all people within the SCAG area, including live, work, and play activities.

The proposed Project may not be fully consistent with the growth principles of the Compass Growth Vision plan. The nature of the proposed Project allows the transport of commodities from a single area rather than multiple areas, minimizing vehicle trip generation. Conversely, trucks from the proposed Project may increase localized and freeway congestion. The Project eliminates a planned transition of land uses that may incrementally reduce livability in this portion of the City. The proposed Project does support increased prosperity by providing additional (mainly "blue collar") employment opportunities close to existing housing within the City of Moreno Valley. The proposed Project is located in an area where existing infrastructure (freeway, sewer, electrical, water, etc.) is present. The development of the proposed Project will augment existing services available in the City and region. In these ways, the

Project is only partially consistent with the principles of the Compass Growth Vision. (DEIR, pgs. 4.8-5 to 4.8-17)

a. Cumulative Land Use and Planning

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would have a cumulative impact to land use and planning issues.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related cumulative impacts to land use and planning will remain significant and unavoidable.

Facts in Support of the Finding: Implementation of the proposed Project represents establishment of new land uses within the currently undeveloped Project site that would result in an intensification of permitted land uses associated with a land use change from Business Park and Residential to Light Industrial uses, changes to the General Plan Circulation Element, and the loss of the PAKO associated with the RA-2 zone. The proposed Project is generally consistent with regional plans and planning efforts, although it is not fully consistent with the SCAG's RTP and Compass Blueprint Plan because it eliminates some housing in favor of industrial employment uses. However, it will incrementally improve the City's long-standing jobs/housing ratio, which is also a regional goal of the various SCAG plans. It is also not consistent with existing General Plan land use designations, objectives and policies, nor is it consistent with existing zoning designations on the site. For these reasons, a General Plan Amendment and Zone Change are proposed for consideration by the City.

In addition, the proposed Project represents a fundamental change in community character for this portion of the City (i.e., mixed residential and business park to industrial warehouse buildings), which can represent an incremental adverse change in terms of public perception. This change would be particularly acute if both the proposed Project and the approved West Ridge Commerce Centre (an industrial Project just east of the proposed Project) were built within a relatively short period of time, as they would both follow relatively closely the completion of the Sketchers Logistics Center (another warehouse Project) east of both the proposed Project and the West Ridge Project, on the east side of Redlands Boulevard. Furthermore, the addition of industrial space from the proposed Project and the adjacent West Ridge (industrial) Project may create an over-supply of warehousing space in the City, based on current economic conditions.

The proposed changes in land use will also result in a loss of up to 584 (R-15) multi-family residential units. However, this was determined to be a less than significant Project impact on local housing because the City's Housing Element identifies over twice as much potential affordable housing as the City's RHNA allocation, so it will not make a significant contribution to a cumulatively considerable impact on regional housing.

Similar to the proposed Project, some of the cumulative projects within the Project vicinity would also require amendments to the existing General Plan and zoning, which may in turn cause additional cumulative impacts. Therefore, planned industrial development in the City may contribute to a cumulatively considerable impact or change in the overall character of the surrounding area, and the proposed Project would make a significant contribution to that change in terms of consistency with adopted land use plans. No feasible mitigation is available to reduce this significant contribution. However, the Project would not make a similar cumulatively considerable land use impact relative to dividing an established community or conflicting with an approved habitat conservation plan. (DEIR, pgs. 4.8-17 to 4.8-18)

5. <u>Transportation</u>

a. Existing (2011) With Project Conditions (Intersection) Traffic and Level of Service Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system.

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 Measure 4.11.6.4A** is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, existing (2011) with Project LOS impacts are considered significant and unavoidable.

Facts in Support of the Finding: As indicated in Section 4.11 of the DEIR, with the addition of Project traffic, the following intersections are forecast to operate at unsatisfactory levels of service: Redlands Boulevard/SR-60 Westbound Ramps (a.m. and p.m. peak hours); and Redlands Boulevard/Eucalyptus Avenue-Fir Avenue (p.m. peak hour).

The Project would contribute to the worsening of the already unsatisfactory LOS at the intersection of Redlands Boulevard/SR-60 Westbound Ramps and would create a significant impact at the intersection of

Redlands Boulevard/Eucalyptus Avenue-Fir Avenue. Therefore, mitigation is required at both intersections.

Also, the following segments are forecast to operate at an unsatisfactory level of service in the Existing plus Project condition: SR-60 Eastbound: Pigeon Pass Road to Heacock Street (a.m. and p.m. peak hours); SR-60 Westbound: Heacock Street to Perris Boulevard (a.m. peak hour); and SR-60 Westbound: Perris Boulevard to Nason Street (a.m. peak hour).

The Project would add to the existing unsatisfactory LOS on these three freeway segments; therefore, the addition of Project traffic would be considered a cumulative impact. Neither the Project applicant nor the City has jurisdiction over Caltrans facilities; therefore, implementation of improvements to the freeway mainline cannot be guaranteed. Review of the SCAG Regional Transportation Improvement Plan (RTIP) indicates that there are no projects programmed on SR-60 within the study area. Furthermore, Caltrans does not have a mechanism for development projects to contribute to improvements on State Highways. Therefore, the cumulative impact to these three segments of SR-60 would be significant and unavoidable. (DEIR, pgs. 4.11-19)

b. Opening Year 2016 With Project Conditions (Intersection) Traffic and Level of Service Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system.

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 Measure 4.11.6.4B** is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, existing (2016) with Project LOS impacts are considered significant and unavoidable.

Facts in Support of the Finding: Opening Year (2016) with Project conditions considers the addition of traffic generated by the proposed Project to Opening Year (2016) without Project conditions. Section 4.11 of the DEIR indicates that the following intersections would operate at unsatisfactory LOS: Moreno Beach Drive/SR-60 Westbound Ramps (p.m. peak hour); Redlands Boulevard/SR-60 Westbound Ramps (a.m. and p.m. peak hours); and Redlands Boulevard/Eucalyptus Avenue-Fir Avenue (p.m. peak hour). The Project would have a significant impact at all three intersections, and therefore mitigation would be required.

Freeway mainline and ramp junctions were evaluated in the Opening Year (2016) plus Project condition. The following segments are forecast to operate at an unsatisfactory level of service in the Opening Year (2016) plus Project condition: SR-60 Eastbound: Pigeon Pass Road to Heacock Street (a.m. and p.m. peak hours); SR-60 Eastbound: Heacock Street to Perris Boulevard (p.m. peak hour); SR-60 Westbound: Heacock Street to Perris Boulevard (a.m. peak hour); and SR-60 Westbound: Perris Boulevard to Nason Street (a.m. peak hour).

The Project would add to the existing unsatisfactory LOS on these four freeway segments; therefore, the addition of Project traffic would be considered a cumulative impact. Neither the Project applicant nor the City has jurisdiction over Caltrans facilities; therefore, implementation of improvements to the freeway mainline cannot be guaranteed. Review of the RTIP indicates that there are no projects programmed on SR-60 within the study area. Furthermore, Caltrans does not have a mechanism for development projects to contribute to improvements on State Highways. Therefore, the cumulative impact to these three segments of SR-60 would be significant and unavoidable.

c. Opening Year 2016 Cumulative With Project Conditions (Intersection) Traffic and Level of Service Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system.

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 Measure 4.11.6.4C** is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, existing (2016) cumulative with Project LOS impacts are considered significant and unavoidable.

Facts in Support of the Finding: According to Section 4.11 of the DEIR, an intersection LOS analysis was conducted to determine Opening Year (2016) Cumulative intersection performance. The addition of Project traffic to the Opening Year (2016) Cumulative scenario would result in conditions exceeding the established LOS standard at the following intersections: Moreno Beach Drive/SR-60 Eastbound Ramps (p.m. peak hour); Moreno Beach Drive/Cottonwood Avenue (p.m. peak hour); Moreno Beach Drive/Alessandro Avenue (p.m. peak hour); Redlands Boulevard/SR-60 Westbound Ramps (a.m. and p.m. peak hours); Redlands Boulevard/SR-60 Eastbound Ramps (a.m. and p.m. peak hours); Redlands Boulevard/Fir Avenue-Eucalyptus Avenue (a.m. and p.m. peak hours); Redlands Boulevard/Encilia

Avenue-Eucalyptus Avenue (p.m. peak hour); and Redlands Boulevard/Alessandro Boulevard (p.m. peak hour).

While these intersections are forecast to exceed satisfactory levels of service in Opening Year (2016) Cumulative with Project conditions, with the exception of the intersection of Redlands Boulevard/Eucalyptus Avenue-Fir Avenue and Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue, these intersections already exceeded established LOS standards in the Opening Year (2016) Cumulative without-Project condition. Because the proposed Project would contribute to and would cause intersections to operate at unsatisfactory levels, mitigation is required.

Freeway mainline and ramp junctions were evaluated in the Opening Year 2016 Cumulative plus Project condition. The following segments are forecast to operate at an unsatisfactory level of service in the Opening Year 2016 Cumulative plus Project condition: SR-60 Eastbound: Pigeon Pass Road to Heacock Street (a.m. and p.m. peak hours); SR-60 Eastbound: Heacock Street to Perris Boulevard (a.m. and p.m. peak hours); SR-60 Eastbound: Perris Boulevard to Nason Street (a.m. and p.m. peak hours); SR-60 Westbound: Heacock Street to Perris Boulevard (a.m. and p.m. peak hours); SR-60 Westbound: Perris Boulevard to Nason Street (a.m. and p.m. peak hours); and SR-60 Westbound: Nason Street to Moreno Beach Drive (a.m. peak hour).

The Project would add to the existing unsatisfactory LOS on these six freeway segments; therefore, the addition of Project traffic would be considered a cumulative impact. Review of the RTIP indicates that there are no projects programmed on SR-60 within the study area. Furthermore, neither the Project applicant nor the City has jurisdiction over Caltrans facilities; therefore, implementation of improvements to the freeway mainline cannot be guaranteed. Furthermore, Caltrans does not have a mechanism for development projects to contribute to improvements on State Highways. Therefore, the cumulative impact to these segments of SR-60 would be significant and unavoidable.

d. Cumulative Transportation Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would have a cumulative significant impact to transportation.

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 **Measure 4.11.6.4C** is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative transportation impacts are considered significant and unavoidable.

Facts in Support of the Finding: Cumulative impacts associated with traffic volumes are determined based the addition of traffic volumes from approved and pending projects in the area and projected traffic growth to existing traffic volumes. The cumulative analysis forecasts that, with the development of the proposed Project and the cumulative projects, eight intersections would require improvements in order to maintain the City's LOS standard of D.

Those intersections are as follows: Moreno Beach Drive/SR-60 Eastbound Ramps (p.m. peak hour); Moreno Beach Drive/Cottonwood Avenue (p.m. peak hour); Moreno Beach Drive/Alessandro Avenue (p.m. peak hour); Redlands Boulevard/SR-60 Westbound Ramps (a.m. and p.m. peak hours); Redlands Boulevard/SR-60 Eastbound Ramps (a.m. and p.m. peak hours); Redlands Boulevard/Fir Avenue-Eucalyptus Avenue (a.m. and p.m. peak hours); Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue (p.m. peak hour); and Redlands Boulevard/Alessandro Boulevard (p.m. peak hour).

Although the suggested improvements are consistent with the City's General Plan, the Project will be responsible for contributing its fair share toward the funding of the future improvements via payment of the City's DIF. Of these eight affected intersections, five intersections are under the jurisdiction of the City of Moreno Valley.

Three intersections are under the jurisdiction of Caltrans. The improvements identified in **Mitigation Measure 4.11.6.4C** would reduce impacts at these intersections to a less than significant level. However, since the affected freeway ramp intersections are under the jurisdiction of Caltrans, neither the Project proponent nor the City has control over the specific timing of when the improvements would be constructed. It is anticipated that by opening year (2016), improvements at these intersections would not be constructed, as they are not currently planned for near-term construction. Therefore, this cumulative impact in opening year (2016) remains significant and unavoidable until such time as the improvements to this interchange are constructed by Caltrans, WRCOG, and the City of Moreno Valley through the TUMF process.

Because TUMF provides a mechanism for collecting fees from all development projects in the area that would contribute traffic to the existing roadway network, fees for the improvements to the affected freeway intersections would be collected. Therefore, it is anticipated that since these freeway intersection improvements are programmed into the TUMF program, such improvements would be constructed by future year (2035) and would be able to accommodate future year (2035) traffic levels, resulting in a less than significant cumulative impact.

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES

The EIR analyzed four 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. The No Project Alternative, 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 yet the site would be developed in a similar manner to the proposed Project and consistent with existing zoning for the site. A Reduced Intensity Alternative, a Commercial Center (mixed retail/office) Alternative, and an Off-site Alternative were 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/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 Specific Plan 208 zoning designation, consisting of an underlying land use of Business Park/Industrial. To allow for quantified comparison of potential impacts, the No Project Alternative was assumed to result in the development of approximately 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres as would be allowed under the existing zoning and land use designations. The commercial service component of this alternative would be located along the frontage of Perris Boulevard while the industrial warehouse uses would occupy the remaining portion of the site. (DEIR, pg. 6-12)

Impacts: The No Build Alternative, as referenced in Section 6.0 of the DEIR, would result in similar impacts when compared to the proposed Project. Similar to the Project, the No Build Alternative would result in less than significant impacts in the following areas: Aesthetics; Williamson Act Contracts/Agricultural Zoning and Forestry Resources; Biological Resources; Cultural Resources; Geology and Soils; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use; Mineral Resources; Noise; Population and Housing; Public Services; Recreation and Parks; and Utilities and Service Systems. The Project's significant and unavoidable agricultural impacts, air quality impacts, climate change and GHG impacts, and transportation impacts would also occur in the same manner as the

proposed Project. However, under the No Build Alternative, potential air quality, climate change, and traffic/transportation impacts would be greater than the proposed Project because of the higher trip generation potential of the commercial uses.

Objectives: Under the No Build Alternative, the subject site would develop in a similar manner as the proposed Project, and most of the Project Objectives would be achieved. However, the objectives specifically oriented towards warehouse and industrial uses would be met at a reduced level due to the commercial component included in this Alternative.

Finding: Under the No Build Alternative, the Project site would be developed with approximately 1,420,000 square feet of industrial warehouse uses on approximately 63 acres and approximately 180,000 square feet of commercial service uses on approximately 8 acres. This Alternative would result in the same significant and unavoidable impacts associated with agricultural resources, air quality, climate change and greenhouse gases, and traffic that have been identified within the DEIR. However, potential air quality, climate change, and traffic/transportation impacts would be greater than the proposed Project because of the higher trip generation potential of the commercial uses. Because the No Build Alternative results in an increase in potential significant and unavoidable impacts in comparison to the proposed Project, the City Council hereby rejects the No Build Alternative.

2. Alternative 2 – 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 extent of regional threshold exceedances for air pollution and greenhouse gas emissions that would otherwise result from the Project. In that the same type of development is proposed, most if not all the Project Objectives would be achieved to a certain extent but at a reduced level. Implementation of the Reduced Intensity Alternative would yield approximately 1,212,100 square feet of development, a reduction of approximately 25 percent or approximately 434,033 square feet, when compared to the approximately 1,616,133 square-foot Project analyzed in the EIR.

Impacts: Under the Reduced Intensity Alternative, impacts related to agricultural resources would be similar to the proposed Project as the same amount of land would be disturbed. Similarly, impacts related to short-term construction-related air quality would be similar to the proposed Project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Because of the decrease in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally reduced from what was identified for the proposed Project; however, long-term traffic impacts to state freeway segments and merge/diverge areas would remain significant and

unavoidable. Long-term operational-related air quality impacts would be reduced in magnitude when compared to the Project but would remain significant and unavoidable. Impacts associated with the generation of greenhouse gas emissions would also be reduced proportionate to the reduction in building area in comparison to the proposed Project, but would remain significant and unavoidable.

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 sales tax, 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.

Finding: Under the Reduced Intensity Alternative, a light industrial warehouse/ distribution facility reduced by approximately 25 percent (or 434,033 square feet) would be realized as compared to the Project. The City Council hereby finds that the Reduced Intensity Alternative will not avoid or substantially reduce the significant and unavoidable agricultural resources impacts, construction and operational air quality impacts, and cumulative greenhouse gas 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. Based on the reduced scope of development, the Reduced Intensity Alternative would diminish capacities and capabilities to satisfy existing and projected unmet market demands within the trade area. 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 or substantially reduce 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.

3. Alternative 3 - Commercial Center (Mixed Commercial/Office)

Description: As identified in Section 6.0 of the DEIR, the Commercial Center Alternative would result in the development of commercial service and office uses on the Project site. Although business and professional offices, financial institutions, and medical clinics are permitted in SP208, they are permitted only in the industrial support areas while commercial service-oriented uses are a permitted throughout the SP208 Industrial designation. For this reason, the General Plan and zoning designations for the site would need to be amended to accommodate the business and professional offices. Permitted commercial service uses include, but are not limited to, Automotive Sales/Rental/Leasing & Accessories, Automotive/Truck

Repair, Business Supply/Equipment Sales/Rental & Services, and Repair Services. Approximately 760,000 square feet of commercial service uses would be developed on approximately 35 acres. The balance of the site (35 acres) would be developed with up to approximately 760,000 square feet of office uses.

Impacts: As identified in Section 6.0 of the DEIR, the Commercial Center Alternative would result in similar impacts for the following eight environmental issues: Agriculture and Forestry Resources; Biological Resources; Cultural Resources; Geology and Soils; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; and Mineral Resources. Because of the increase in vehicle trips under this alternative, impacts to the operation of local roadways and intersections would be proportionally greater than what was identified for the proposed Project. Long-term traffic impacts to state freeway mainline segments and merge/diverge areas would remain significant and unavoidable. Under the Commercial Center Alternative, impacts related to short-term construction emissions would be similar to the proposed Project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality emissions would be increased in magnitude because of the increase in vehicle trips when compared to the Project and would remain significant and unavoidable. Traffic-related noise would be increased in magnitude but would be similarly mitigated like the proposed Project and would remain less than significant.

Objectives: Under this alternative, some of the proposed Project objectives are not met as warehouse uses would not be built. However, development of this alternative would provide new employment opportunities for residents of Moreno Valley, but not within the industrial employment sector.

Findings: Under the Commercial Center Alternative, development of commercial service and office uses would occur. This Alternative would have similar impacts that have been identified within the DEIR. However, the Commercial Center Alternative would result in an increase in trip generation in comparison to the proposed Project, and would result in an increase in the severity of the significant and unavoidable impacts to construction and operational air pollution emissions, climate change and greenhouse gas emission, and traffic. The City Council finds that the Commercial Center Alternative would fulfill some but not all of the Project Objectives. Moreno Valley residents would have more opportunities for employment but a warehouse would not be built. Because the Commercial Center Alternative will not fulfill the primary objective of the Project and the severity of significant and unavoidable impacts would be increased in comparison to the proposed Project, the Council hereby rejects the Commercial Center Alternative.

4. Alternative 4 - Off-Site Location

Description: As identified in Section 6.0 of the DEIR, this alternative would result in the same intensity of development of approximately 1,616,133 square feet of warehouse uses on approximately 70.3 acres. The alternative Project site identified by the City is bounded by Kramaria Street (extended) to the north, vacant and partially developed property and March Air Reserve Base to the west, Indian Street to the east, and the Perris Valley Storm Drain and vacant land to the south. The off-site location is approximately 1.0 miles northwest of the Project site and is within the same Industrial Area Specific Plan as the proposed Project. This alternative off-site property is not owned or under the control of the applicant. The off-site location is currently zoned SP 208 I and is designated Business Park in the City's General Plan, identical to the proposed Project development of this site would not require soil import, inherently reducing impacts form air pollution emissions during construction.

Impacts: Section 6.0 of the DEIR, identifies nine environmental issues that would have similar impacts as the proposed Project. These issues are: Cultural Resources; Geology and Soils; Hydrology and Water Quality; Land Use and Planning; Mineral Resources; Population and Housing; Public Services; Recreation; and Utilities and Service Systems. With the Off-Site Location Alternative, impacts related to air quality and traffic impacts would be similar to those identified with the proposed Project. Short-term construction and long-term air quality operational and climate change/greenhouse gas emissions impacts under this alternative would remain significant and unavoidable and would result in similar conditions as identified for the proposed Project. Additionally, due to adjacent sensitive receptors, potential impacts to these receptors would be greater in magnitude when compared to the proposed Project. Similarly, noise impacts would be greater in magnitude due to the adjacent sensitive receptors. Operational traffic would result in increased traffic on vanity roadways and may impact different intersection and roadways in comparison to the proposed Project. Under this Alternative, impacts to agricultural resources would be eliminated.

Objectives: The Off-Site Alternative would meet most of the Project objectives. The location of the Off-Site Alternative further north of Harley Knox Boulevard would not meet the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system.

Finding: Under the Off-Site Alternative, development of the warehouse would occur in a different location. This Alternative would have similar impacts that have been identified within the DEIR. And most of the objectives of the proposed Project would be met, would not meet the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system. The Council finds that the Off-Site Alternative would have similar impacts to all environmental issues except for agriculture because this Alternative would eliminate the significant and unavoidable

impacts to agricultural resources.. Because the Off-Site Alternative will not substantially reduce the environmental impact of the Project and it would not meet the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system, the Council hereby rejects the Off-Site Alternative.

5. Alternatives Considered and Rejected

A variety of additional alternatives were considered as part of the DEIR's Alternatives Analysis. (DEIR, pgs. 6-3 through 6-5) Three possible alternatives were considered and rejected because they could not accomplish the basic objectives of the Project or they were considered infeasible. Per the *CEQA Guidelines* (Section 15126.6(c)), factors that may be considered when addressing the feasibility of alternatives include failure to meet most of the stated Project objectives, infeasibility, or inability to avoid significant environmental effects. The purpose of the proposed Project is to provide for and expand employment and revenue opportunities within the City of Moreno Valley. The proposed Project would expand employment options in a location that is convenient to existing transportation corridors, convenient to existing and future City residents and would augment the City's economic base. The following provides and discussion of the three development scenarios that were considered and rejected as potential alternatives to implementation of the proposed Project based on Section 15126.6 of the *CEQA Guidelines* because they did not feasibly attaining most of the basic objectives of the Project while reducing or avoiding any of the significant effects of the proposed Project:

- No Build Alternative: No development would take place within the Project limits and no impacts would occur. However, disallowing development of the site, as suggested by this alternative, would not fulfill the primary objectives of the proposed Project and the site would likely be developed in accordance with existing zoning should the Project not move forward. Retention of the Project site in its current condition would not expand employment opportunities to residents of the City. Retaining the site in its current undeveloped condition would not generate the revenue (e.g., property tax) that could augment the City's current revenue stream. Therefore, the No Build Alternative was rejected from further consideration in the EIR.

- Residential Alternative: The Residential Alternative would develop the 71-acre Project site with approximately 355 single-family units based on the City's R5 zone. The R5 zone was utilized as this is the zoning designation of the nearest residential uses to the north along Perris Boulevard and north of the Perris Valley Storm Drain channel. A zone change, General Plan Amendment, and Specific Plan Amendment would be required for this alternative to change the Project site from its existing Business Park/Light Industrial (BP) General Plan designation and Industrial Area Plan (SP208 I) zoning designation to a residential R5 designation. Furthermore, a Specific

Plan Amendment would be required to remove the Project site from the underlying Industrial Specific Plan 208. Since the Residential Alternative consists only of residential uses, employment-generating opportunities would not occur aside from temporary construction work, which would be filled predominantly by those already residing in the area. The residential uses would produce demand for public services that would exceed the amount of municipal revenues it would generate. The Project's full potential to utilize the area's close proximity to various freeways and transportation corridors would not be realized as only residential uses would occur under the Residential Alternative. Additionally, the development of the entire 71-acre Project site under this alternative would result in the placement of the residential uses within an area planned for industrial uses which could result in additional adverse impacts such as exposure to air pollutants, noise, and land use incompatibilities. This alternative has been rejected because it would result in greater impacts and would not satisfy the basic City employment generating objectives for development of the Project site.

- Mixed Commercial/Residential Alternative: The Mixed Commercial/Residential Alternative would develop the 71-acre Project site with approximately 690,000 square feet of Community Commercial uses and 532 multiple-family units. A zone change, General Plan Amendment, and Specific Plan Amendment would be required for this alternative to change the Project site from its existing Business Park/Light Industrial (BP) General Plan designation and SP208 I zoning designation to a residential designation and commercial designation. Additionally, a Specific Plan Amendment would be required to remove the Project site from the underlying Industrial Specific Plan 208. While the commercial component of this Alternative would utilize the Project site's close proximity to nearby transportation corridors, the development of the remainder of the site with residential uses would not provide the varied employment and service uses and revenue associated with the proposed Project. The development of approximately half of the Project site under this alternative with residential uses would result in the placement of the residential uses adjacent to SP208 I industrial/business park uses which could potentially result in additional adverse impacts such as exposure to air pollutants, noise, and land use incompatibilities. The residential component of this alternative would produce demand for public services that would exceed the amount of municipal revenues it would generate, and there would be little to no employment opportunities created. Therefore, the mixed commercial/residential alternative would not meet the Project objectives of providing new employment and revenue generation options in close proximity to local consumers to the same degree as the proposed Project. The employment opportunities and economic benefits derived from the proposed Project are superior to the Mixed Commercial/Residential Alternative. This alternative has been rejected because it would result in

greater impacts and would not satisfy the basic City employment generating objectives for development of the Project site.

6. Environmentally Superior Alternative

As explained by Section 6.0 in the DEIR, Alternative 2 (Reduced Intensity Alternative) reduces the severity of Project related air quality impacts. However, long-term air quality impacts, would remain significant after mitigation for this alternative for ROG, NO_x, PM_{10} and $PM_{2.5}$. In a similar manner, Alternative 2 would reduce the volume of daily traffic trips when compared to the proposed Project; however, such impacts to state freeway mainline segments and merge/diverge areas would remain significant and unavoidable until freeway improvements are completed by the state. Alternative 2 would also reduce the quantity of greenhouse gas emission when compared to the proposed Project; however, impacts to Climate Change would remain significant and unavoidable. The remaining environmental issues would ultimately be similar to the proposed Project through adherence to existing standards and mitigation measures. Based on the analysis in Section 6.0 and the summary contained in Table 6.K, Alternative 2, the Reduced Intensity Alternative, is the environmentally superior alternative. The amount of development under this alternative would be reduced when compared to the proposed Project; however, the Alternative 2 would not satisfy several of the Project objectives because it would reduce the level at which it meets the employment generating Project objectives. Because the Reduced Intensity Alternative allows the development of warehouse uses and the provision of new employment opportunities, it meets many of the City's stated Project objectives, while at the same time reduces the impacts associated with the proposed Project. However, because of the lower industrial density, the Alternative fails to meet several key employment generating objectives related to density efficiencies in the same manner as the proposed Project.

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the proposed Project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(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.

Section 5.0 of the DEIR identifies the extent to which the new jobs created by a Project are filled by existing residents is a factor that tends to reduce the growth inducing effect of a Project. Construction of the proposed Project will create short-term construction jobs. Due to the existing high unemployment levels that exist in the City, the potential exists for these short-term positions to be filled by workers who, for the most part, reside in the City or neighboring communities to the Project area.

Therefore, construction of the proposed Project will not generate a permanent increase in population within the Project area.

As previously identified, the proposed Project is expected to employ 646 people. These full-time positions are also anticipated to be filled by workers who, for the most part, reside in the Project area due to high unemployment levels that exist in the City. Operations of the proposed Project will not generate a permanent increase in population within the Project area.

The area surrounding the Project site is governed by the City of Moreno Valley General Plan and the area is guided by Specific Plan 208. Specific Plan 208 guides land use within the Project area to ensure that new development and redevelopment is implemented consistent with the land use policies, controls, and standards contained in Specific Plan 208. Any development of remaining undeveloped land adjacent to the Project site would require its own discretionary approvals and is not reliant on the proposed Project. However, development of the Project site may lead to indirect growth in the Specific Plan area by making available the extension of infrastructure such as water, sewer, drainage, etc. This growth has been planned for and is guided by Specific Plan 208.

The proposed Project would occur within an area currently designated for industrial uses. The proposed Project would not require a General Plan Amendment nor does it require a change in the underlying zoning designation. In addition, the Project reflects the City of Moreno Valley's vision for the area and is consistent with Specific Plan 208. Land uses surrounding the Project site would be in conformance with the City's General Plan and Specific Plan 208. Impacts to population and housing are less than significant; see Section 13 Population and Housing of the Initial Study (Appendix A of the DEIR).

The proposed Project would not eliminate a constraint for development of an approved Project within the City of Moreno Valley. There are no projects in the City of Moreno Valley or surrounding cities that have been approved but are conditioned or dependent on additional improvements at the Project site. Specific Plan 208 guides land uses surrounding the Project site to ensure compatibility between existing operations and adjacent surrounding development. Additionally, the proposed Project would not add capacity to urban services or infrastructure that would be utilized by other Project proponents in the surrounding area.

The proposed Project would not result in any significant pressure to redevelop the area around the Project site at a higher density. As previously stated, the development of remaining undeveloped land adjacent to the Project site is independent and not reliant on the proposed Project. Therefore, implementation of the proposed Project would not result in redevelopment of adjacent lands at

a higher intensity than already prescribed in the City of Moreno Valley's General Plan and Specific Plan 208.

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 does not trigger any of the conditions cited in Guidelines §15127. Nonetheless, 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:

- The Project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of the Project would generally commit future generations of people to similar uses;
- The Project involves uses in which irreversible damage could result from any potential environmental incidents associated with the Project; and/or
- The proposed consumption of resources is not justified (e.g., the Project could waste energy).

Determining whether the proposed Project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. The Project site is generally fallow agricultural land

with the site historically used for sod farming operations. However, as identified within the City's General Plan, the City anticipates the eventual conversion of agricultural uses to urban uses and the proposed Project would permanently alter the site by converting predominantly agricultural uses to urban uses. This is a significant irreversible environmental change that would occur as a result of Project implementation. Because no significant mineral resources were identified within the Project limits, no significant impacts related to these issues would result from development of the Project site. Natural resources in the form of construction materials would be utilized in the construction of the proposed Project and energy resources in the form of electricity and natural gas would be used during the long-term operation of the Project; however, their use is justified in supporting the City's planned use of the site and is not expected to negatively impact the availability of these resources.

In addition, this industrial warehouse Project, in concert with the other built or approved industrial warehouse projects, will fundamentally change the character and land use pattern of this portion of the City. Many of the Project-specific impacts are addressed, as outlined above, but the change in the use of the land from agricultural to industrial represents a substantial irreversible change for this area. However, this is an intended change a verified by the City's General Plan land use designations and zoning for the area. (DEIR pgs. 5-2 and 5-3)

VI. 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. Aesthetics - Scenic Vistas;
2. Aesthetics - Scenic Resources and Scenic Highways;
3. Aesthetics - Existing Visual Character or Quality of Site and its Surroundings;
4. Aesthetics – Cumulative;
5. Agricultural Impacts - Conversion of State Designated Farmland;
6. Agricultural Impacts - Conversion of Farmland to a Non-Agricultural Use;
7. Agricultural Impacts - Cumulative;
8. Air Quality Impact - Air Quality Management Plan Consistency;

9. Air Quality Impact - Equipment Exhaust from Construction-Related Activities;

10. Air Quality Impact - Architectural Coatings;

11. Air Quality Impact - Long-Term Project-Related Emissions;

12. Air Quality Impact - Project-Related Localized Operational Emissions;

13. Air Quality Impact - Cumulative;

14. Land Use and Planning Impact - Conflict with Applicable Land Use Plans, Policies, or Regulations;

15. Land Use and Planning - Impact Cumulative;

16. Transportation Impact - Existing With Project Conditions (Intersection) Traffic and Level of Service;

17. Transportation Impact - Opening Year With Project Conditions (Intersection) Traffic and Level of Service;

18. Transportation Impact - Opening Year 2016 Cumulative With Project Conditions (Intersection) Traffic and Level of Service; and

19. Transportation Impact – 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 or the other alternatives do not substantively reduce the severity of unavoidable and significant impacts.

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 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 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(E) above, and finds that approval of the Project is appropriate.

This Council has identified economic and social benefits and important policy objectives, Section V 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.

VII. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Moreno Valley City Council finds that it has reviewed and considered the FEIR in evaluating the Project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR 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:

A. Findings

1. 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.

2. 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: *Aesthetics Impacts* - Scenic Vistas; Scenic Resources and Scenic Highways; Existing Visual Character or Quality of Site and its Surroundings; and Cumulative Impacts; Agricultural Impacts - Conversion of State Designated Farmland; Conversion of Farmland to a Non-Agricultural Use; and Cumulative Impacts; Air Quality Impacts - Air Quality Management Plan Consistency; Equipment Exhaust from Construction-Related Activities; Architectural Coatings; Long-Term Project-Related Emissions; Project-Related Localized Operational Emissions; and Cumulative Impacts; Land Use and Planning Impacts- Conflicts with Applicable Land Use Plans, Policies, or Regulations; and Cumulative Impacts; Transportation Impacts - Existing With Project Conditions (Intersection) Traffic and Level of Service; Opening Year With Project Conditions (Intersection) Traffic and Level of Service; Opening Year Cumulative With Project Conditions (Intersection) Traffic and Level of Service; and Cumulative Impacts.

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.

3. Conclusions

a. All potentially significant environmental impacts from implementation of the proposed Project have been identified in the EIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, 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.

VII. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the Project, the Mitigation Monitoring and Reporting Plan (MMRP) 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 MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

4.3 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: Eucalyptus Industrial Park **Applicant: Prologis**

Date: March 31, 2014

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
4.3 AIR QUALITY						
4.3.6.2A. Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Once prior to Grading and once during grading and construction operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.3.6.2B Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Once prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.3.6.2C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier III Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents,	City of Moreno Valley Engineering and Building and Safety Planning Division	Once prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
which shall be reviewed by the City. Project start to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 horsepower shall meet Tier 3 off-road emission standards. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emission control devises used by the contractor shall achieve emission reductions that are no less than what would be achieved by a Level 3 diesel emission control strategy for a similarly sized engine as defined by CARB regulations. Post January 1, 2015: All off-road diesel–powered construction equipment greater than 50 horsepower shall meet Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emission control devises used by the contractor shall achieve emission reductions that are no less than what would be achieved by a Level 3 diesel emission control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit's certified tier specifications, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.						
4.3.6.2D All clearing, grading, earthmoving, or excavation activities shall cease when winds (as instantaneous	City of Moreno Valley Engineering and Building and Safety	Ongoing throughout construction	During grading	Review of construction documents and on-		Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
gusts) exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions. On-site truck idling shall be prohibited in excess of five minutes.	Planning Division			site inspection		
4.3.6.2E 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.	City of Moreno Valley Engineering and Building and Safety Planning Division	Ongoing throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.3.6.2F The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.	City of Moreno Valley Engineering and Building and Safety Planning Division	Ongoing throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.3.6.2G Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).	City of Moreno Valley Engineering and Building and Safety Planning Division	Ongoing throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.3.6.2H The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and by not	City of Moreno Valley Engineering and Building and Safety	Ongoing throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
allowing construction equipment to be left idling for more than five minutes (per California law).						
4.3.6.2I The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	City of Moreno Valley Engineering and Building and Safety	Ongoing throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.3.6.2J. Grading plans, construction specifications and bid documents shall also include the following requirements: • Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the	City of Moreno Valley Engineering and Building and Safety Planning Division	Review plans, specifications, and bid documents prior to grading; conduct site inspections during construction operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours; • High-pressure injectors shall be provided on diesel construction equipment if available; • Engine size of construction equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel powered construction equipment where gasoline powered equipment is available; • Use electric construction equipment where it is practical to use such equipment; • Install catalytic converters on gasoline-powered equipment where this type of equipment is available; • Ride-sharing program for the construction crew shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs; • Lunch vendor services shall be allowed on site during construction to minimize the need for off-site vehicle						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
trips; and • All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.						
4.3.6.2K. Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues within 24 hours.	City of Moreno Valley Engineering and Building and Safety	Ongoing throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.3.6.2L. All project entrances 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 (3) minutes; and • Telephone numbers of the building facilities manager and CARB, to report violations. These measures shall be enforced by the on-site facilities manager (or equivalent).	City of Moreno Valley Engineering and Building and Safety	Ongoing throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.3.6.2M. During project grading and construction, the various project contractors shall adhere to the control measures listed in Tables 1.D and 1.E (attached to the MMRP).	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
4.3.6.3A Prior to the issuance of grading permits, the project applicant shall require by contract specifications that all trucks hauling dirt, sand, soil, or other loose materials are to e covered or shall maintain at least 2 feet of freeboard I accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and the top of the trailer).	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.3.6.3B. Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that construction access roads shall be paved at least 100 feet onto the site from the main road.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	Prior to issuance of Grading Permits	On-site inspection		Issuance of a Stop Work Order
4.3.6.3C. Prior to the issuance of grading permits, the project applicant shall require by contract specifications that all streets within the construction site shall be swept once per day if visible soil materials are carried to adjacent streets.	City of Moreno Valley Engineering and Building and Safety Planning Division	One time Review and Approval of Grading Plans Throughout construction	Prior to issuance of Grading Permits During Construction	Review and Approval of Grading Plans On-site inspection		Withhold Grading Permit Issuance of a Stop Work Order
4.3.6.4A. The project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.	City of Moreno Valley Engineering and Building and Safety Planning Division	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
4.3.6.5B. Prior to issuance of building permits, the project applicant shall provide evidence to the City that energy-efficient and low-emission methods and features of building construction shall be incorporated into the project design. These methods and features may include (but are not limited to) the following: ○ Construction of buildings that exceed statewide energy requirements beyond Construction of buildings that exceed statewide energy requirements beyond 10 percent of that identified in Title 24, Part 6 Energy Efficiency Standards: ○ Use of low-emissions water heaters; ○ Use of central water-heating systems; ○ Use of energy-efficient appliances; ○ Use of increased insulation; ○ Use of automated controls for air conditioners; ○ Use of energy-efficient parking lot lighting; and ○ Use of lighting controls and energy-efficient lighting. • Utilize low-VOC interior and exterior coatings during project repainting. • Provide on-site improvements such as sidewalks or pedestrian walkways to promote pedestrian activity and reduce the number of vehicle trips. • Installation of skylights and energy-efficient lighting that exceeds California	City of Moreno Valley Engineering and Building and Safety and Planning Division	Prior to building and during construction operations.	Prior to Issuance of Building Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Title 24 standards where feasible, including electronic dimming ballasts and computer-controlled daylight sensors in the buildings. • Shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and building shall be planted at the proposed project site. These strategies will minimize the heat island effect and thereby reduce the amount of air conditioning required. • Strategies to be considered include fans to assist natural ventilation, centralized water and space conditioning systems, high efficiency individual heating and cooling units, and automatic setback thermostats. • Reduction of energy demand associated with potable water conveyance through the following methods: o Incorporating drought-tolerant plants into the landscaping palette; and o Use of water-efficient irrigation techniques. • Energy-efficient low-pressure sodium parking lot lights or equivalent as determined by the City shall be used; • Buildings shall be oriented north-south where feasible; • Implement an on-site circulation plan in parking lots to reduce vehicle queuing; • Develop a trip reduction plan to achieve 1.5 average vehicle ridership (AVR) for businesses with fewer than 250						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
employees or multi-tenant worksites; • Include bicycle parking facilities such as bicycle lockers and racks; • Include showers for bicycling employees use; and • Construct on-site pedestrian facility improvements such as building access that is physically separated from street and parking lot traffic and walk paths.						
4.3.6.6A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 10 percent until January 1, 2014. For building permits issued after that date, new state energy standards require a 20 percent reduction from 2008 Title 24, Part 6 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. The following design features shall be used to fulfill this requirement: • Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City. • Increase in insulation such that heat transfer and thermal bridging is minimized. • Limit air leakage through the structure or within the heating and	City of Moreno Valley Building and Safety Planning Division	Prior to Construction (once)	Prior to Issuance of Building Permits	Review of building plans and on-site inspection		Withhold Building Permits

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
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 shall be installed, as deemed acceptable by the City. Automatic devices to turn off lights when they are not needed shall be implemented. • To the extent that they are compatible with landscaping guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site. • Paint and surface color palette for the project shall emphasize light and off-white colors which reflect heat away from the buildings. • All buildings shall 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 shall implement the following:						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
○ Landscaping palette emphasizing drought-tolerant plants; ○ Use of water-efficient irrigation techniques; and, ○ U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads. • The project shall provide secure, weather-protected, on-site bicycle storage/parking. • The project shall provide on-site showers (one for males and one for females). Lockers for employees shall be provided. • The project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce greenhouse gas (GHG) emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information. • The project shall provide preferential parking for carpools and vanpools. Locations and configurations of						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the project site plan. • The project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the project building plan. • Lease/purchase documents shall identify that tenants are encouraged to promote the following: o Implementation of compressed workweek schedules. o SmartWay partnership; o Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long-haul trips carried by SmartWay 1.0 or greater carriers. o Achievement of at least 15 percent per year (as a percentage of previous						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
percentage, not total trips) increase in percentage of long-haul trips carried by SmartWay carriers until it reaches a minimum of 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers. o Use of fleet vehicles conforming to 2010 air quality standards or better. o Installation of catalytic converters on gasoline-powered equipment. o Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets. o Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles. o Provision of preferential parking for EV and CNG vehicles. o Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance. o Use of electric (instead of diesel or gasoline-powered) yard trucks. o Use of SmartWay 1.25 rated trucks. o Each facility operator shall provide regular sweeping of						

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onsite parking and drive areas. ○ Each facility operator shall maintain a log of all trucks entering the facility to ensure that, on average, the daily truck fleet meets the quantities and emissions standards listed in the Draft EIR. This log shall be available for inspection by City staff at any time. ○ Each facility operator shall prohibit all vehicles from idling in excess of five minutes in all onsite areas. ○ Each facility operator shall ensure that onsite staff in charge of keeping the daily log and monitoring for excess idling will be trained and certified in diesel health effects and technologies, such as by requiring attendance at CARB-approved courses. ○ Each facility operator upon occupancy that do not already operate 2007 and newer trucks shall in food faith apply for funding to replace or retrofit their trucks such as Carl Moyer, VIP, Prop 1B or similar funds. Should funds be awarded, the tenant shall be required to accept and use them.						

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4.4 BIOLOGICAL RESOURCES						
4.4.6.1A. If tree removal or clearing and grubbing activities must take place during the general nesting season (February 1 through August 31), a nesting bird survey shall be conducted within seven (7) days prior to any vegetation disturbance activities. If passerine birds are found to be nesting or there is evidence of nesting behavior inside the impact area, an exclusion buffer, to be determined by the appropriate agency (e.g. the City, County, and/or CDFG), shall be set in place around the nest where no vegetation disturbance will be permitted. For raptor species, such as hawks and owls, this buffer may be as large as 500 feet. A qualified biologist shall closely monitor nests until it is determined that they are no longer active, at which time construction activity in the vicinity of nests may continue.	City of Moreno Valley Planning Division	Prior to grading and periodic site inspections during grading	Prior to Issuance of Grading Permit	Review of Evidence that a qualified biologist has been hired and the pre-construction survey has been completed. Review of a report of the survey findings. Periodic site inspections during construction activities during the nesting season to ensure compliance.		Withhold Grading Permit
4.4.6.1B. Prior to site grading, a pre-construction survey shall be required for the burrowing owl to confirm the presence/absence of this species from the site. The survey shall be conducted by a qualified biologist within 30 days prior to ground disturbance, and in accordance with MSHCP survey requirements, to avoid direct take of burrowing owls. If burrowing owls are determined to occupy the project site or immediate vicinity, the City of Moreno Valley Planning Department shall be notified and avoidance measures as identified in **Mitigation Measure 4.4.6.1C,** shall be implemented. Implementation of avoidance measures	City of Moreno Valley Planning Division	Once prior to grading	Prior to Issuance of Grading Permit	Review of Evidence that a qualified biologist has been hired and the pre-construction survey has been completed. Review of a report of the survey findings.		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
shall be executed pursuant to the MSHCP, the California Fish and Game Code, and the MBTA, and according the Burrowing Owl Survey Protocol and Mitigation Guidelines (California Burrowing Owl Consortium 1993) and reviewed the City of Moreno Valley, the Riverside Conservation Authority, and/or by the CDFG.						
4.4.6.1C. As recommended in the BUOW Survey and Mitigation Guidelines prepared by the California BUOW Consortium, no disturbance to an occupied burrow shall occur within approximately 160 feet of an occupied burrow during the non-breeding season (September 1 through January 31), or within approximately 250 feet of an occupied burrow during the breeding season (February 1 through August 31). For unavoidable impacts, passive relocation of burrowing owls shall be implemented. Passive relocation shall be conducted by a qualified biologist in accordance with procedures set forth by the MSHCP and California Burrowing Owl Consortium. Passive relocation of occupied burrows supporting a breeding pair of burrowing owls shall be conducted outside of the breeding season pursuant to the California Fish and Game Code and the MBTA.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Provide evidence to the City that the passive relocation plan has been approved by CDFG and USFWS.		Withhold Grading Permit
4.4.6.2A. As outlined in the project's Determination of a Biologically Equivalent or Superior Preservation (DBESP) report, the project applicant shall compensate for the temporary and permanent impact on and loss of jurisdictional waters and streambeds by providing a minimum 2:1 off-site replacement of equivalent riverine/riparian habitat prior to project	City of Moreno Valley Planning Division	As outlined in the approved DBESP	Prior to Issuance of Certificate of Occupancy	Demonstrate completion of DBESP implementation measures		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
construction. Offsite restoration, enhancement, and/or land purchase mitigation for the drainage impacts will occur at an offsite location through one or more of the following: an USACE approved mitigation bank, through an in lieu fee mitigation program, and/or land purchase and conservation. DFG and USFWS will need to provide concurrence that this mitigation is equivalent or superior to that proposed for impact through their review and acceptance of the DBESP.						
4.4.6.2B. Riparian/riverine resources that are temporarily impacted by project construction shall be returned to their preconstruction contours and hydroseeded, as outlined in the DBESP.	City of Moreno Valley Planning Division	Once, prior to issuance of Certificate of Occupancy	Prior to Issuance of Certificate of Occupancy	Applicant to demonstrate compliance with DBESP		Withhold Certificate of Occupancy
4.4.6.3A. The project applicant shall obtain a Section 404 Nationwide or Individual Permit, as appropriate, from the USACE, a Section 401/Porter-Cologne Water Quality Certification from the RWQCB, and a Section 1602 Streambed Alteration Agreement from the CDFG. Offsite restoration, enhancement, and/or land purchase mitigation of jurisdictional drainage impacts will occur at an off-site location through one or more of the following: an USACE approved mitigation bank, through an in-lieu fee mitigation program, and/or land purchase and conservation.	City of Moreno Valley Planning Division	Once, prior to issuance of Certificate of Occupancy	Prior to Issuance of Certificate of Occupancy	Project applicant to submit to the City a copy of the USACE Section 404 Permit and the Section 1602 Streambed Alteration Agreement from the CDFG		Withhold Certificate of Occupancy

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
CULTURAL RESOURCES						
4.5.6.1A Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Moreno Valley that a Cultural Resources Monitoring Agreement has been secured for qualified Tribal representatives, and that a professional archaeological monitor meeting Secretary of Interior standards has been retained by the Applicant to conduct monitoring of all mass grading and trenching activities and has the authority to temporarily halt and redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist and Tribal representatives shall attend the pre-grading meeting with the City and contractors to explain and coordinate the requirements of the monitoring program.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Provide evidence to the City that a qualified archaeological monitor has been retained to oversee all ground altering activities		Withhold Grading Permit
4.5.6.1B Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Moreno Valley that appropriate Native American representative(s), Project Archaeologist, and the Tribal representative(s) shall be allowed to monitor and have received a minimum of 30 days advance notice of all mass grading and trenching activities. During grading and trenching operations, the Tribal representatives and the project archaeological monitor shall observe all mass grading and trenching activities per the Cultural Resources Monitoring Agreement. If the Tribal representatives suspect that an archaeological resource may have been unearthed, the archaeologist, in consultation with the	City of Moreno Valley Planning Division	Prior to grading and throughout ground disturbing activities.	Prior to Issuance of Grading Permit	Provide evidence to the City that a qualified archaeological monitor has been retained to oversee all ground altering activities and that the Soboba, Morongo, and Pechanga Tribes have been notified as to when ground altering activities will occur on site. Tthe		Withhold Grading Permit and/or Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
tribal representative, shall immediately halt and redirect grading operations in a 100-foot radius around the find to allow identification and evaluation of the suspected resource. In consultation with the appropriate Native American Tribe(s), the archaeological monitor shall evaluate the suspected resource and make a determination of significance pursuant to California Public Resources Code Section 21083.2.				archaeological monitor shall invite one or more Native American monitors to participate in the monitoring program at the expense of the applicant.		
4.5.6.1C If a significant archaeological resource(s) is discovered on the property, ground disturbing activities shall be suspended 100 feet around the resource(s). The archaeological monitor and representatives of the appropriate Native American Tribe(s), the Project Applicant, and the City Planning Division shall confer regarding mitigation of the discovered resource(s). A treatment plan and/or preservation plan shall be prepared and by the archaeological monitor and reviewed by representatives of the appropriate Native American Tribe(s), the Project Applicant, and the City Planning Division and implemented by the archaeologist to protect the identified archaeological resource(s) from damage and destruction. The landowner shall relinquish ownership of all archaeological artifacts that are of Native American origin found on the Project site to the culturally affiliated Native American tribe(s) for proper treatment and disposition. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to the City Planning Division, the appropriate Native American tribe(s),	City of Moreno Valley Planning Division	Throughout ground disturbing activities.	On-site Inspection during construction	If historic resources are found the archaeologist shall provide a recommendation to the City as to how to handle and evaluate the resources. If archaeological resources are found the archaeologist shall notify the applicant, City and local Native American representatives. A written disposition of the mitigation shall be provided to the City by the archaeologist.		Issuance of a Stop Work Order

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and the Eastern Information Center at the University of California, Riverside. All cultural material, excluding sacred, ceremonial, grave goods and human remains, collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site shall be curated, as determined by the treatment plan, according to the current professional repository standards and may include the Pechanga Bands curatorial facility.						
4.5.6.1D Prior to grading permit issuance, the City shall verify that the following note is included on the Grading Plan: "If any suspected archaeological resources are discovered during ground-disturbing activities and the archaeological monitor or Tribal representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the project archaeologist and the Tribal representatives to the site to assess the significance of the find."	City of Moreno Valley Planning Division	Once prior to issuing permit	Prior to Issuance of Grading Permit.	Verify that plans contain specified language		Withhold Grading Permit.
4.5.6.1E If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner. If the Riverside County Coroner	City of Moreno Valley Planning Division	Ongoing during ground disturbing activities.	On-site Inspection during construction if human remains are discovered.	The contractor and/or archaeologist shall contact the applicant and City if human remains are discovered.		Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
determines the remains to be Native American, the California Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code §5097.98.						
4.5.6.2A. Prior to the issuance of grading permits, the project applicant shall submit to and receive approval from the City, a Paleontological Resource Impact Mitigation Program (PRIMP). The PRIMP shall include the provision of a trained paleontological monitor during on-site soil disturbance activities. The monitoring for paleontological resources shall be conducted during the rough-grading phase of the project. In the event that paleontological resources are unearthed or discovered during excavation, **Mitigation Measure 4.5.6.2C** shall apply. Conversely, if no paleontological resources are unearthed or discovered on site during excavation, no additional action is required.	City of Moreno Valley Planning Division	Prior to grading and on-going during ground disturbing activities.	Prior to Issuance of Grading Permit	Provide evidence to the City that a qualified paleontologist has been retained, and that the paleontologist(s) shall prepare a PRIMP for City approval. A qualified paleontologist(s) shall be retained by the applicant to monitor during rough grading. A report of findings shall be submitted to the City after the finalization of construction.		Withhold Grading Permit/ Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
4.5.6.2B. The paleontological monitor shall be equipped to rapidly remove any large fossil specimens encountered during excavation. During monitoring, samples of soil shall be collected and processed to recover microvertebrate fossils. Processing shall include wet screen washing and microscopic examination of the residual materials to identify small vertebrate remains.	City of Moreno Valley Planning Division	Prior to grading and on-going during ground disturbing activities.	Prior to Issuance of Grading Permit	A qualified paleontologist(s) shall be retained by the applicant to monitor during rough grading. A report of findings shall be submitted to the City after the finalization of construction.		Withhold Grading Permit/ Issuance of a Stop Work Order
4.5.6.2C. If paleontological resources are unearthed or discovered during excavation of the project site, the monitoring for paleontological resources shall be conducted on a full-time basis for the duration of the rough-grading of the project site. The following recovery processes shall apply: • Upon encountering a large deposit of bone, salvage of all bone in the area shall be conducted with additional field staff and in accordance with modern paleontological techniques. • All fossils collected during the project shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of all material collected and identified shall be provided to the museum repository along with the specimens. • A report documenting the results of the monitoring and salvage activities	City of Moreno Valley Planning Division	Ongoing during ground disturbing activities.	When paleontological resources are unearthed or discovered	A qualified paleontologist(s) shall be retained by the applicant to monitor full time during the duration of ground disturbing activities. A report of findings shall be submitted to the City after the finalization of construction.		Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
and the significance of the fossils shall be prepared. • All fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a museum repository for permanent curation and storage.						
4.5.6.2D Prior to grading permit issuance, the City shall verify that the following note is included on the Grading Plan: "If any suspected paleontological resources are discovered during ground-disturbing activities, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call a qualified paleontologist to the site to assess the significance of the find. A qualified paleontologist shall evaluate the suspected resource. If the paleontologist determines that the find is not unique, construction shall be permitted to proceed. However, if the paleontologist determines that further information is needed to evaluate significance, the City of Moreno Valley shall be notified and a treatment plan shall be prepared and implemented in consultation with the City to protect the identified paleontological resource(s) from damage and destruction."	City of Moreno Valley Planning Division	Once before issuing grading permit.	Prior to Issuance of Grading Permit	Verify plans contain specified language.		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
HAZARDS AND HAZARDOUS MATERIALS						
4.6.6.1A Prior to issuance of a grading permit for the project, a qualified contractor shall test onsite soils for contamination by agricultural chemicals. If present in concentrations above established actionable levels or thresholds, these materials shall be removed and transported to an appropriate landfill by a licensed contractor. This measure shall be implemented to the satisfaction of the Building Division including written documentation of the disposal of any agricultural chemical residue in conformance with all applicable regulations.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit and receipt of supplemental Phase II soil testing	Applicant shall provide written results of subsequent soil testing for pesticides		Withhold Grading Permit
HYDROLOGY AND WATER QUALITY						
4.7.6.1A. Prior to grading plan approval and the issuance of a grading permit by the City, the project applicant shall provide evidence to the City that a Notice of Intent (NOI) has been filed with the Regional Water Quality Control Board for coverage under the State NPDES General Construction Permit for discharge of storm water associated with construction activities.	City of Moreno Valley Planning Division Building and Safety Engineering	Prior to grading	Prior to Issuance of Grading Permit and review of grading plan documents	Applicant shall provide written evidence that an NOI has been filed with the Regional Water Quality Control Board.		Withhold Grading Permit
4.7.6.1B. Prior to grading plan approval and the issuance of a grading permit by the City, the project applicant shall submit to the State Water Quality Control Board a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction	City of Moreno Valley Planning Division Building and Safety Engineering	Prior to grading and onsite inspection during construction	Prior to Issuance of Grading Permit	Review of grading and construction documents and on-site inspection. Applicant shall provide written evidence that a SWPPP has been filed with the Regional Water		Withhold Grading Permit and/or Issuance of Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and nonvisible discharges from the site. BMPs to be implemented in the SWPPP may include, but shall not be limited to, the following: • Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP. • No materials of any kind shall be placed in drainage ways. • Materials that could contribute non-visible pollutants to storm water must be contained, elevated, and placed in temporary storage containment areas. • All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected per RWQCB standards to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences. The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance. • Additional BMPs and erosion control measures will be documented in the				Quality Control Board.		

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
SWPPP and utilized if necessary. • The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time. In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.						
4.7.6.1C. Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that the following provisions have been added to construction contracts for the project: • The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.	City of Moreno Valley Planning Division Engineering	Once prior to grading	Prior to issuance of Grading Permit	City review and approval of grading plans.		Withhold Grading Permit
4.7.6.2A. Prior to grading plan approval and the issuance of a grading permit by the City, the project applicant shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-	City of Moreno Valley Planning Division Engineering	Once prior to grading	Prior to issuance of Grading Permit	City review and approval of Final Water Quality Management Plan		Withhold Grading Permit

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WQMP shall specifically identify pollution prevention, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable. BMPs to be implemented in the F-WQMP may include (but shall not be limited to) the following: • Required landscaped areas shall not use decorative concrete or impervious surfaces. • Landscape plans shall incorporate native and drought-tolerant plants, trees, and shrubs. Landscaping shall be maintained weekly and maintenance contractor will properly dispose of all landscape wastes. • Irrigation systems shall be inspected monthly by the landscape contractor to check for over-watering, leaks, or excessive runoff to paved areas. Timers will be used to prevent over-watering. • Signage will be inspected and maintained twice a year for legibility. • Outdoor Loading/Unloading truck docks shall be kept in a clean and orderly condition with weekly inspections, continuous monitoring, and immediate clean up of spills. • Parking area maintenance shall be swept or vacuumed at least quarterly, if there is any trash or debris in between the routine sweeping, it shall be swept or						

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vacuumed immediately. • Trash enclosures will be inspected and maintained weekly or as needed by maintenance contractor. • On-site extended detention/sedimentation basins and sand filters will treat all of the site's runoff via vegetated swales and will be maintained and inspected at least twice a year and prior to October 1. • Additional BMPs will be documented in the WQMP and utilized if necessary. In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.						
4.7.6.3A. Prior to grading plan approval, the project proponent shall receive approval on a project-specific Final Hydrology Study, with supporting engineering calculations, from the City Engineer. The Final Hydrology Study shall incorporate relevant requirements identified by the City, and/or site-specific geotechnical investigations. A Preliminary Hydrology Study will be required prior to approval of the associated project tentative tract map.	City of Moreno Valley Planning Division Engineering	Once prior to tentative tract map approval Once prior to grading	Prior to tentative tract map approval Prior to issuance of Grading Permit	City review and approval of Preliminary Hydrology Study City review and approval of Final Hydrology Study		Withhold hearing to approve the tentative tract map. Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
NOISE						
4.9.6.1A. During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.	City of Moreno Valley Building and Safety Engineering Planning Division	Ongoing during construction	Throughout Construction	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
4.9.6.1B. The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.	City of Moreno Valley Building and Safety Engineering Planning Division	Ongoing throughout construction /on-site inspection	Throughout Construction	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
4.9.6.1C. 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 to the project site during all project construction.	City of Moreno Valley Building and Safety Engineering Planning Division	Ongoing throughout construction /on-site inspection	Throughout Construction	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
4.9.6.1D. During project site construction activities at Building 6 (i.e., closest to existing residences), the construction contractor shall limit all construction-related activities to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer.	City of Moreno Valley Building and Safety Engineering Planning Division	Ongoing throughout construction /on-site inspection	Throughout Construction	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order

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TRANSPORTATION						
4.11.6.4A. Prior to issuance of a Certificate of Occupancy the project applicant shall construct the following traffic improvements: • **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is currently approved, and permitted by Caltrans. If not otherwise completed prior to project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy. • **Redlands Boulevard/Fir Avenue/Eucalyptus Avenue.** If not otherwise completed prior to project opening, prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements: Install a traffic signal and add a northbound left-turn lane and a southbound left-turn lane. If the improvements are constructed by others prior to the Certificate of Occupancy, the applicant shall pay its fair share towards the improvements through the City's DIF program.	City of Moreno Valley Building and Safety Engineering Planning Division	Prior to Certificate of Occupancy on the building.	Prior to the Issuance of a Certificate of Occupancy	Evidence of the construction of the improvements. If construction has already occurred by others evidence of payment of DIF fees.		Withhold Certificate of Occupancy

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4.11.6.4B. Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program: • **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is listed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Redlands Boulevard/Fir Avenue/Eucalyptus Avenue.** Install a traffic signal. This improvement is listed in the City's DIF program. Add a northbound left-turn lane and a southbound left-turn lane. These improvements are listed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location.	City of Moreno Valley Building and Safety Engineering Planning Division	Once before construction	Prior to the Issuance of Building Permits	Evidence of Payment of City DIF fees and WRCOG TUMF fees.		Withhold Building Permit

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4.11.6.4C. Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program: • **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/Cottonwood Avenue.** Add a southbound through lane. This improvement is listed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/Alessandro Boulevard.** Add a southbound through lane. This improvement is listed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is listed in the City's DIF program. Add a northbound through lane. The	City of Moreno Valley Building and Safety Engineering Planning Division	Once before construction	Prior to the Issuance of Building Permits	Evidence of Payment of City DIF fees and WRCOG TUMF fees.		Withhold Building Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Redlands Boulevard/SR-60 Interchange reconstruction would implement the northbound through lane. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/SR-60 Eastbound Ramps.** The Redlands Boulevard/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Redlands Boulevard/Fir Avenue/Eucalyptus Avenue.** Install a traffic signal. Add a westbound right-turn lane and provide overlap phasing for the westbound right turns. Add a westbound left-turn lane and an eastbound left-turn lane. These improvements are programmed in the City's DIF program. Add a northbound left-turn lane, a southbound through lane, and a southbound left-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/Eucalyptus Avenue.** Add a southbound right-turn lane. This improvement is programmed in the TUMF.						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Therefore, payment of the TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/Alessandro Boulevard.** Add a southbound left-turn lane. This improvement is programmed in the TUMF. Therefore, payment of the TUMF fees would mitigate the significant impact at this location.						
4.11.6.4D. Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program. At some locations, the DIF and TUMF fees would not fully mitigate the project's impact. For these locations, additional improvements shall be implemented by the project applicant prior to the issuance of a certificate of occupancy for the project: • **Nason Street/Eucalyptus Avenue.** Add a northbound right turn lane. This improvement is programmed in the City's DIF; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, the project shall contribute a fair share (calculated to be 1.76%) toward restriping the westbound approach to provide dual left-turn lanes. • **Nason Street/Alessandro Boulevard.** Add an eastbound through lane and a westbound	City of Moreno Valley Building and Safety Engineering Planning Division	Once before construction and onsite inspection for improvements.	Prior to the Issuance of Building Permits Where improvements must be built by the developer – Prior to a Certificate of Occupancy on the first building.	Evidence of Payment to the City of fair share contribution in addition to payment of DIF, TUMF and build improvements where indicated in the mitigation measure.		Withhold Building Permit and/or Withhold Certificate of Occupancy.

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, the project shall contribute a fair share (calculated to be 1.4%) toward modification of the traffic signal to provide overlap phasing for the eastbound right-turn lane. • **Moreno Beach Drive/SR-60 Westbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/Eucalyptus Avenue.** Convert the existing eastbound through lane to a left-turn lane and the eastbound right-turn lane to a shared through/right-turn						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, the project shall contribute a fair share (calculated to be 8.63%) toward modification of the traffic signal to provide right-turn overlap phasing for the westbound right-turn lane. • **Moreno Beach Drive/Cottonwood Avenue.** Add a southbound through lane, This improvement is programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/Alessandro Boulevard.** Add 2 southbound through lanes, 2 northbound through lanes, an eastbound through lane, and a westbound through lane. These improvements are programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is programmed in the City's DIF program and will be installed before building occupancy since it was identified as a direct project impact. • **Redlands Boulevard/SR-60 Eastbound Ramps.** The Redlands						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Boulevard/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Redlands Boulevard/Fir Avenue-Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane, eastbound through lane, eastbound left-turn lane, and a westbound right-turn lane with overlap phasing. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a southbound through lane, southbound left-turn lane, northbound through lane, and northbound left-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a northbound left-turn lane and a southbound left-turn lane. These improvements are						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/Alessandro Boulevard.** Install a traffic signal. This improvement is programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a southbound left-turn lane, a northbound left-turn lane, a westbound left-turn lane, an eastbound left-turn lane, a westbound right-turn lane, and a southbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location.						
4.11.6.4E. Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program, or through a fair-share contribution to the City of Moreno Valley as noted below: • **Nason Street/Eucalyptus Avenue.** Add a northbound right-turn lane and an eastbound right-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection.	City of Moreno Valley Building and Safety Engineering Planning Division	Once before construction	Prior to the Issuance of Building Permits	Evidence of Payment of City DIF fees and WRCOG TUMF fees or fair share contribution		Withhold Building Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Implementation of the improvements identified for this intersection in **Mitigation Measure 4.11.6.4D** would also partially mitigate the significant impact at this intersection. In addition, the project shall pay a fair share (calculated to be 1.6%) toward modification of the traffic signal to provide right-turn overlap phasing for the eastbound and northbound right turns. • **Nason Street/Alessandro Boulevard.** Add an eastbound through lane and westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. Implementation of the improvements identified for this intersection in **Mitigation Measure 4.11.6.4D** would also partially mitigate the significant impact at this intersection. In addition, the project shall pay a fair share (calculated to be 1.35%) toward the addition of an eastbound left-turn lane and modification of the traffic signal to provide overlap phasing for the westbound right-turn lane. • **Moreno Beach Drive/SR-60 Westbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase.						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/Eucalyptus Avenue.** Restripe eastbound approach to dual left-turn lanes and add a northbound through lane, a westbound through lane, and a southbound right-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. Implementation of the improvements identified for this intersection in **Mitigation Measure 4.11.6.4D** would also partially mitigate the significant impact at this intersection. In addition, the project shall pay a fair share (calculated to be 5.17%) toward modification of the traffic signal to provide right-turn overlap phasing for the southbound right-turn lane. • **Moreno Beach Drive/Cottonwood Avenue.** Add a southbound through						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
lane, a northbound through lane, an eastbound left-turn lane, an eastbound through lane, a westbound through lane, and a westbound left-turn lane. These improvements are programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/Alessandro Boulevard.** Add 2 southbound through lanes, 2 northbound through lanes, an eastbound through lane, and a westbound through lane. These improvements are programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Auto Mall Drive/Eucalyptus Avenue.** Install a traffic signal. This improvement is programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is programmed in the City's DIF program and will be installed before building occupancy since it was identified as a direct project impact. Therefore, payment of the DIF fee would mitigate the significant impact at this location.						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• **Redlands Boulevard/SR-60 Eastbound Ramps.** The Redlands Boulevard/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Redlands Boulevard/Fir Avenue-Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane, eastbound through lane, eastbound left-turn lane, a westbound right-turn lane with overlap phasing, and a southbound right-turn lane with overlap phasing. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a southbound through lane, a southbound left-turn lane, a northbound through lane, a northbound left-turn lane, and a northbound right-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the TUMF fee would also partially mitigate the significant impact at this location. In addition, the project shall pay a fair share (calculated to be 10.44%) of the cost of adding a southbound left-turn lane. • **Redlands Boulevard/Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane.						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a northbound left-turn lane, a northbound through lane, a southbound left-turn lane, and southbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/Cottonwood Avenue.** Add an eastbound through lane and westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a northbound through lane and a southbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/Alessandro Boulevard.** Install a traffic signal. This improvement is programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, and add a southbound left-turn lane, a northbound left-turn lane, a westbound left-turn lane, an eastbound left-turn lane, a						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
westbound right-turn lane, a southbound through lane, a westbound through lane, and an eastbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location.						
4.11.6.4F. If the Encilia Avenue and Quincy Street Connection plan is implemented as part of the proposed project, then prior to issuance of building permits, the project applicant shall implement the following improvements, in addition to those identified in **Mitigation Measure 4.11.6.4.E**, either through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program: • **Moreno Beach Drive/Eucalyptus Avenue.** Restripe the southbound shared through/right-turn lane to a southbound through lane. This improvement is programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the impacts of the project at this intersection. • **Redlands Boulevard/Fir Avenue-Eucalyptus Avenue.** Pay the fair share (calculated to be 10.84%) to add a southbound right-turn lane. • **Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane. These improvements are programmed in the City's DIF program. In addition, add a	City of Moreno Valley Building and Safety Engineering Planning Division	Once before construction	Prior to the Issuance of Building Permits	Evidence of Payment of City DIF fees and WRCOG TUMF fees or fair share contribution.		Withhold Building Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
northbound left-turn lane, northbound through lane, southbound left-turn lane, and a southbound through lane. These improvements are programmed in the TUMF program. Therefore, payment of the DIF and TUMF fees would fully mitigate the impact of the project at this intersection. • **Moreno Beach Drive/Encilia Avenue.** Install a traffic signal and add a northbound through lane, southbound left-turn lane, and a southbound through lane. This improvement is programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the impacts of the project at this intersection.						
GREENHOUSE GASES AND GLOBAL CLIMATE CHANGE						
4.13.6.1A. Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following: • Exterior windows shall utilize window treatments for efficient energy conservation. • Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards	City of Moreno Valley Building and Safety Planning Division	Once prior to construction	Prior to issuance of building permits	Review of construction documents and on-site inspection		Withhold Building Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Code baseline water consumption shall be used. • Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, and water heating) shall be commissioned by the Commissioning Authority. • Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.						
4.13.6.1B. Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the design and construction of the project: • Use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel	City of Moreno Valley Building and Safety Planning Division	Once prior to construction Once during on-site inspection	Prior to issuance of building permits	Review of construction documents/building plans and on-site inspection		Withhold Building Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
consumption, and therefore, GHG emissions. • Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants. • Design the project building to exceed the California Building Code's (CBC) Title 24 energy standard, including, but not limited to, any combination of the following: o Increase insulation such that heat transfer and thermal bridging is minimized. o Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. o Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment. • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. • Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
buildings. • Install reflective roof material (SRI >45) and cool pavements. • Install energy-efficient heating and cooling systems, appliances and equipment, and control systems. • Install solar or light-emitting diodes (LEDs) for outdoor lighting for auto parking areas.						
4.13.6.1C. Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project: • The project applicant shall use less than 3,900 Global Warming Potential (GWP) hydrofluorocarbon (HCF) refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment. • Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing windows. • Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate: o Install drought-tolerant plants for landscaping.	City of Moreno Valley Building and Safety Planning Division	Once Prior to construction Once during on-site inspection	Prior to issuance of occupancy permit	Review of construction documents and on-site inspection		Withhold Occupancy Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
○ Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water. ○ Install water-efficient irrigation systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance. • Provide employee education about reducing waste and available recycling services.						

PLANNING COMMISSION RESOLUTION NO. 2014-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY RECOMMENDING THAT THE CITY COUNCIL APPROVE APPLICATION NO'S. PA07-0082 (GENERAL PLAN AMENDMENT), PA07-0081 (ZONE CHANGE), PA07-0083 (MASTER PLOT PLAN), PA07-0158 THROUGH PA07-0162 (PLOT PLANS) AND TENTATIVE PARCEL MAP 35679 (PA07-0084) FOR DEVELOPMENT OF THE 2,244,419 SQUARE FOOT PROLOGIS EUCALYPTUS INDUSTRIAL PARK PROJECT ON SIX PARCELS WITHIN THE 122 ACRES OF ASSESSOR'S PARCEL NUMBERS 488-330-011, 012, -013, -017, -018, -019, -020, and -021.

Section 1:

WHEREAS, the applicant, Prologis, filed Application No. PA07-0082, requesting a General Plan Amendment for approximately 71 acres from R15, R5, and RA-2 land use designations to Business Park for certain property, as described in the title of this resolution and the attached Exhibit A. A General Plan Amendment is also required for proposed changes to the City's circulation element and the Master Plan of Trails.

WHEREAS, on March 13, 2014, 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 and continued the item to their April 24, 2014 agenda.

WHEREAS, on April 24, 2014, 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 (P07-186) 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 April 24, 2014, 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 general plan amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes a General Plan Amendment for approximately 71 acres from R15, R5, and RA-2 land use designations to Business Park for development of 2,244,419 square foot industrial park. 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 General Plan Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. **Health, Safety and Welfare –** The proposed general plan amendment will not be detrimental to the public health, safety or welfare.

   FACT: The proposed General Plan Amendment 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 General Plan Amendment in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed General Plan Amendment will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

Section 2:

WHEREAS, the applicant, Prologis, filed Application No. PA07-0081, requesting an Amendment to Pages 61 and 74 of the Official Zoning Atlas, and proposes a Zone Change from existing Business Park, Business Park Mixed-use, R15, R5, and RA-2 land use designations to Light Industrial for certain property, as described in the title of this resolution and the attached Exhibit B.

WHEREAS, on April 24, 2014, 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 (P07-186) 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 April 24, 2014, 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 properties located within Assessor's Parcel Numbers 488-330-011, 012, -013, -017, -018, -019, -020, and -021 from Business Park, Business Park Mixed-use, R15, R5, and RA-2 land use designations to Light Industrial for development of 2,244,419 square foot industrial park on approximately 122 acres. 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 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.

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 Zone Change application has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from Business Park, Business Park Mixed-use, R15, R5, and RA-2 land use designations to Light Industrial for the 116.9 acre project site is consistent with the purposes and intent of Title 9.

Section 3:

WHEREAS, Prologis, has filed an application for the approval of Master Plot Plan PA07-0083 for development of an industrial park to include a total of 2,244,419 square feet of warehouse distribution space on 122 acres. This application also includes Building #2 on Parcel 2 of TPM 35679 for development of 862,035 square feet on 39.32. Related applications include Plot Plan PA07-0158 for Building #1 on Parcel 1 of TPM 35679 for development of a 168,342 square foot warehouse distribution building on 8.84 acres; Plot Plan PA07-0159 for Building #3 on Parcel 3 of TPM 35679 for development of a 160,106 square foot warehouse distribution building on 8.5 acres; Plot Plan PA07-0160 for Building #4 on Parcel 4 of TPM 35679 for development of a 339,015 square foot warehouse distribution building on 15.66 acres; Plot Plan PA07-0161 for Building #5 on Parcel 5 of TPM 35679 for development of a 390,102 square foot warehouse distribution building on 19.29 acres; and Plot Plan PA07-0162 for Building #6 on Parcel 6 of TPM 35679 for development of a 325,038 square foot warehouse distribution building on 17.55 acres, as described in the title of this Resolution.

WHEREAS, on April 24, 2014, 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 April 24, 2014, 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.

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

FACT: The project site is currently zoned Business Park, Business Park Mixed-Use, R15, R5 and RA-2. The project proposes a Zone Change to LI to allow for buildings larger than 50,000 square feet. Subject to approval of the related General Plan Amendment (PA07-0082) and Zone Change application (PA07-0081) 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 2,244,419 square foot warehouse facility as designed and conditioned will not adversely affect the public health, safety or general welfare. The project has been designed consistent with the City's Municipal Code. 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 on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the freeway with Business Park and Commercial zoned land within the Auto Mall to the west and Light Industrial and RA-2 zoned land to the east. South of the project site on the other side of Eucalyptus Avenue/Future Encilia Avenue is vacant RA-2 zoned land with tract homes in the RA-2 zone across the channel from the project site. The proposed warehouse distribution use is a permitted use in both the BP and LI zones, but the size of the buildings proposed by the project requires a Zone Change to LI for the warehouse facilities over 50,000 square feet. The project as designed and conditioned and subject to approval of the above mentioned

Zone Change, is compatible with existing and proposed land uses in the vicinity.

Section 4:

WHEREAS, the applicant, Prologis, has filed an application for the approval of PA07-0084 or Tentative Parcel Map No. 35679 to re-configure the existing eight parcels located within the project site into six parcels.

WHEREAS, on April 24, 2014, the Planning Commission of the City of Moreno Valley held a public hearing to consider the subject applications and the environmental documentation prepared for the project.

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 April 24, 2014, 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 parcel map is consistent with the existing General Plan designations (BP, BPX, R15, R5 and RA-2) of the project site as well as the proposed change to Light Industrial. The proposed parcel map will re-configure the existing eight parcels located within the project site into six parcels. 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 parcel map as designed and conditioned will provide improvements that are consistent with the requirements of the project site's existing General Plan land use designations (BP, BPX, R15, R5 and RA-2) as well as the proposed change to Light Industrial.

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 multiple vacant rectangular shaped parcels that are mostly flat with seasonal washes along the sites eastern and southern boundaries. The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the adjacent freeway with Office Commercial, R2 and RA-2 zoned land north of the freeway. Land uses to the east include a mix of Light Industrial and Community Commercial zoned land and RA-2 zoned land with a developed warehouse facility further to the east. Land uses to the south include vacant RA-2 zone with developed tract homes across the channel from the project site. Overall, the project site is well suited for the proposed subdivision.

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 mostly flat with seasonal washes along the sites eastern and southern boundaries. The parcel map is designed in accordance with the provisions of the City's Municipal Code. 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 Final EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA), concluding that with mitigation and as conditioned and designed, the proposed subdivision 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).

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 parcel 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 parcel 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 parcel 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.

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 PA07-0083, PA07-0158 to PA07-0162 and PA07-0084, 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. 2014-10, recommending that the City Council:

1. **APPROVE** General Plan Amendment application PA07-0082, as shown on the attachment included as Exhibit A;

2. **APPROVE** Zone Change application PA07-0081, as shown on the attachment included as Exhibit B;

3. **APPROVE** Master Plot Plan PA07-0083 and related Plot Plan applications PA07-0158 through PA07-0162, subject to the attached conditions of approval included as Exhibit C; and

4. **APPROVE** Tentative Parcel Map 35679 (PA07-0084), subject to the attached conditions of approval included as Exhibit D.

APPROVED this 24th day of April, 2014.

_____
Meli Van Natta
Chair, Planning Commission

ATTEST:

_____
Chris Ormsby, Interim Planning Official
Secretary to the Planning Commission

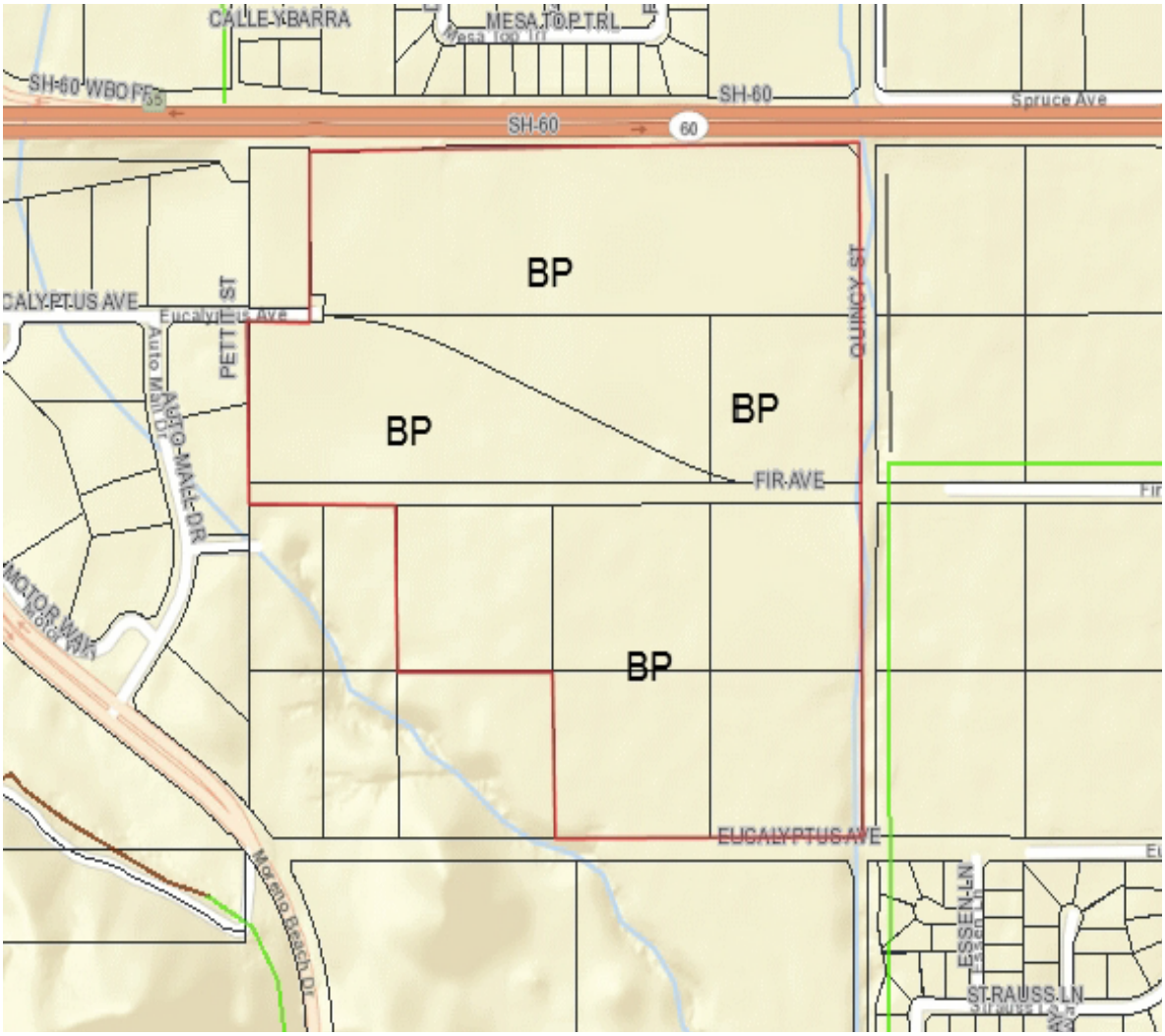
APPROVED AS TO FORM:

_____
City Attorney

Attachments

GENERAL PLAN AMENDMENT

Application No. PA07-0082
APN's 488-330-011, 012, -013, -017, -018, -019, -020, and -021
Resolution No. 2014-10

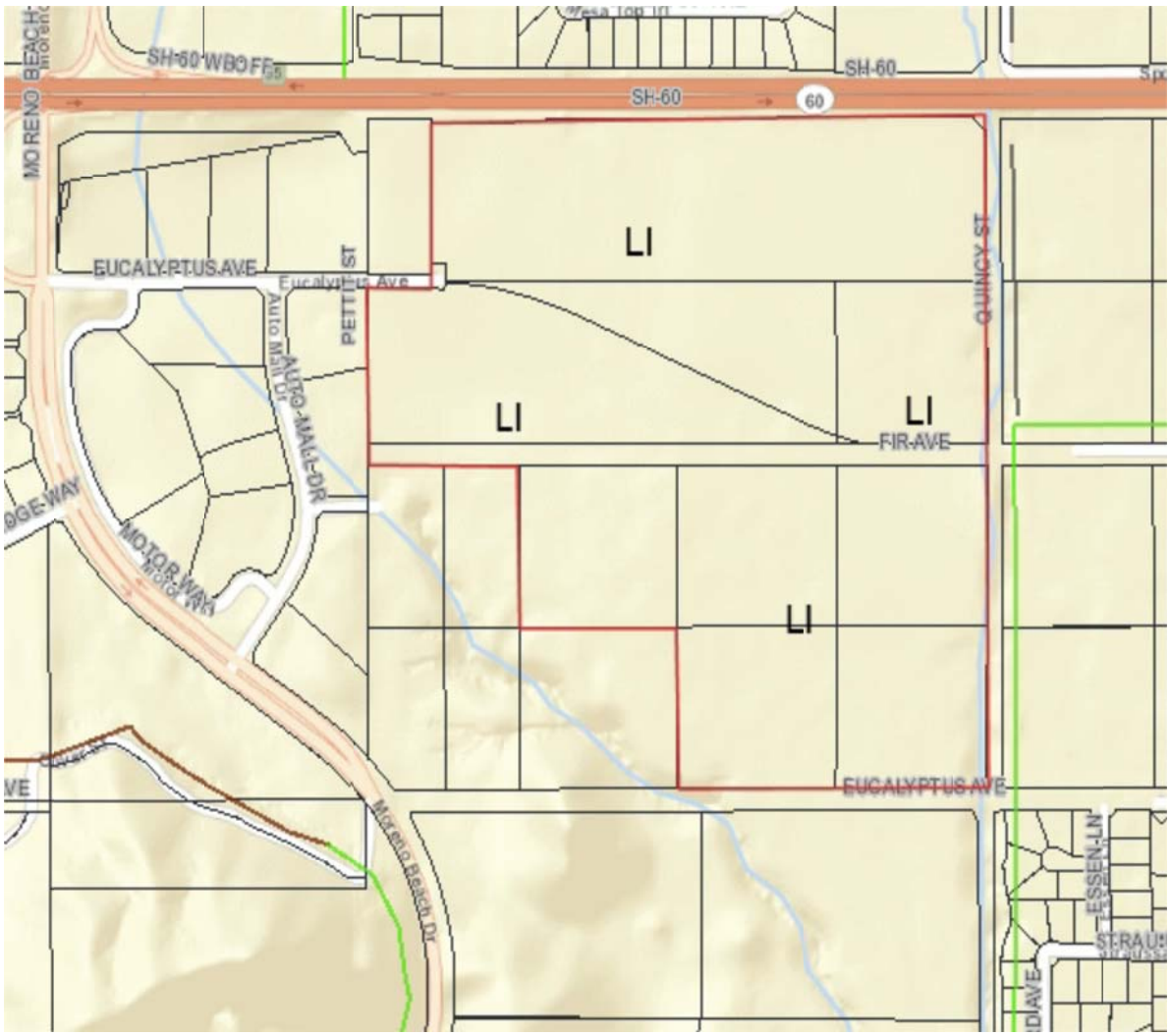


ADOPTED_____

EFFECTIVE_____

Exhibit A

I -021



ADOPTED_____

EFFECTIVE_____

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR MASTER PLOT PA07-0083 AND PLOT PLANS PA07-0158, PA07-0159, PA07-0160, PA07-0161 AND PA07-0162
APN's: 488-330-011, 012, -013, -017, -018, -019, -020, and -021

APPROVAL DATE:
EXPIRATION DATE:

_x_ Planning (P), including School District (S), Post Office (PO), Building (B)
_x_ Fire Prevention Bureau (F)
_x_ Public Works Department – Land Development (LD)
_x_ Public Works Department – Transportation Engineering (TE)
_x_ Financial and Management Services Dept. – Special Districts (SD)
_x_ Moreno Valley Utilities
_x_ Parks & Community Services Department (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. Approval of Master Plot Plan PA07-0083 and Plot Plans PA07-0158, PA07-0159, PA07-0160, PA07-161 and PA07-0162 are subject to approval of General Plan Amendment application PA07-0082 and Zone Change application PA07-0081.

P2. The following plot plan applications have been approved:

- **Master Plot Plan PA07-0083 for development of an industrial park to include a total of 2,244,419 square feet of warehouse distribution on 122 acres. This application also includes Building #2 on Parcel 2 of TPM 35679 for development of 862,035 square feet on 39.32 acres with 311 required employee parking spaces and 135 required truck parking spaces;**

Exhibit C

- **Plot Plan PA07-0158 for Building #1 on Parcel 1 of TPM 35679 for development of a 168,342 square foot warehouse distribution building on 8.84 acres with 100 required employee parking spaces and 21 required truck parking spaces;**

- **Plot Plan PA07-0159 for Building #3 on Parcel 3 of TPM 35679 for development of a 160,106 square foot warehouse distribution building on 8.5 acres with 98 required employee parking spaces and 20 required truck parking spaces;**

- **Plot Plan PA07-0160 for Building #4 on Parcel 4 of TPM 35679 for development of a 339,015 square foot warehouse distribution building on 15.66 acres with 180 required employee parking spaces and 36 required truck parking spaces;**

- **Plot Plan PA07-0161 for Building #5 on Parcel 5 of TPM 35679 for development of a 390,102 square foot warehouse distribution building on 19.29 acres with 173 required employee parking spaces and 53 required truck parking spaces; and**

- **Plot Plan PA07-0162 for Building #6 on Parcel 6 of TPM 35679 for development of a 325,038 square foot warehouse distribution building on 17.55 acres with 176 required employee parking spaces and 53 required truck parking spaces.**

P3. **No building permits shall be issued for the warehouse distribution buildings approved for Plot Plan PA07-0158 and Plot Plan PA07-0159 during the initial 18 months of this approval.**

P4. **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)**

P5. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

P6. **A double row of citrus trees shall be planted along the sites State Route 60 frontage. Citrus trees shall also be planted along the Quincy Channel, and in other areas throughout the industrial park.**

P7. **Development of the industrial park is subject to approval of Tentative Parcel Map No. 35679 and the subsequent recordation of this map.**

P8. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the office area(s). Eight percent of required parking shall be designated for any combination of low-emitting, fuel efficient and carpool/vanpool vehicles for all new nonresidential development.

P9. 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.

P10. 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).

P11. Screening walls of decorative block or concrete tilt-up construction shall be provided to fully screen the truck loading and parking area for from view from Fir/Eucalyptus Avenue and State Route 60.

P12. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P13. 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.

P14. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P15. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P16. 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)

P17. (CO) Prior to issuance of a Certificate of Occupancy, the developer shall install a segment of multi-use trail on the north side of Fir Avenue/Eucalyptus Avenue from Quincy Channel to Fire Station #58.

General Conditions

P18. 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)

P19. The project 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)

P20. 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)

P21. A drought tolerant, low water using landscape palette shall be utilized throughout the project to the extent feasible.

P22. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P23. 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 Development 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

P24. (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.

P25. (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).

P26. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P27. (GP) Prior to approval of any grading permit, local and master-planned multi-use trail easements shall be shown in accordance with the City's Master Trail Plan.

P28. (GP) For projects abutting State Highway 60, a sixteen foot reservation for future right-of-way shall be provided.

P29. (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.

P30. (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.

P31. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative concrete paving 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.

P32. (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.

P33. (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.

P34. (GP) 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 U.S. Army Corps of Engineers. 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)

P35. (GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an 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.

P36. (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 3 foot high decorative wall in lieu of a hedge or berm may be placed in setback areas adjacent to a parking lot facing a public right-of-way.**
- **B. 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 per the Municipal Code.**
- **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.**
- **D. A four foot tall three rail fence per Parks and Community Services standards is required adjacent the multi-use trail.**
- **E. If fencing is required around basins, then fence shall be wrought iron with pilasters or a four foot three rail fence to match the trail fencing.**

P37. (GP) Prior to approval of any grading permits, water well(s) on the site shall be closed or maintained in accordance with requirements of the Riverside County Environmental Health Department. (CEQA)

Prior to Issuance of Building Permits

P38. (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)

P39. (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)

P40. (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 one-quarter foot-candle minimum maintained lighting measured from within five feet of any 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)

P41. (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)

P42. (BP) Prior to issuance of building permits, a phasing plan shall be submitted to the Planning Division for approval, if development is proposed to be phased.

P43. (BP) Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for review and approval 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 shall be placed in any setback areas between a public right of way and a parking lot for screening.**
- **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. Diamond planters shall be provided every 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. Street trees shall be provided every 40 feet on center in the right of way. Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Fir Avenue/Eucalyptus Avenue frontage.**
- **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. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**
- **H. Minimum container size for required trees planted along the SR-60 frontage shall be 24 inch box.**
- **I. Enhanced landscaping shall be included at all driveway and corner locations as well as along Highway 60.**
- **J. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view.**
- **K. Landscaping on three sides of any trash enclosure.**
- **L. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits.**

P44. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures located outside of a truck court, to include landscape on three sides, and trash enclosures shall include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the

proposed commercial buildings on the site, subject to the approval of the Community & Economic Development Director.

P45. (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)

P46. (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.

P47. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or paving for all driveway ingress/egress locations for the project.

P48. (BP) Prior to issuance of any building permit~~s~~, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

Prior to Issuance of a Certificate of Occupancy

P49. (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).

P50. (CO) Prior to issuance of Certificate of Occupancy or building final, all required landscape and irrigation shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P51. (CO) Prior to issuance of Certificate of Occupancy or building final, all rooftop equipment shall be appropriately screened from Highway 60 or the Eucalyptus/Fir Avenue rights-of-way.

P52. (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.

MITIGATION MEASURES

Air Quality

P53. **4.3.6.2A.** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

P54. **4.3.6.2B** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

P55. **4.3.6.2C** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier III Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubbertired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. Project start to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 horsepower shall meet Tier 3 off-road emission standards. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emission control devises used by the contractor shall achieve emission reductions that are no less than what would be achieved by a Level 3 diesel emission control strategy for a similarly sized engine as defined by CARB regulations. Post January 1, 2015: All off-road diesel–powered construction equipment greater than 50 horsepower shall meet Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emission control devises used by the contractor shall achieve emission reductions that are no less than what would be achieved by a Level 3 diesel emission control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit's certified tier specifications, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

P56. **4.3.6.2D** All clearing, grading, earthmoving, or excavation activities shall cease when winds (as instantaneous gusts) exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions. On-site truck idling shall be prohibited in excess of five minutes.

P57. **4.3.6.2E** 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 midmorning, afternoon, and after work is done for the day.

P58. **4.3.6.2F** The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.

P59. **4.3.6.2G** Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).

P60. **4.3.6.2H** The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and by not allowing construction equipment to be left idling for more than five minutes (per California law).

P61. **4.3.6.2I** The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

P62. **4.3.6.2J.** Grading plans, construction specifications and bid documents shall also include the following requirements:

• Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;

• Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;

• Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;

• The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;

• The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;

• High-pressure injectors shall be provided on diesel construction equipment if available;

• Engine size of construction equipment shall be limited to the minimum practical size;

• Substitute gasoline-powered for diesel powered construction equipment where gasoline powered equipment is available;
• Use electric construction equipment where it is practical to use such equipment;
• Install catalytic converters on gasoline-powered equipment where this type of equipment is available;
• Ride-sharing program for the construction crew shall be supported by contractor(s) via incentives or other inducement;
• Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
• Lunch vendor services shall be allowed on site during construction to minimize the need for off-site vehicle trips; and
• All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.

P63. **4.3.6.2K.** Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction related air quality issues within 24 hours.

P64. **4.3.6.2L.** All project entrances 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 (3) minutes; and
• Telephone numbers of the building facilities manager and CARB, to report violations. These measures shall be enforced by the on-site facilities manager (or equivalent).

P65. **4.3.6.2M.** During project grading and construction, the various project contractors shall adhere to the control measures listed in Tables 1.D and 1.E (attached to the MMRP).

P66. **4.3.6.3A** Prior to the issuance of grading permits, the project applicant shall require by contract specifications that all trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least 2 feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and the top of the trailer).

P67. **4.3.6.3B.** Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that construction access roads shall be paved at least 100 feet onto the site from the main road.

P68. **4.3.6.3C.** Prior to the issuance of grading permits, the project applicant shall require by contract specifications that all streets within the construction site shall be swept once per day if visible soil materials are carried to adjacent streets.

P69. **4.3.6.4A.** The project applicant shall use"Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.

P70. **4.3.6.5B.** Prior to issuance of building permits, the project applicant shall provide evidence to the City that energy efficient and low-emission methods and features of building construction shall be incorporated into the project design. These methods and features may include (but are not limited to) the following:

• Construction of buildings that exceed statewide energy requirements beyond Construction of buildings that exceed statewide energy requirements beyond 10 percent of that identified in Title 24, Part 6 Energy Efficiency Standards:
• Use of low-emissions water heaters;
• Use of central water-heating systems;
• Use of energy-efficient appliances;
• Use of increased insulation;
• Use of automated controls for air conditioners;
• Use of energy-efficient parking lot lighting; and
• Use of lighting controls and energy efficient lighting.
• Utilize low-VOC interior and exterior coatings during project repainting.
• Provide on-site improvements such as sidewalks or pedestrian walkways to promote pedestrian activity and reduce the number of vehicle trips.
• Installation of skylights and energy efficient lighting that exceeds California Title 24 standards where feasible, including electronic dimming ballasts and computer-controlled daylight sensors in the buildings.
• Shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and building shall be planted at the proposed project site. These strategies will minimize the heat island effect and thereby reduce the amount of air conditioning required.
• Strategies to be considered include fans to assist natural ventilation, centralized water and space conditioning systems, high efficiency individual heating and cooling units, and automatic setback thermostats.
• Reduction of energy demand associated with potable water conveyance through the following methods:

-Incorporating drought-tolerant plants into the landscaping palette; and
-Use of water-efficient irrigation techniques.

• Energy-efficient low-pressure sodium parking lot lights or equivalent as determined by the City shall be used;
• Buildings shall be oriented north-south where feasible;
• Implement an on-site circulation plan in parking lots to reduce vehicle queuing;
• Develop a trip reduction plan to achieve 1.5 average vehicle ridership (AVR) for businesses with fewer than 250 employees or multi-tenant worksites;
• Include bicycle parking facilities such as bicycle lockers and racks;
• Include showers for bicycling employees use; and
• Construct on-site pedestrian facility improvements such as building access that is physically separated from street and parking lot traffic and walk paths.

P71. **4.3.6.6A** Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 10 percent until January 1, 2014. For building permits issued after that date, new state energy standards require a 20 percent reduction from 2008 Title 24, Part 6 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. The following design features shall be used to fulfill this requirement:
• Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.
• 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 shall be installed, as deemed acceptable by the City. Automatic devices to turn off lights when they are not needed shall be implemented.
• To the extent that they are compatible with landscaping guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site.
• Paint and surface color palette for the project shall emphasize light and offwhite colors which reflect heat away from the buildings.
• All buildings shall 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 shall implement the following:
-Landscaping palette emphasizing drought-tolerant plants;
-Use of water-efficient irrigation techniques; and,

-U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.

• The project shall provide secure, weather-protected, on-site bicycle storage/parking.

• The project shall provide on-site showers (one for males and one for females). Lockers for employees shall be provided.

• The project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce greenhouse gas (GHG) emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.

• The project shall provide preferential parking for carpools and vanpools. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the project site plan.

• The project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for stations shall be indicated on the project building plan.

• Lease/purchase documents shall identify that tenants are encouraged to promote the following:

-Implementation of compressed workweek schedules.

-SmartWay partnership;

-Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long-haul trips carried by SmartWay 1.0 or greater carriers.

-Achievement of at least 15 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of longhaul trips carried by SmartWay carriers until it reaches a minimum of 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers.

-Use of fleet vehicles conforming to 2010 air quality standards or better.

-Installation of catalytic converters on gasoline-powered equipment.

-Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.

-Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles.

-Provision of preferential parking for EV and CNG vehicles.

-Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.

-Use of electric (instead of diesel or gasoline-powered) yard trucks.

-Use of SmartWay 1.25 rated trucks.
-Each facility operator shall provide regular sweeping of onsite parking and drive areas.
-Each facility operator shall maintain a log of all trucks entering the facility to ensure that, on average, the daily truck fleet meets the quantities and emissions standards listed in the Draft EIR. This log shall be available for inspection by City staff at any time.
-Each facility operator shall prohibit all vehicles from idling in excess of five minutes in all onsite areas.
-Each facility operator shall ensure that onsite staff in charge of keeping the daily log and monitoring for excess idling will be trained and certified in diesel health effects and technologies, such as by requiring attendance at CARB-approved courses.
-Each facility operator upon occupancy that do not already operate 2007 and newer trucks shall in food faith apply for funding to replace or retrofit their trucks such as Carl Moyer, VIP, Prop 1B or similar funds. Should funds be awarded, the tenant shall be required to accept and use them.

Biological Resources

P72. **4.4.6.1A.** If tree removal or clearing and grubbing activities must take place during the general nesting season (February 1 through August 31), a nesting bird survey shall be conducted within seven (7) days prior to any vegetation disturbance activities. If passerine birds are found to be nesting or there is evidence of nesting behavior inside the impact area, an exclusion buffer, to be determined by the appropriate agency (e.g. the City, County, and/or CDFG), shall be set in place around the nest where no vegetation disturbance will be permitted. For raptor species, such as hawks and owls, this buffer may be as large as 500 feet. A qualified biologist shall closely monitor nests until it is determined that they are no longer active, at which time construction activity in the vicinity of nests may continue.

P73. **4.4.6.1B.** Prior to site grading, a preconstruction survey shall be required for the burrowing owl to confirm the presence/absence of this species from the site. The survey shall be conducted by a qualified biologist within 30 days prior to ground disturbance, and in accordance with MSHCP survey requirements, to avoid direct take of burrowing owls. If burrowing owls are determined to occupy the project site or immediate vicinity, the City of Moreno Valley Planning Department shall be notified and avoidance measures as identified in **Mitigation Measure 4.4.6.1C,** shall be implemented. Implementation of avoidance measures shall be executed pursuant to the MSHCP, the California Fish and Game Code, and the MBTA, and according the Burrowing Owl Survey Protocol and Mitigation Guidelines (California Burrowing Owl Consortium 1993) and reviewed the City of Moreno Valley, the Riverside Conservation Authority, and/or by the CDFG.

P74. **4.4.6.1C.** As recommended in the BUOW Survey and Mitigation Guidelines prepared by the California BUOW Consortium, no disturbance to an occupied burrow shall occur within approximately 160 feet of an occupied burrow during the non-breeding season (September 1 through January 31), or within approximately 250 feet of an occupied burrow during the breeding season (February 1 through August 31). For unavoidable impacts, passive relocation of burrowing owls shall be implemented. Passive relocation shall be conducted by a qualified biologist in accordance with procedures set forth by the MSHCP and California Burrowing Owl Consortium. Passive relocation of occupied burrows supporting a breeding pair of burrowing owls shall be conducted outside of the breeding season pursuant to the California Fish and Game Code and the MBTA.

P75. **4.4.6.2A**. As outlined in the project's Determination of a Biologically Equivalent or Superior Preservation (DBESP) report, the project applicant shall compensate for the temporary and permanent impact on and loss of jurisdictional waters and streambeds by providing a minimum 2:1 off-site replacement of equivalent riverine/riparian habitat prior to project construction. Offsite restoration, enhancement, and/or land purchase mitigation for the drainage impacts will occur at an offsite location through one or more of the following: an USACE approved mitigation bank, through an in lieu fee mitigation program, and/or landpurchase and conservation. DFG and USFWS will need to provide concurrence that this mitigation is equivalent or superior to that proposed for impact through their review and acceptance of the DBESP.

P76. **4.4.6.2B.** Riparian/riverine resources that are temporarily impacted by project construction shall be returned to their preconstruction contours and hydroseeded, as outlined in the DBESP.

P77. **4.4.6.3A.** The project applicant shall obtain a Section 404 Nationwide or Individual Permit, as appropriate, from the USACE, a Section 401/Porter-Cologne Water Quality Certification from the RWQCB, and a Section 1602 Streambed Alteration Agreement from the CDFG. Offsite restoration, enhancement, and/or land purchase mitigation of jurisdictional drainage impacts will occur at an off-site location through one or more of the following: an USACE approved mitigation bank, through an in-lieu fee mitigation program, and/or land purchase and conservation.

Cultural Resources

P78. **4.5.6.1A** Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Moreno Valley that a Cultural Resources Monitoring Agreement has been secured for qualified Tribal representatives, and that a professional archaeological monitor meeting Secretary of Interior standards has been retained by the Applicant to conduct monitoring of all mass grading and trenching activities and has the authority to temporarily halt and

redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist and Tribal representatives shall attend the pregrading meeting with the City and contractors to explain and coordinate the requirements of the monitoring program.

P79. **4.5.6.1B** Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Moreno Valley that appropriate Native American representative(s), Project Archaeologist, and the Tribal representative(s) shall be allowed to monitor and have received a minimum of 30 days advance notice of all mass grading and trenching activities. During grading and trenching operations, the Tribal representatives and the project archaeological monitor shall observe all mass grading and trenching activities per the Cultural Resources Monitoring Agreement. If the Tribal representatives suspect that an archaeological resource may have been unearthed, the archaeologist, in consultation with the tribal representative, shall immediately halt and redirect grading operations in a 100-foot radius around the find to allow identification and evaluation of the suspected resource. In consultation with the appropriate Native American Tribe(s), the archaeological monitor shall evaluate the suspected resource and make a determination of significance pursuant to California Public Resources Code Section 21083.2.

P80. **4.5.6.1C** If a significant archaeological resource(s) is discovered on the property, ground disturbing activities shall be suspended 100 feet around the resource(s). The archaeological monitor and representatives of the appropriate Native American Tribe(s), the Project Applicant, and the City Planning Division shall confer regarding mitigation of the discovered resource(s). A treatment plan and/or preservation plan shall be prepared and by the archaeological monitor and reviewed by representatives of the appropriate Native American Tribe(s), the Project Applicant, and the City Planning Division and implemented by the archaeologist to protect the identified archaeological resource(s) from damage and destruction. The landowner shall relinquish ownership of all archaeological artifacts that are of Native American origin found on the Project site to the culturally affiliated Native American tribe(s) for proper treatment and disposition. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to the City Planning Division, the appropriate Native American tribe(s), and the Eastern Information Center at the University of California, Riverside. All cultural material, excluding sacred, ceremonial, grave goods and human remains, collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site shall be curated, as determined by the treatment plan, according to the current professional repository standards and may include the Pechanga Bands curatorial facility.

P81. **4.5.6.1D** Prior to grading permit issuance, the City shall verify that the following note is included on the Grading Plan: “If any suspected archaeological resources are discovered during ground disturbing activities and the archaeological monitor or Tribal representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the project archaeologist and the Tribal representatives to the site to assess the significance of the find."

P82. **4.5.6.1E** If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner. If the Riverside County Coroner determines the remains to be Native American, the California Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately notify the “most likely descendant(s)” of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code §5097.98.

P83. **4.5.6.2A.** Prior to the issuance of grading permits, the project applicant shall submit to and receive approval from the City, a Paleontological Resource Impact Mitigation Program (PRIMP). The PRIMP shall include the provision of a trained paleontological monitor during on-site soil disturbance activities. The monitoring for paleontological resources shall be conducted during the rough-grading phase of the project. In the event that paleontological resources are unearthed or discovered during excavation, **Mitigation Measure 4.5.6.2C** shall apply. Conversely, if no paleontological resources are unearthed or discovered on site during excavation, no additional action is required.

P84. **4.5.6.2B.** The paleontological monitor shall be equipped to rapidly remove any large fossil specimens encountered during excavation. During monitoring, samples of soil shall be collected and processed to recover microvertebrate fossils. Processing shall include wet screen washing and microscopic examination of the residual materials to identify small vertebrate remains.

P85. **4.5.6.2C.** If paleontological resources are unearthed or discovered during excavation of the project site, the monitoring for paleontological resources shall be conducted on a full-time basis for the duration of the rough-grading of the project site. The following recovery processes shall apply:

• Upon encountering a large deposit of bone, salvage of all bone in the area shall be conducted with additional field staff and in accordance with modern paleontological techniques.

• All fossils collected during the project shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of all material collected and identified shall be provided to the museum repository along with the specimens.
• A report documenting the results of the monitoring and salvage activities and the significance of the fossils shall be prepared.
• All fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a museum repository for permanent curation and storage.

P86. **4.5.6.2D** Prior to grading permit issuance, the City shall verify that the following note is included on the Grading Plan: "If any suspected paleontological resources are discovered during ground disturbing activities, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call a qualified paleontologist to the site to assess the significance of the find. A qualified paleontologist shall evaluate the suspected resource. If the paleontologist determines that the find is not unique, construction shall be permitted to proceed. However, if the paleontologist determines that further information is needed to evaluate significance, the City of Moreno Valley shall be notified and a treatment plan shall be prepared and implemented in consultation with the City to protect the identified paleontological resource(s) from damage and destruction."

Hydrology and Water Quality

P87. **4.7.6.1A.** Prior to grading plan approval and the issuance of a grading permit bythe City, the project applicant shall provide evidence to the City that a Notice of Intent (NOI) has been filed with the Regional Water Quality Control Board for coverage under the State NPDES General Construction Permit for discharge of storm water associated with construction activities.

P88. **4.7.6.1B.** Prior to grading plan approval and the issuance of a grading permit by the City, the project applicant shall submit to the State Water Quality Control Board a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and nonvisible discharges from the site. BMPs to be implemented in the SWPPP may include, but shall not be limited to, the following:
• Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition

of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.
• No materials of any kind shall be placed in drainage ways.
• Materials that could contribute nonvisible pollutants to storm water must be contained, elevated, and placed in temporary storage containment areas.
• All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected per RWQCB standards to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences. The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.
• Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary.
• The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.
In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

P89. **4.7.6.1C.** Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that the following provisions have been added to construction contracts for the project:
• The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.

P90. **4.7.6.2A.** Prior to grading plan approval and the issuance of a grading permit by the City, the project applicant shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The FWQMP shall specifically identify pollution prevention, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable. BMPs to be implemented in the F-WQMP may include (but shall not be limited to) the following:
• Required landscaped areas shall not use decorative concrete or impervious surfaces.
• Landscape plans shall incorporate native and drought-tolerant plants, trees, and shrubs. Landscaping shall be maintained weekly and maintenance contractor will properly dispose of all landscape wastes.

• Irrigation systems shall be inspected monthly by the landscape contractor to check for over-watering, leaks, or excessive runoff to paved areas. Timers will be used to prevent overwatering.
• Signage will be inspected and maintained twice a year for legibility.
• Outdoor Loading/Unloading truck docks shall be kept in a clean and orderly condition with weekly inspections, continuous monitoring, and immediate cleanup of spills.
• Parking area maintenance shall be swept or vacuumed at least quarterly, if there is any trash or debris in between the routine sweeping, it shall be swept or vacuumed immediately.
• Trash enclosures will be inspected and maintained weekly or as needed by maintenance contractor.
• On-site extended detention/sedimentation basins and sand filters will treat all of the site's runoff via vegetated swales and will be maintained and inspected at least twice a year and prior to October 1.
• Additional BMPs will be documented in the WQMP and utilized if necessary. In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

P91. **4.7.6.3A.** Prior to grading plan approval, the project proponent shall receive approval on a project-specific Final Hydrology Study, with supporting engineering calculations, from the City Engineer. The Final Hydrology Study shall incorporate relevant requirements identified by the City, and/or site-specific geotechnical investigations. A Preliminary Hydrology Study will be required prior to approval of the associated project tentative tract map.

Noise

P92. **4.9.6.1A.** During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.

P93. **4.9.6.1B.** The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.

P94. **4.9.6.1C.** 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 to the project site during all project construction.

P95. **4.9.6.1D.** During project site construction activities at Building 6 (i.e., closest to existing residences), the construction contractor shall limit all construction related

activities to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer.

Transportation

P96. **4.11.6.4A.** Prior to issuance of a Certificate of Occupancy the project applicant shall construct the following traffic improvements:

• **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is currently approved, and permitted by Caltrans. If not otherwise completed prior to project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

• **Redlands Boulevard/Fir Avenue/Eucalyptus Avenue.** If not otherwise completed prior to project opening, prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements: Install a traffic signal and add a northbound left-turn lane and a southbound leftturn lane. If the improvements are constructed by others prior to the Certificate of Occupancy, the applicant shall pay its fair share towards the improvements through the City's DIF program.

P97. **4.11.6.4B.** Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program:

• **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location.

• **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is listed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location.

• **Redlands Boulevard/Fir Avenue/Eucalyptus Avenue.** Install a traffic signal. This improvement is listed in the City's DIF program. Add a northbound left-turn lane and a southbound left-turn lane. These improvements are listed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location.

P98. **4.11.6.4C.** Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program:

• **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at

this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location.

• **Moreno Beach Drive/Cottonwood Avenue.** Add a southbound through lane. This improvement is listed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location.

• **Moreno Beach Drive/Alessandro Boulevard.** Add a southbound through lane. This improvement is listed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location.

• **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is listed in the City's DIF program. Add a northbound through lane. The Redlands Boulevard/SR-60 Interchange reconstruction would implement the northbound through lane. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location.

•**Redlands Boulevard/SR-60 Eastbound Ramps.** The Redlands Boulevard/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the TUMF fee would mitigate the significant impact at this location.

• **Redlands Boulevard/Fir Avenue/Eucalyptus Avenue.** Install a traffic signal. Add a westbound right-turn lane and provide overlap phasing for the westbound right turns. Add a westbound left-turn lane and an eastbound left-turn lane. These improvements are programmed in the City's DIF program. Add a northbound left-turn lane, a southbound through lane, and a southbound left-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location.

• **Redlands Boulevard/Eucalyptus Avenue.** Add a southbound right-turn lane. This improvement is programmed in the TUMF. Therefore, payment of the TUMF fees would mitigate the significant impact at this location.

• **Redlands Boulevard/Alessandro Boulevard.** Add a southbound leftturn lane. This improvement is programmed in the TUMF. Therefore, payment of the TUMF fees would mitigate the significant impact at this location.

P99. **4.11.6.4D.** Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program. At some locations, the DIF and TUMF fees would not fully mitigate the project's impact. For these locations, additional improvements shall be implemented by the project applicant prior to the issuance of a certificate of occupancy for the project:

• **Nason Street/Eucalyptus Avenue.** Add a northbound right turn lane. This improvement is programmed in the City's DIF; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, the

project shall contribute a fair share (calculated to be 1.76%) toward restriping the westbound approach to provide dual left-turn lanes.

• **Nason Street/Alessandro Boulevard.** Add an eastbound through lane and a westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, the project shall contribute a fair share (calculated to be 1.4%) toward modification of the traffic signal to provide overlap phasing for the eastbound right-turn lane.

• **Moreno Beach Drive/SR-60 Westbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location.

• **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location.

• **Moreno Beach Drive/Eucalyptus Avenue.** Convert the existing eastbound through lane to a left-turn lane and the eastbound right-turn lane to a shared through/right-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, the project shall contribute a fair share (calculated to be 8.63%) toward modification of the traffic signal to provide right-turn overlap phasing for the westbound right-turn lane.

• **Moreno Beach Drive/Cottonwood Avenue.** Add a southbound through lane, This improvement is programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location.

• **Moreno Beach Drive/Alessandro Boulevard.** Add 2 southbound through lanes, 2 northbound through lanes, an eastbound through lane, and a westbound through lane. These improvements are programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location.

• **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is programmed in the City's DIF program and will be installed before building occupancy since it was identified as a direct project impact.

• **Redlands Boulevard/SR-60 Eastbound Ramps.** The Redlands Boulevard/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the TUMF fee would mitigate the significant impact at this location.

• **Redlands Boulevard/Fir Avenue- Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane, eastbound through lane, eastbound left-turn lane, and a westbound right-turn lane with overlap phasing. These improvements

are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a southbound through lane, southbound left-turn lane, northbound through lane, and northbound left-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location.

• **Redlands Boulevard/Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a northbound leftturn lane and a southbound left-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location.

• **Redlands Boulevard/Alessandro Boulevard.** Install a traffic signal. This improvement is programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a southbound left-turn lane, a northbound left-turn lane, a westbound left-turn lane, an eastbound left-turn lane, a westbound right-turn lane, and a southbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location.

P100. 4.11.6.4E. Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program, or through a fair-share contribution to the City of Moreno Valley as noted below:

• **Nason Street/Eucalyptus Avenue.** Add a northbound right-turn lane and an eastbound right-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. Implementation of the improvements identified for this intersection in **Mitigation Measure 4.11.6.4D** would also partially mitigate the significant impact at this intersection. In addition, the project shall pay a fair share (calculated to be 1.6%) toward modification of the traffic signal to provide right-turn overlap phasing for the eastbound and northbound right turns.

• **Nason Street/Alessandro Boulevard.** Add an eastbound through lane and westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. Implementation of the improvements identified for this intersection in **Mitigation Measure 4.11.6.4D** would also partially mitigate the significant impact at this intersection. In addition, the project shall pay a fair share (calculated to be 1.35%) toward the addition of an eastbound left-turn lane and

modification of the traffic signal to provide overlap phasing for the westbound right-turn lane.

• **Moreno Beach Drive/SR-60 Westbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location.

• **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location.

• **Moreno Beach Drive/Eucalyptus Avenue.** Restripe eastbound approach to dual left-turn lanes and add a northbound through lane, a westbound through lane, and a southbound right-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. Implementation of the improvements identified for this intersection in **Mitigation Measure 4.11.6.4D** would also partially mitigate the significant impact at this intersection. In addition, the project shall pay a fair share (calculated to be 5.17%) toward modification of the traffic signal to provide right-turn overlap phasing for the southbound right-turn lane.

• **Moreno Beach Drive/Cottonwood Avenue.** Add a southbound through lane, a northbound through lane, an eastbound left-turn lane, an eastbound through lane, a westbound through lane, and a westbound left-turn lane. These improvements are programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location.

• **Moreno Beach Drive/Alessandro Boulevard.** Add 2 southbound through lanes, 2 northbound through lanes, an eastbound through lane, and a westbound through lane. These improvements are programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location.

• **Auto Mall Drive/Eucalyptus Avenue.** Install a traffic signal. This improvement is programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location.

• **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is programmed in the City's DIF program and will be installed before building occupancy since it was identified as a direct project impact. Therefore, payment of the DIF fee would mitigate the significant impact at this location.

• **Redlands Boulevard/SR-60 Eastbound Ramps.** The Redlands Boulevard/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the TUMF fee would mitigate the significant impact at this location.

• **Redlands Boulevard/Fir Avenue-Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane, eastbound through lane, eastbound left-turn lane, a westbound right-turn lane with overlap phasing, and a southbound right-turn lane with overlap phasing. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a southbound through lane, a southbound left-turn lane, a northbound through lane, a northbound left-turn lane, and a northbound right-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the TUMF fee would also partially mitigate the significant impact at this location. In addition, the project shall pay a fair share (calculated to be 10.44%) of the cost of adding a southbound left-turn lane.

• **Redlands Boulevard/Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a northbound leftturn lane, a northbound through lane, a southbound left-turn lane, and southbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location.

• **Redlands Boulevard/Cottonwood Avenue.** Add an eastbound through lane and westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a northbound through lane and a southbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location.

• **Redlands Boulevard/Alessandro Boulevard.** Install a traffic signal. This improvement is programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, and add a southbound leftturn lane, a northbound left-turn lane, a westbound left-turn lane, an eastbound left-turn lane, a westbound right-turn lane, a southbound through lane, a westbound through lane, and an eastbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location.

P101. 4.11.6.4F. If the Encilia Avenue and Quincy Street Connection plan is implemented as part of the proposed project, then prior to issuance of building permits, the project applicant shall implement the following improvements, in addition to those identified in **Mitigation Measure 4.11.6.4.E**, either through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program:

• **Moreno Beach Drive/Eucalyptus Avenue.** Restripe the southbound shared through/right-turn lane to a southbound through lane. This improvement is programmed in the City's DIF program. Therefore, payment of the DIF fee would

mitigate the impacts of the project at this intersection.

• **Redlands Boulevard/Fir Avenue- Eucalyptus Avenue.** Pay the fair share (calculated to be 10.84%) to add a southbound right-turn lane. • **Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane. These improvements are programmed in the City's DIF program. In addition, add a northbound left-turn lane, northbound through lane, southbound left-turn lane, and a southbound through lane. These improvements are programmed in the TUMF program. Therefore, payment of the DIF and TUMF fees would fully mitigate the impact of the project at this intersection.

• **Moreno Beach Drive/Encilia Avenue.** Install a traffic signal and add a northbound through lane, southbound left-turn lane, and a southbound through lane. This improvement is programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the impacts of the project at this intersection.

Greenhouse Gases and Global Climate Change

P102. 4.13.6.1A. Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following:

• Exterior windows shall utilize window treatments for efficient energy conservation.

• Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used.

• Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and airc-onditioning [HVAC], irrigation systems, lighting, and water heating) shall be commissioned by the Commissioning Authority.

• Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to nonvegetated surfaces) and control runoff.

P103. 4.13.6.1B. Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the design and construction of the project:

• Use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.

• Use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.

• Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.
• Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
• Design the project building to exceed the California Building Code's (CBC) Title 24 energy standard, including, but not limited to, any combination of the following:

-Increase 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 ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.

• Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping.
• Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings.
• Install reflective roof material (SRI >45) and cool pavements.
• Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
• Install solar or light-emitting diodes (LEDs) for outdoor lighting for auto parking areas.

P104. 4.13.6.1C. Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project:
• The project applicant shall use less than 3,900 Global Warming Potential (GWP) hydrofluorocarbon (HCF) refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO2]) for refrigeration and fire suppression equipment.
• Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing windows.
• Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate:

-Install drought-tolerant plants for landscaping.

-Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water.

-Install water-efficient irrigation systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance.

• Provide employee education about reducing waste and available recycling services.

Hazards and Hazardous Materials

P105. 4.6.6.1A Prior to issuance of a grading permit for the project, a qualified contractor shall test onsite soils for contamination by agricultural chemicals. If present in concentrations above established actionable levels or thresholds, these materials shall be removed and transported to an appropriate landfill by a licensed contractor. This measure shall be implemented to the satisfaction of the Building Division including written documentation of the disposal of any agricultural chemical residue in conformance with all applicable regulations.

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC, CPC and Green Building Standards) as well as City ordinances. All new projects shall provide a soils report as well. Plans shall be submitted to the Building Division as a separate submittal. Building permit applications (plan review) made on or after January 1, 2014, will be subject to the 2013 Edition of the California Building Standards Code.

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.

B4. (BP) Prior to the issuance of a building permit, show on the plans that all exterior doors comply with the requirements of CBC 1133B.1.1.1 for accessible path of travel from every exit door, especially in consideration of doors that may be designated as exits due to interior obstructions to path of travel due to racks, equipment and other interior obstruction to the exit path of travel.

B5. (BP) Prior to the issuance of a building permit, show on the plans that no gutter, drainage feature, swale or other deviation in the flat level surface at the accessible parking spaces exists within and for a minimum four foot extension beyond the outer dimensions of the parking space, loading zone and path of travel.

B6. (BP) Plans shall be prepared, stamped and signed by a licensed Architect or Registered Civil Engineer for submission for plan check review.

B7. (BP) Plumbing plans shall be prepared, including isometrics, for required plumbing fixtures based on California Plumbing Code, Chapter 4 and Table 4-1.

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. **Hydrant spacing shall be addressed in plan check.**
2. **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 508.3, Appendix B and MVMC 8.36.100 Section D).

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") 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 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

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 503.1)

F5. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F6. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)

F7. 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)

F8. 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)

F9. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less the 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 503.2.1.1 and MVMC 8.36.050)

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 and MVMC 8.36.050 Section A)

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 and MVMC 8.36.050)

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 and MVMC 8.36.050)

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 508.1 and MVMC 8.36.100)

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 510.1)

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 8.36.070)

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. 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)

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 3401.4 and 2701.5)

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 2701.5)

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 503.2.7 and MVMC 8.36.050 Section I)

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 8.36.050)

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 8.36.050)

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 Appendix Chapter 1 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)

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 Appendix H)

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 106)

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 106)

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 104)

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 102.7)

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 Appendix 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.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works 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 Public Works 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 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 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.

LD7. (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)

LD8. (G) Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by landfills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.

LD9. (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 Public Works Department.

LD10. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development

Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD11. (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

LD12. (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.

LD13. (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 Public Works 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 Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (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.

LD15. (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.

LD16. (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 Public Works Department.

LD17. (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 Public Works Department.

LD18. (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.

LD19. (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.

LD20. (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.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (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.

LD23. (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)

LD24. (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.

LD25. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD26. (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.

LD27. (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.

LD28. (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.

LD29. (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 Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD30. (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.

LD31. (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)

LD32. (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.

LD33. (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.

LD34. (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.

LD35. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD36. (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.

LD37. (IPA) Prior to approval of the improvement plans, the developer shall pothole to determine the exact location of existing underground utilities. The improvement plans shall be designed based on the pothole field investigation results. The developer shall coordinate with all affected utility companies and bear all costs of utility relocations.

LD38. (IPA) Prior to approval of the improvement plans, all dry and wet utility crossings shall be potholed to determine actual elevations. Any conflicting utilities shall be identified and addressed on the plans. The pothole survey data shall be submitted with the street improvement plans for reference purposes.

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 Public Works 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 Public Works 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 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

LD47. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

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

LD49. (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)

LD50. (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.

LD51. (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.

LD52. (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, gutter, cross gutter, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, landscaping and irrigation, 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.

LD53. (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)

LD54. (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.

LD55. (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

LD56. (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

LD57. The following project engineering design plans (24"x36" sheet size) shall be submitted for review and approval as well as additional plans deemed necessary by the City during the plan review process. As-Built Plans of these plans are also required:

(a) Rough Grading Plan

(b) Precise Grading Plan

(c) Street Improvement Plan

(d) Storm Drain Plan

(e) Signing and Striping Plan

(f) Traffic Control Plan

(g) Final Drainage Study

(h) Final Water Quality Management Plan

LD58. Prior to rough grading plan approval, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The drainage study shall analyze the following events: 1, 3, 6 and 24-hour durations for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD59. Prior to rough and precise grading plan approval, the plans shall clearly show the extents of all existing easements on the property. All building structures shall be constructed outside of existing easements. All on-site and off-site easements shall be shown on the grading plan.

LD60. Prior to rough and precise grading plan approval, 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 or toe of slope. If the vertical height of the slope exceeds 10 feet, this set-back area shall be 3 feet minimum.

LD61. 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.

LD62. 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.

LD63. Prior to parcel map approval, either reciprocal access easement(s) shall be shown on the map or a separate recorded copy of a reciprocal access agreement between parcels shall be submitted to the City for review and approval.

LD64. Prior to parcel map approval, the map shall show the following:

(a) A 100-foot right-of-way dedication for the construction of Eucalyptus Avenue.

(b) A 60-foot right-of-way dedication for the construction of Street "A".

(c) A 44-foot right-of-way dedication for the future construction of Encilia Street along the south boundary of Parcel 6 and Lot C Quincy Channel.

(d) A 4-foot right-of-way dedication for the future construction of Encilia Street along the south boundary of Parcel 5.

(e) An 80-foot street right-of-way vacation for the old alignment of Fir Avenue traversing Buildings 4 and 5 as well as parking lot areas of Buildings 3 and 6.

(f) A 40-foot street right-of-way vacation for the old alignment of Fir Avenue traversing and along the south boundary of Parcel 3.

(g) A 30-foot street right-of-way vacation for the west half of Quincy Street.

(h) A 16-foot right-of-way dedication along the north property line, excepting area already acquired by the City, for the future use by Caltrans.

(i) A drainage and access easement dedication to the City at the north boundary line at Quincy Channel for culvert maintenance and also at the north and south ends of proposed culverts at its crossing with Eucalyptus Avenue.

(j) A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C.

(k) A 2-foot and varying width public access easement for the portions of sidewalk which are outside of the public right-of-way, along Eucalyptus Avenue necessary to accommodate curb separated sidewalk.

(l) A 6-foot wide trail easement on the north side of Eucalyptus Avenue at its proposed bridge culvert crossing over Quincy Channel.

(m) A varying wide trail easement 8.5-foot wide to 13.5-foot wide trail easement on the north side of Eucalyptus Avenue.

(n) An 18.5-foot wide multi-purpose trail easement along the west side of Quincy Channel.

(o) An easement along the west project boundary between SR-60 and Eucalyptus Avenue for proposed water line improvements required to relocate an existing 12-inch EMWD water line from along the north project boundary to within Eucalyptus Avenue.

(p) A reciprocal access easement between Parcels 4 and 5 and between Parcels 5 and 6.

(q) Corner cutback right-of-way dedications per City Standard 208.

(r) Retention of open space lots designated as Lot C and Lot D on the tentative map to be retained and maintained by the developer.

LD65. Prior to parcel 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.

(a) Eucalyptus Avenue, Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to full-width, within the project's frontage and 32-feet wide (12-foot lanes and 4-foot shoulders) on center from the east map boundary at Quincy Channel easterly to Redlands Boulevard, including any transitions required at the intersection with Redlands Boulevard. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, bridge culvert crossing, culvert structures, rip rap, offsite improvement transition/joins to existing, streetlights, pedestrian ramps, undergrounding of any

power poles with overhead utility lines less than 115,000 volts, signing, striping, and dry and wet utilities.

(b) Street "A", Local Street, City Standard 108A Modified (60-foot RW / 40-foot CC) shall be constructed full-width within the project's boundaries using a Traffic Index (TI) of 10. Improvements shall consist of, but not be limited to, pavement, base, eight-inch curb, gutter, sidewalk, driveway approaches, drainage structures, streetlights, pedestrian ramps, and dry and wet utilities.

(c) Quincy Channel improvements shall consist of, but not be limited to bridge culvert crossing including headwall, rip rap, access ramp from street to bottom of channel, multi-purpose trail and access road, buried concrete channel side slope, buried concrete channel vertical wall, storm drain outlet structures (headwall and cut-off walls, sewer line crossing beneath the channel.

(d) Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.

(e) Relocation of an existing water line along the north property boundary adjacent to State Route 60 to within Eucalyptus Avenue.

(f) Removal or relocation, as determined by SCE, of existing overhead power lines along the north property boundary adjacent to State Route 60.

LD66. Prior to building permit issuance, the precise grading plan for that building shall be approved by the City and Parcel Map 35679 shall record.

LD67. Prior to building permit issuance, this project shall cause the vacation of all existing easements, especially those easements underneath proposed building footprints. This shall include, but not be limited to, the 12-foot wide EMWD access easement, 20-foot wide EMWD water line easement, and easements for utilities and incidental purposes granted to Southern Sierras Power Company. All utilities shall be relocated, as necessary, prior to vacation of easements. All new easements shall be granted prior to utility relocations and vacation of existing easements. All utilities shall be relocated into the proposed public right-of-way or to a location as agreed upon by the developer, the easement holder and the City Engineer, as necessary, prior to vacation of easements. All new easements shall be granted prior to utility relocations and vacation of existing easements

and/or street vacations. All utility locations shall be done at no expense to the City.

LD68. Prior to occupancy permit issuance, 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.

LD69. In accordance with the County of Riverside – Low Impact Development BMP Design Handbook (BMP Handbook) Appendix A – Infiltration Testing requirements, perform the required number of in-situ infiltration testing within the footprints of the proposed LID BMPs and provide the results in the first submittal of the Final-WQMP. Conceptually, the Engineer's proposed infiltration feasibility is acceptable for this Preliminary WQMP. Based on the field measured results of the additional infiltration tests, the Applicant acknowledges that infiltration infeasibility may be presented which would require substantially more area than currently shown on the plans to retain the proposed design capture volumes (DCV) as required. Maximum required dedicated LID BMP area shall be in compliance with the County's WQMP Guidance document's effective area requirements indicated in Table 2-5, page 41.

LD70. All proposed LID BMP's shall be designed in accordance with the BMP Handbook. This includes, but is not limited to, forebay design and volumes, basin landscaping, retaining wall designs, soil media depths, etc. Tributary areas to all LID BMPs shall be in conformance with the BMP Handbook and/or at the discretion of the City's Land Development Division.

LD71. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP) for PA07-0084 – Prologis Inc. The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Water Quality Management Plan, A Guidance Document for the Santa Ana Region of Riverside County," with an approval date of October 22, 2012 (WQMP Guidance). The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design principles; Source control BMPs; LID BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD72. Overall, the proposed LID BMP concept is accepted as the conceptual LID BMP implementation for the proposed site. The Applicant has proposed to incorporate the use of infiltration basins. Final design details of these basins must be provided in the first submittal of the F-WQMP. The sizes of all LID BMPs are to be determined using the current procedures set forth

the Riverside County Flood Control and Water Conservation District's Design Handbook for Low Impact Development Best Management Practices. 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 all applicable Hydrologic Condition of Concern (HCOC) issues in the first submittal of 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 – 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. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development conditions.

TE2. Future "A" Street is classified as a Modified Local Street (60'RW/40'CC) per City Standard Plan No. 108A. The T.I. shall be per Land Development's conditions. The southerly terminus of the roadway shall include an end of roadway treatment satisfactory to the City Engineer. The street shall be signed for no parking/no stopping. 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

TE3. The driveways less than or equal to 40 feet in width 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. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE4. 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.

TE5. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

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

TE7. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE8. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE9. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE10. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

TE11. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE12. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE13. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. 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.

TE14. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE8, TE9, and TE10 per the approved plans.

TE15. (CO) Prior to issuance of the final certificate of occupancy, the project applicant shall submit a traffic calming study for Eucalyptus Avenue located between Moreno Beach Drive and the western property boundary (Specific Plan 209) for City review and approval. Any recommendations made in the study shall be implemented by the project applicant to the satisfaction of the City Traffic Engineer prior to issuance of the final certificate of occupancy.

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

TE16. 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.

FINANCIAL & MANAGEMENT SERVICES 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 **PA07-0083**; 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 Financial & Management Services Department 951.413.3480 or by emailing specialdistricts@moval.org.

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) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual parcel taxes for Zone A and Zone C for operations and capital improvements.

SD2. Any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.

SD3. The ongoing maintenance of any landscaping required to be installed behind the curb on **Fir Avenue, Quincy Street, and Eucalyptus Avenue** shall be the responsibility of the property owner.

SD4. Street light Authorization forms, for all street lights that are conditioned to be installed as part of this project, must be submitted to the Special Districts Division for approval, **prior to** street light installation. The Street light 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

SD5. (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. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD6. (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)

SD7. *Commercial* (BP) If Land Development, a Division of the Public Works 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)

SD8. (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) street lights 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 street lights to be accepted into the CSD Zone B and/or Zone C programs. Any change in the project which may increase the number of street lights to be installed will require payment of additional Advanced Energy fees at the then current fee.

SD9. (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.

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 Utilities' Conditions of Approval for project(s) PA07-0081, PA07-0082, PA04-0083, PA07-0084, PA07-0158, PA07-0159, PA07-0160, PA07-0161, and PA07-0162; 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. Listed after each individual condition is a contact name of who can be reached for specific questions.

PRIOR TO RECORDATION OF FINAL MAP

MVU1. 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 ENERGIZING MVU ELECTRIC UTILITY SYSTEM AND CERTIFICATE OF OCCUPANCY

MVU2. **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 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.

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.

MVU3. This project may be 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).

MVU4. For all new projects, existing Moreno Valley Utility electrical infrastructure shall be preserved in place. The developer will be responsible, at developer expense, for any and all costs associated with the relocation of any of Moreno Valley Utility's underground electrical distribution facilities, as determined by Moreno Valley Utility, which may be in conflict with any developer planned construction on the project site.

PARKS AND COMMUNITY SERVICES DEPARTMENT

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 Parks and Community Services Department Conditions of Approval for project **PA07-0084, TTM 35679**; this project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

SPECIFIC CONDITIONS OF APPROVAL

PCS1. A multi-use trail shall be located along the west side of Quincy Channel and east side of Quincy Street (or its alignment). Additionally, the trail is to be located over the Quincy Channel, on the south side of Fir Avenue, connecting to the Quincy trail. The trail shall be 14' in width, with a 2' stamped colored concrete section between curb and trail. The trail shall be dedicated as an easement to the City from a lettered lot owned by Riverside County Flood Control and Water Conservation District.

PCS2. Parks and Community Services Department – Standard Trail Conditions:

- **a.** Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.
- **b.** The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.
- **c.** All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.
- **d.** (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.
- **e.** Trails shall not be shared with any above ground utilities, blocking total width access.
- **f.** The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.
- **g.** (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.
- **h.** Grading certification and compaction tests are required, prior to any improvements being installed.
- **i.** A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.
- **j.** (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.
- **k.** (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

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

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

PCS3. (R) If Special Districts, a Division of the Public Works Department, requires this project to supply a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems, the Developer must notify Special Districts of intent to record the final map 70 days prior to recordation of the final map and the financial option selected to fund the continued maintenance. (California Government Code, GP Chapter 2.7)

PCS3b. **(**BP) If Special Districts, a Division of the Public Works Department, requires this project to supply a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems, the Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance and the financial option selected to fund the continued maintenance. (California Government Code, GP Chapter 2.7)

PCS4. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks and Community Services). All assessable parcels therein shall be subject to the annual Zone A charge for operations and capital improvements.

PCS5. (R) Prior to recordation of the final map, the developer, or the developer's successors or assignees, shall supply a copy of the recorded Declaration of Covenant and Acknowledgement of Assessments to the Parks and Community Services Department.

PCS6. (BP) Prior to release of building permit, the developer, or the developer's successors or assignees shall supply a copy of the recorded Declaration of Covenant and Acknowledgement of Assessments to the Parks and Community Services Department.

PCS7. (BP)This project is subject to current Development Impact Fees at time of building permit issuance.

PCS8. Any modified or newly created agreements shall be reviewed and approved by the Board of the Moreno Valley Community Services District.

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 PA07-0084
TENTATIVE PARCEL MAP NO. 35679
APN's: 488-330-011, 012, -013, -017, -018, -019, -020, and -021

APPROVAL DATE:
EXPIRATION DATE:

_x_ **Planning (P), including School District (S), Post Office (PO), Building (B)**
_x_ **Fire Prevention Bureau (F)**
_x_ **Public Works Department – Land Development (LD)**
_x_ **Public Works Department – Transportation Engineering (TE)**
_x_ **Financial and Management Services Dept. – Special Districts (SD)**
_x_ **Moreno Valley Utilities**
_x_ **Parks & Community Services Department (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

P1. Tentative Parcel Map No. 35679 is approved for the purposes of re-configuring the 116.99 acres of Assessor's Parcel Numbers 488-330-011, 012, -013, -017, -018, -019, -020, and -021 and creating a six parcels.

P2. Development within Tentative Parcel Map No. 35679 shall be subject to the requirements of the City's Municipal Code.

P3. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

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, the Moreno Valley Industrial Area Plan and the conditions contained herein. (MC 9.14.020)

Exhibit D

P5. 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)

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)

Prior to Issuance of Grading Permits

P8. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P9. (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.

P10. (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 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).

P11. (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. This shall include slopes associated with swales and basins. 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. Graded slopes shall have variations that do not exceed 2:1 (GP Objective 1.5, MC 9.08.080, DG)

P12. (GP) Prior to the issuance of a precise grading permit, the plan shall show decorative concrete paving 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.

P13. (GP) Prior to the issuance of a precise 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.

P14. (GP) Prior to the issuance of any 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.

Prior to Recordation of Final Map

P15. (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)

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC, CPC and Green Building Standards) as well as City ordinances. All new projects shall provide a soils report as well. Plans shall be submitted to the Building Division as a separate submittal. Building permit applications (plan review) made on or after January 1, 2014, will be subject to the 2013 Edition of the California Building Standards Code.

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.

B4. (BP) Prior to the issuance of a building permit, show on the plans that all exterior doors comply with the requirements of CBC 1133B.1.1.1 for accessible path of travel from every exit door, especially in consideration of doors that may be designated as exits due to interior obstructions to path of travel due to racks, equipment and other interior obstruction to the exit path of travel.

B5. (BP) Prior to the issuance of a building permit, show on the plans that no gutter, drainage feature, swale or other deviation in the flat level surface at the accessible parking spaces exists within and for a minimum four foot extension beyond the outer dimensions of the parking space, loading zone and path of travel.

B6. (BP) Plans shall be prepared, stamped and signed by a licensed Architect or Registered Civil Engineer for submission for plan check review.

B7. (BP) Plumbing plans shall be prepared, including isometrics, for required plumbing fixtures based on California Plumbing Code, Chapter 4 and Table 4-1.

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. **Hydrant spacing shall be addressed in plan check.**
2. **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 508.3, Appendix B and MVMC 8.36.100 Section D).

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") 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 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

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 503.1)

F5. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F6. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)

F7. 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)

F8. 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)

F9. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less the 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 503.2.1.1 and MVMC 8.36.050)

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 and MVMC 8.36.050 Section A)

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 and MVMC 8.36.050)

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 and MVMC 8.36.050)

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 508.1 and MVMC 8.36.100)

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 510.1)

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 8.36.070)

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. 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)

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 3401.4 and 2701.5)

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 2701.5)

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 503.2.7 and MVMC 8.36.050 Section I)

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 8.36.050)

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 8.36.050)

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 Appendix Chapter 1 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)

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 Appendix H)

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 106)

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 106)

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 104)

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 102.7)

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 Appendix 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.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works 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 Public Works 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 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 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.

LD7. (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)

LD8. (G) Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by landfills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.

LD9. (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 Public Works Department.

LD10. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD11. (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

LD12. (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.

LD13. (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 Public Works 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 Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD14. (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.

LD15. (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.

LD16. (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 Public Works Department.

LD17. (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 Public Works Department.

LD18. (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.

LD19. (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.

LD20. (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.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (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.

LD23. (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)

LD24. (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.

LD25. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

<u>Prior to Map Approval or Recordation</u>

LD26. (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.

LD27. (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.

LD28. (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.

LD29. (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 Public Works Department.

Prior to Improvement Plan Approval or Construction Permit

LD30. (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.

LD31. (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)

LD32. (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.

LD33. (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.

LD34. (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.

LD35. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD36. (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.

LD37. (IPA) Prior to approval of the improvement plans, the developer shall pothole to determine the exact location of existing underground utilities. The improvement plans shall be designed based on the pothole field investigation results. The developer shall coordinate with all affected utility companies and bear all costs of utility relocations.

LD38. (IPA) Prior to approval of the improvement plans, all dry and wet utility crossings shall be potholed to determine actual elevations. Any conflicting utilities shall be identified and addressed on the plans. The pothole survey data shall be submitted with the street improvement plans for reference purposes.

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 Public Works 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 Public Works 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 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

LD47. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

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

LD49. (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)

LD50. (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.

LD51. (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.

LD52. (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, gutter, cross gutter, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, landscaping and irrigation, 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.

LD53. (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)

LD54. (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.

LD55. (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

LD56. (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

LD57. The following project engineering design plans (24"x36" sheet size) shall be submitted for review and approval as well as additional plans deemed necessary by the City during the plan review process. As-Built Plans of these plans are also required:

(a) Rough Grading Plan

(b) Precise Grading Plan

(c) Street Improvement Plan

(d) Storm Drain Plan

(e) Signing and Striping Plan

(f) Traffic Control Plan

(g) Final Drainage Study

(h) Final Water Quality Management Plan

LD58. Prior to rough grading plan approval, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. During no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The drainage study shall analyze the following events: 1, 3, 6 and 24-hour durations for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures,

beyond those shown on the tentative map and preliminary drainage study, may be required.

LD59. Prior to rough and precise grading plan approval, the plans shall clearly show the extents of all existing easements on the property. All building structures shall be constructed outside of existing easements. All on-site and off-site easements shall be shown on the grading plan.

LD60. Prior to rough and precise grading plan approval, 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 or toe of slope. If the vertical height of the slope exceeds 10 feet, this set-back area shall be 3 feet minimum.

LD61. 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.

LD62. 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.

LD63. Prior to parcel map approval, either reciprocal access easement(s) shall be shown on the map or a separate recorded copy of a reciprocal access agreement between parcels shall be submitted to the City for review and approval.

LD64. Prior to parcel map approval, the map shall show the following:

(a) A 100-foot right-of-way dedication for the construction of Eucalyptus Avenue.

(b) A 60-foot right-of-way dedication for the construction of Street "A".

(c) A 44-foot right-of-way dedication for the future construction of Encilia Street along the south boundary of Parcel 6 and Lot C Quincy Channel.

(d) **A 4-foot right-of-way dedication for the future construction of Encilia Street along the south boundary of Parcel 5.**

(e) **An 80-foot street right-of-way vacation for the old alignment of Fir Avenue traversing Buildings 4 and 5 as well as parking lot areas of Buildings 3 and 6.**

(f) **A 40-foot street right-of-way vacation for the old alignment of Fir Avenue traversing and along the south boundary of Parcel 3.**

(g) **A 30-foot street right-of-way vacation for the west half of Quincy Street.**

(h) **A 16-foot right-of-way dedication along the north property line, excepting area already acquired by the City, for the future use by Caltrans.**

(i) **A drainage and access easement dedication to the City at the north boundary line at Quincy Channel for culvert maintenance and also at the north and south ends of proposed culverts at its crossing with Eucalyptus Avenue.**

(j) **A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C.**

(k) **A 2-foot and varying width public access easement for the portions of sidewalk which are outside of the public right-of-way, along Eucalyptus Avenue necessary to accommodate curb separated sidewalk.**

(l) **A 6-foot wide trail easement on the north side of Eucalyptus Avenue at its proposed bridge culvert crossing over Quincy Channel.**

(m) **A varying wide trail easement 8.5-foot wide to 13.5-foot wide trail easement on the north side of Eucalyptus Avenue.**

(n) **An 18.5-foot wide multi-purpose trail easement along the west side of Quincy Channel.**

(o) **An easement along the west project boundary between SR-60 and Eucalyptus Avenue for proposed water line improvements required to relocate an existing 12-inch EMWD water line from along the north project boundary to within Eucalyptus Avenue.**

(p) A reciprocal access easement between Parcels 4 and 5 and between Parcels 5 and 6.

(q) Corner cutback right-of-way dedications per City Standard 208.

(r) Retention of open space lots designated as Lot C and Lot D on the tentative map to be retained and maintained by the developer.

LD65. Prior to parcel 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.

(a) Eucalyptus Avenue, Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to full-width, within the project's frontage and 32-feet wide (12-foot lanes and 4-foot shoulders) on center from the east map boundary at Quincy Channel easterly to Redlands Boulevard, including any transitions required at the intersection with Redlands Boulevard. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, bridge culvert crossing, culvert structures, rip rap, offsite improvement transition/joins to existing, streetlights, pedestrian ramps, undergrounding of any power poles with overhead utility lines less than 115,000 volts, signing, striping, and dry and wet utilities.

(b) Street "A", Local Street, City Standard 108A Modified (60-foot RW / 40-foot CC) shall be constructed full-width within the project's boundaries using a Traffic Index (TI) of 10. Improvements shall consist of, but not be limited to, pavement, base, eight-inch curb, gutter, sidewalk, driveway approaches, drainage structures, streetlights, pedestrian ramps, and dry and wet utilities.

(c) Quincy Channel improvements shall consist of, but not be limited to bridge culvert crossing including headwall, rip rap, access ramp from street to bottom of channel, multi-purpose trail and access road, buried concrete channel side slope, buried concrete channel vertical wall, storm drain outlet structures (headwall and cut-off walls, sewer line crossing beneath the channel.

(d) Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way

dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way.

(e) Relocation of an existing water line along the north property boundary adjacent to State Route 60 to within Eucalyptus Avenue.

(f) Removal or relocation, as determined by SCE, of existing overhead power lines along the north property boundary adjacent to State Route 60.

LD66. Prior to building permit issuance, the precise grading plan for that building shall be approved by the City and Parcel Map 35679 shall record.

LD67. Prior to building permit issuance, this project shall cause the vacation of all existing easements, especially those easements underneath proposed building footprints. This shall include, but not be limited to, the 12-foot wide EMWD access easement, 20-foot wide EMWD water line easement, and easements for utilities and incidental purposes granted to Southern Sierras Power Company. All utilities shall be relocated, as necessary, prior to vacation of easements. All new easements shall be granted prior to utility relocations and vacation of existing easements. All utilities shall be relocated into the proposed public right-of-way or to a location as agreed upon by the developer, the easement holder and the City Engineer, as necessary, prior to vacation of easements. All new easements shall be granted prior to utility relocations and vacation of existing easements and/or street vacations. All utility locations shall be done at no expense to the City.

LD68. Prior to occupancy permit issuance, 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.

LD69. In accordance with the County of Riverside – Low Impact Development BMP Design Handbook (BMP Handbook) Appendix A – Infiltration Testing requirements, perform the required number of in-situ infiltration testing within the footprints of the proposed LID BMPs and provide the results in the first submittal of the Final-WQMP. Conceptually, the Engineer's proposed infiltration feasibility is acceptable for this Preliminary WQMP. Based on the field measured results of the additional infiltration tests, the Applicant acknowledges that infiltration infeasibility may be presented which would require substantially more area than currently shown on the plans to retain the proposed design capture volumes (DCV) as required. Maximum required dedicated LID BMP area shall be in compliance with the

County's WQMP Guidance document's effective area requirements indicated in Table 2-5, page 41.

LD70. All proposed LID BMP's shall be designed in accordance with the BMP Handbook. This includes, but is not limited to, forebay design and volumes, basin landscaping, retaining wall designs, soil media depths, etc. Tributary areas to all LID BMPs shall be in conformance with the BMP Handbook and/or at the discretion of the City's Land Development Division.

LD71. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP) for PA07-0084 – Prologis Inc. The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Water Quality Management Plan, A Guidance Document for the Santa Ana Region of Riverside County," with an approval date of October 22, 2012 (WQMP Guidance). The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: Site design principles; Source control BMPs; LID BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD72. Overall, the proposed LID BMP concept is accepted as the conceptual LID BMP implementation for the proposed site. The Applicant has proposed to incorporate the use of infiltration basins. Final design details of these basins must be provided in the first submittal of the F-WQMP. The sizes of all LID BMPs are to be determined using the current procedures set forth the Riverside County Flood Control and Water Conservation District's Design Handbook for Low Impact Development Best Management Practices. 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 all applicable Hydrologic Condition of Concern (HCOC) issues in the first submittal of 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 – 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. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development conditions.

TE2. Future "A" Street is classified as a Modified Local Street (60'RW/40'CC) per City Standard Plan No. 108A. The T.I. shall be per Land Development's conditions. The southerly terminus of the roadway shall include an end of roadway treatment satisfactory to the City Engineer. The street shall be signed for no parking/no stopping. 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

TE3. The driveways less than or equal to 40 feet in width 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. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE4. 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.

TE5. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

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

TE7. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE8. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE9. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE10. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

TE11. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE12. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE13. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. 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.

TE14. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE8, TE9, and TE10 per the approved plans.

TE15. (CO) Prior to issuance of the final certificate of occupancy, the project applicant shall submit a traffic calming study for Eucalyptus Avenue located between Moreno Beach Drive and the western property boundary (Specific Plan 209) for City review and approval. Any recommendations made in the study shall be implemented by the project applicant to the satisfaction of the City Traffic Engineer prior to issuance of the final certificate of occupancy.

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

TE16. 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.

FINANCIAL & MANAGEMENT SERVICES 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 **PA07-0084**; 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 Financial & Management Services Department 951.413.3480 or by emailing specialdistricts@moval.org.

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) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual parcel taxes for Zone A and Zone C for operations and capital improvements.

SD2. Any damage to existing landscape areas maintained by the City of Moreno Valley due to project construction shall be repaired/replaced by the Developer, or Developer's successors in interest, at no cost to the City of Moreno Valley.

SD3. The ongoing maintenance of any landscaping required to be installed behind the curb on **Fir Avenue, Quincy Street, and Eucalyptus Avenue** shall be the responsibility of the property owner.

SD4. Street light Authorization forms, for all street lights that are conditioned to be installed as part of this project, must be submitted to the Special Districts Division for approval, **prior to** street light installation. The Street light 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

SD5. (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)

SD6. *Commercial* (R) If Land Development, a Division of the Public Works 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 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)

SD7. (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 City of Moreno Valley 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.

Prior to Building Permit Issuance

SD8. (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. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD9. (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) street lights 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 street lights to be accepted into the CSD Zone B and/or Zone C programs. Any change in the project which may increase the number of street lights to be installed will require payment of additional Advanced Energy fees at the then current fee.

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 Utilities' Conditions of Approval for project(s) PA07-0081, PA07-0082, PA04-0083, PA07-0084, PA07-0158, PA07-0159, PA07-0160, PA07-0161, and PA07-0162; 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. Listed after each individual condition is a contact name of who can be reached for specific questions.

PRIOR TO RECORDATION OF FINAL MAP

MVU1. 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 ENERGIZING MVU ELECTRIC UTILITY SYSTEM AND CERTIFICATE OF OCCUPANCY

MVU2. **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 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.

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.

MVU3. This project may be 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).

MVU4. For all new projects, existing Moreno Valley Utility electrical infrastructure shall be preserved in place. The developer will be responsible, at developer expense, for any and all costs associated with the relocation of any of Moreno Valley Utility's underground electrical distribution facilities, as determined by Moreno Valley Utility, which may be in conflict with any developer planned construction on the project site.

PARKS AND COMMUNITY SERVICES DEPARTMENT

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 Parks and Community Services Department Conditions of Approval for project **PA07-0084, TTM 35679**; this project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

SPECIFIC CONDITIONS OF APPROVAL

PCS1. A multi-use trail shall be located along the west side of Quincy Channel and east side of Quincy Street (or its alignment). Additionally, the trail is to be located over the Quincy Channel, on the south side of Fir Avenue, connecting to the Quincy trail. The trail shall be 14' in width, with a 2' stamped colored concrete section between curb and trail. The trail shall be dedicated as an easement to the City from a lettered lot owned by Riverside County Flood Control and Water Conservation District.

PCS2. Parks and Community Services Department – Standard Trail Conditions:

a. Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.

c. All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls

shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

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

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

PCS3. (R) If Special Districts, a Division of the Public Works Department, requires this project to supply a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems, the Developer must notify Special Districts of intent to record the final map 70 days prior to recordation of the final map and the financial option selected to fund the continued maintenance. (California Government Code, GP Chapter 2.7)

PCS3b. **(**BP) If Special Districts, a Division of the Public Works Department, requires this project to supply a funding source for the continued maintenance, enhancement, and or retrofit of neighborhood parks, open spaces, linear parks, and/or trails systems, the Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance and the financial option selected to fund the continued maintenance. (California

Government Code, GP Chapter 2.7)

PCS4. The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks and Community Services). All assessable parcels therein shall be subject to the annual Zone A charge for operations and capital improvements.

PCS5. (R) Prior to recordation of the final map, the developer, or the developer's successors or assignees, shall supply a copy of the recorded Declaration of Covenant and Acknowledgement of Assessments to the Parks and Community Services Department.

PCS6. (BP) Prior to release of building permit, the developer, or the developer's successors or assignees shall supply a copy of the recorded Declaration of Covenant and Acknowledgement of Assessments to the Parks and Community Services Department.

PCS7. (BP)This project is subject to current Development Impact Fees at time of building permit issuance.

PCS8. Any modified or newly created agreements shall be reviewed and approved by the Board of the Moreno Valley Community Services District.

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)

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DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
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SAN BERNARDINO, CA 92401-1400
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CITY OF MORENO VALLEY
Planning Division

March 17, 2014

Jeff Bradshaw
City of Moreno Valley
Planning Department
14177 Frederick Street
P.O. Box 88055
Moreno Valley, CA 92552

ProLogis Eucalyptus Industrial Park (formerly ProLogis Park Moreno Valley Eucalyptus Project)
SCH # 2008021002

Mr. Bradshaw,

We have completed our review for above named project located south of State Route 60, east of Moreno Valley Auto Mall, and adjacent to and west of the Quincy Channel. The proposed project consists of construction of a warehouse facility with six individual warehouses of varying sizes with a total of 2,244,638 square feet on 122.8 acres. The project includes construction of parking and driving areas, detention basins, erosion protection and bridge over Quincy Channel, offsite road and utility improvements, and landscaping along the perimeter and roadway frontages.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of Moreno Valley due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS.

We recommend the following to be provided:

- It is recommended that a system of coordinating these fees with a state sponsored program of collecting transportation mitigation fees from development projects be developed to implement the necessary improvements and mitigation measures on the State Highway System.

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Talvin Dennis at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

Final

ENVIRONMENTAL IMPACT REPORT

PROLOGIS EUCALYPTUS INDUSTRIAL PARK

STATE CLEARINGHOUSE NO. 2008021002

(former "ProLogis Moreno Valley Eucalyptus Project")

CITY OF MORENO VALLEY

RIVERSIDE COUNTY, CALIFORNIA

LSA

Original February 12, 2014
Revised April 2, 2014

Final
ENVIRONMENTAL IMPACT REPORT

PROLOGIS EUCALYPTUS INDUSTRIAL PARK

STATE CLEARINGHOUSE NO. 2008021002

(former "ProLogis Moreno Valley Eucalyptus Project")

CITY OF MORENO VALLEY

RIVERSIDE COUNTY, CALIFORNIA

Lead Agency:

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Comm. & Econ. Dev. Department
Planning Division
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Attn: Jeff Bradshaw, Associate Planner
(951) 413-3224

Prepared by:

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LSA Project No. PLO1101

LSA

Original February 12, 2014
Revised April 2, 2014

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1. INTRODUCTION

The Final Environmental Impact Report (EIR) for the proposed ProLogis Eucalyptus Industrial Park (formerly known as the "ProLogis Moreno Valley Eucalyptus Project") project is composed of the Draft EIR State Clearinghouse No. 2008021002 and Appendices; the Response to Comments; and the Findings, Statement of Overriding Considerations, Staff Reports, and Resolutions. Specifically, this document portion of the EIR includes the Comments and Responses volume of the Final EIR, EIR modifications or errata, and the Mitigation Monitoring and Reporting Program (MMRP). The purpose of this document is to respond to all comments received by the City of Moreno Valley (City) regarding the environmental information and analyses contained in the Draft EIR. Additionally, any corrections to the text and figures of the Draft EIR, generated either from responses to comments or independently by the City, are stated in this volume of the Final EIR. The Draft EIR text has not been modified to reflect these clarifications. The reason for the delay of more than a year in processing the Final EIR is that the City enacted an entitlement moratorium on new development along the SR-60 corridor in the eastern portion of the City, including the ProLogis site, while the City completed a land use alternatives study of this corridor. That report was officially received by the City on January 14, 2014, and the City rescinded the entitlement moratorium as of January 23, 2014.

1.1 CONTENT AND FORMAT

Subsequent to this introductory section, Section 2.0 contains copies of each comment letter received on the Draft EIR, along with annotated responses to each comment contained within the letters. Section 3 of this document contains corrections and errata to the Draft EIR. Section 4.0 contains the MMRP.

1.2 PUBLIC REVIEW OF THE DRAFT EIR

As required by the California Environmental Quality Act (CEQA) Guidelines Section 15087, a Notice of Completion (NOC) of the Draft EIR State Clearinghouse No. 2008021002 for the Eucalyptus Industrial Park project was filed with the State Clearinghouse on July 17, 2012, and the Notice of Availability (NOA) of the Draft EIR was filed with the Riverside County Clerk on July 18, 2012.

The Draft EIR was circulated for public review for a period of 48 days, from July 18, 2012 to September 4, 2012. Copies of the Draft EIR were distributed to all Responsible Agencies and to the State Clearinghouse in addition to various public agencies, citizen groups, and interested individuals. Copies of the Draft EIR were also made available for public review at the City Planning Department, at one area library, and on the internet.

A total of fourteen (14) comment letters were received. Ten of the comment letters received were from Federal, State, regional, or local agencies. Four comment letters were received from private organizations or conservation groups – no letters were received from individuals. All 14 letters have been responded to within this document. In particular, comments that address environmental issues are responded to in Section 2.0.

It should be noted that one of the comment letters submitted by a private organization, Lozeau Drury LLP dated August 31, 2012, was inadvertently left out of the original Final EIR document issued on February 12, 2014. This letter has been added to the Final EIR and the document has been revised as of March 31, 2014 including responses to the Lozeau Drury letter.

1.3 POINT OF CONTACT

The Lead Agency for this Project 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, Planning Division
14177 Frederick Street
Moreno Valley, California 92553
Phone: (951) 413-3224
e-mail: jeffreyb@moval.com

1.4 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.

1.4.1 Project Location/Existing Conditions

The project site is located in the City of Moreno Valley, Riverside County. The approximately 122.8-acre site is generally located south of the Sr-60 Freeway between Redlands Boulevard and Moreno Beach Drive in the eastern portion of the City. The Quincy Channel forms the eastern boundary of the site. During preparation of the Draft EIR, one of the existing onsite conditions was the presence of hundreds of citrus trees in the central and northern portions of the site, which were left over from historical agricultural use of the property. During the entitlement moratorium described before Section 1.1, ProLogis decided to remove the citrus trees due to the high ongoing cost of maintaining and harvesting them, and the potential fire danger if the trees became too dry from not enough watering. This minor change in existing conditions is being documented in this FEIR and does not change any of the conclusions of the DEIR regarding significant impacts or mitigation measures. The trees were removed in the winter of 2013 so it was not during the spring breeding season for bird species in the area. This will be described in more detail in Section 4.4 of this document,

1.4.2 Proposed Project

The proposed development would result in the construction and operation of approximately 2,244,638 square feet of distribution warehouse uses in 6 buildings on an approximately 122.8-acre site. The buildings range in size from 106,106 to 862,035 square feet. The buildings will be constructed with a total of 326 vertical-lift dock-high roll up doors on the long sides of each building to allow access for the loading and unloading of products from diesel truck/trailers. Each building also includes business office space for the management of each warehouse. A total of 372 truck trailer parking stalls and 1,110 vehicle parking stalls will be provided, with truck and vehicle parking provided at each warehouse sufficient for the anticipated trucks and vehicles for that particular building, in accordance with City standards for light industrial uses. The project provides 15 to 24 percent landscaping for each warehouse building area, with a total average of 18 percent compared to 10 percent minimum required by the City's Municipal Code.

1.4.3 Project Objectives

The purpose of the proposed project is to provide a new facility specializing in warehouse distribution services. Upon development, the proposed project will achieve the following:

- Provide industrial warehouse facilities that meet the substantial and unmet demands of businesses located in the City and County;
- Provide new industrial development that is attractive and minimizes conflicts with the surrounding existing uses;
- Provide a variety of new employment opportunities for the citizens of Moreno Valley and surrounding communities;
- Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors;
- Encourage new development consistent with the capacity and municipal service capabilities;
- Provide infrastructure improvements to meet phased project needs in an efficient and cost-effective manner;
- Cluster industrial warehouse uses near access points to the state highway system to reduce traffic congestion on surface streets and to reduce air pollutant emissions from vehicle sources;
- Develop land uses that provide the City with a positive revenue/cost ratio and provide needed infrastructure in a timely fashion;
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersection or road segments; and
- Reduce peak hour vehicle trips, energy and water consumption compared to existing General Plan land uses.

1.4.4 Required Permits and Discretionary Actions

The following discretionary actions are anticipated to be taken by the City of Moreno Valley as part of the proposed project:

- General Plan Amendment to amend the Land Use Element resulting in a change of land use designations for the southern portion of the project site (approximately 71.3 acres) from Residential 15, Residential 5, and Residential Agriculture to Business Park.
- General Plan Amendment to amend the Circulation Element including (1) elimination of undeveloped Quincy Street from Eucalyptus Avenue to Encilia Avenue; and (2) realignment of Encilia Avenue from its current alignment such that its westerly terminus is located at Moreno Beach Drive instead of the current General Plan westerly terminus at Eucalyptus Avenue. The segment between Quincy Channel and Moreno Beach Drive would be classified as a Collector.
- Change of Zone resulting in a change from Business Park (BP), Business Park Mixed-Use (BPX), Residential 15 (R15), Residential 5 (R5), and Residential Agriculture (RA-2) to Light Industrial (LI) on the project site.

- Modification of the Primary Animal Keeping Overlay (PAKO) zone district per the recommended change of zone.
- Modification of the Master Plan of Trails to eliminate trail segment along the west side of the Quincy Channel north of the future Eucalyptus Avenue and add a segment along the north side of Eucalyptus Avenue from the Quincy Channel to the west boundary of the project site.
- Approval of a Master Plot Plan and five related Plot Plans.
- Tentative Parcel Map approval.
- Certification of the Environmental Impact Report.
- Final Parcel Map, public improvement agreement, and related securities approval.
- Issuance of an encroachment permit for any construction work done in any City-controlled ROW. Encroachment permit issuance requires approval of improvement plans, public improvement agreement execution with securities posted, and satisfying those conditions of approval required prior to grading.
- Approval of a Storm Water Pollution Prevention Plan (SWPPP) to accommodate site runoff during construction.
- Approval of a Preliminary Water Quality Management Plan (P-WQMP) and Final Water Quality Management Plan (F-WQMP) to mitigate for post-construction runoff flows (non-discretionary).
- Issuance of a Grading Permit that requires approval of a grading plan, approval of the final drainage study, approval of the F-WQMP, obtaining an Notice of Intent and Water Discharge Identification Number, obtaining a WQMP#, and satisfying those conditions of approval required prior to grading (non-discretionary).
- Issuance of a Building permit. The comprehensive building permit includes building, plumbing, mechanical, and electrical permits (non-discretionary).

The following approvals and permits are required by other agencies:

- Approval from the City and Riverside County Flood Control and Water Conservation District (RCFCWCD) to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions and downstream water quality is not worsened.
- Approval of Quincy Channel improvements from the RCFCWCD.
- A Section 404 Permit from the U.S. Army Corps of Engineers (USACE).
- A Section 401 Water Quality Certification from the Regional Water Quality Control Board (RWQCB).
- A Section 1602 Streambed Alteration Agreement from the California Department of Fish and Game (CDFG).
- Encroachment permits from Caltrans for any construction work done in any State-controlled ROW (i.e., SR-60).

2. RESPONSE TO COMMENTS

A total of thirteen (13) comment letters on the Draft EIR were received with 10 of them from Federal, State, regional, or local agencies and 3 letters from private organizations or individuals. All 13 letters have been responded to within this document. Comments that address environmental concerns have been specifically addressed. Comments that (1) do not address the adequacy or completeness of the Draft EIR; (2) do not raise environmental issues; or (3) do request the incorporation of additional information not relevant to environmental issues, do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines.

Section 15088 of the State CEQA Guidelines, Evaluation of and Response to Comments, states:

a) The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall 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.

b) The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail, giving the reasons that specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.

c) The response to comments may take the form of a revision to the draft EIR or may be a separate section in the final EIR. Where the response to comments makes important changes in the information contained in the text of the draft EIR, the lead agency should either:

    1. Revise the text in the body of the EIR; or

    2. Include marginal notes showing that the information is revised in the responses to comments.

Information provided in this volume of the Final EIR clarifies, amplifies, or makes minor modifications to the Draft EIR. No significant changes have been made to the information contained in the Draft EIR as a result of the responses to comments, and no significant new information has been added that would require recirculation of the document.

An Errata section to the EIR (Section 3.0) has been prepared to make minor corrections and clarifications to the Draft EIR as a result of City review and comments received during the public review period. Therefore, this Response to Comments document, along with the Errata is included as part of the Final EIR for consideration by the Planning Commission prior to a vote to certify the Final EIR.

2.1 LIST OF PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES COMMENTING ON THE DRAFT EIR

The persons, organizations, and public agencies that submitted comments regarding the Draft EIR through September, 2012, are listed below. A total of thirteen (13) comment letters were received. Ten of the comment letters were from Federal, State, regional, or local agencies, while three were from private organizations or individuals. Each comment letter received is indexed with a letter and number below.

Comment Letters Received Regarding the Draft EIR

A FEDERAL AND STATE AGENCIES

A-1 California Office of Planning and Research, State Clearinghouse (September 4, 2012)
Scott Morgan, Director State Clearinghouse

A-2 California Department of Fish and Game (August 28, 2012)
Jeff Brandt, Senior Environmental Specialist

A-3 California Native American Heritage Commission (July 20, 2012)
Dave Singleton, Program Analyst

A-4 Pechanga Band of Luiseno Indians (September 4, 2012)
Anna Hoover, Cultural Analyst

A-5 Morongo Band of Mission Indians (September 10, 2012)
Franklin Dancy, Director of Planning

B. REGIONAL AND COUNTY AGENCIES

B-1 Eastern Municipal Water District (September 4, 2012)
Jayne Joy, Director of Environmental and Regulatory Compliance

B-2 Eastern Municipal Water District (September 4, 2012)
Maroun El-Hage, Senior Civil Engineer, New Business Development

B-3 South Coast Air Quality Management District (September 4, 2012)
Ian McMillan, Program Supervisor, Intergovernmental Review

B-4 Riverside County Flood Control and Water Conservation District (September 17, 2012)*
Henry Olivo, Engineering Project Manager

C. LOCAL AGENCIES

C-1 City of Riverside (September 4, 2012)
Steve Hayes, City Planner

D. PRIVATE ORGANIZATIONS AND INDIVIDUALS

D-1 Lozeau Drury LLP (August 29, 2012)
Richard Drury et al, Attorneys for LIUNA Local Union 1184

D-2 Sierra Club, San Gorgonio Chapter (September 4, 2012)
George Hague, Conservation Chair
Moreno Valley Chapter

D-3 Johnson & Sedlack (September 4, 2012)
Ray Johnson, AICP, Esq.

D-4 Lozeau Drury LLP (August 31, 2012)
Richard Drury et al, Attorneys for LIUNA Local Union 1184

It should be noted that this letter actually consists of four related documents, one main letter from Mr. Drury, two supporting memoranda from other individuals (Dr. Clark and Mr. Hageman), and a number of appendices as attached materials. Each of these has a separate response.

2.2 FORMAT OF RESPONSES TO COMMENTS

Aside from the courtesy statements, introductions, and closings, individual comments within the body of each letter have been identified and numbered. A copy of each comment letter and the City's responses are included in this section. Brackets delineating the individual comments and an alphanumeric identifier have been added to the right margin of the letter. Responses to each comment identified are included on the page(s) following each comment letter. Responses to comments were sent to the agencies that provided comments.

In the process of responding to the comments, there were minor revisions to the Environmental Impact Report. None of the comments or responses constitutes "significant new information" (*CEQA Guidelines* Section 15073.5) that would require recirculation of the Environmental Impact Report.

A. LETTERS FROM FEDERAL AND STATE AGENCIES

LETTER A-1: CALIFORNIA STATE CLEARINGHOUSE

Letter A-1

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

September 4, 2012

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

Subject: ProLogis Eucalyptus Industrial Park EIR (formerly Prologis Park Moreno Valley Eucalyptus Project)
SCH#: 2008021002

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 August 31, 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."

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

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Document Details Report
State Clearinghouse Data Base

SCH# 2008021002
Project Title ProLogis Eucalyptus Industrial Park EIR (formerly Prologis Park Moreno Valley Eucalyptus 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 six individual warehouses of varying sizes with a total of 2,244,638 sf on 122.8 acres. The project includes construction of parking and driving areas, detention basins, erosion protection and a bridge over Quincy Channel, 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° 55' 54" N / 117° 9' 24" W
Cross Streets Eucalyptus Avenue/Redlands Boulevard
Parcel No. 488-330-011, -012, -013, -0137, -018, -019, -020, and -021
Township 3S **Range** 3W **Section** 2 **Base** SBB&M

Proximity to:

Highways SR-60
Airports None
Railways None
Waterways Quincy Channel
Schools Valley View HS
Land Use Various

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 6; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 8; Native American Heritage Commission; State Lands Commission; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 8

Date Received 07/18/2012 **Start of Review** 07/18/2012 **End of Review** 08/31/2012

Note: Blanks in data fields result from insufficient information provided by lead agency.

RESPONSE TO LETTER A-1

California Governor's Office of Planning and Research, State Clearinghouse

Response to Comment A-1. The City recognizes the receipt of comments from State agencies and the State Clearinghouse's acknowledgement that it has complied with review requirements for environmental documents.

LETTER A-2: CALIFORNIA DEPARTMENT OF FISH AND GAME

Letter A-2

State of California -The Natural Resources Agency
DEPARTMENT OF FISH AND GAME
3602 Inland Empire Boulevard, Suite C-220
Ontario, CA 91764
(909) 484-0459
http://www.dfg.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

August 28, 2012

Mr. Jeff Bradshaw
City of Moreno Valley
14177 Frederick St.
P.O. Box 88005
Moreno Valley, CA 92552

Re: ProLogis Eucalyptus Industrial Park Draft Environmental Impact Report
City of Moreno Valley, County of Riverside, SCH# 2008021002

Dear Mr. Bradshaw:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the ProLogis Eucalyptus Industrial Park Draft Environmental Impact Report (DEIR). The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (California Fish and Game Code Sections 1600 *et seq.*), and/or a California Endangered Species Act (CESA) Incidental Take Permit (Fish and Game Code Sections 2080 and 2080.1).

Project Description and Location

The Proposed Project involves the construction of a six building warehouse facility covering an area of 2,244,635 square feet (sf). The project requires a change of land use of 71.2 acres from residential to business park and an overall zone change of 122.8 acres to light industrial. Also included in the Project is the elimination of Quincy Street from State Route 60 (SR-60) south to Cottonwood Avenue, and the completion of Eucalyptus Avenue east to Fir Avenue. The Project site is located in the eastern portion of the City of Moreno Valley, south of SR-60, east of Moreno Valley Auto Mall, and adjacent to and west of the Quincy Channel. The major cross streets are Moreno Beach Drive to the west and Redlands Boulevard to the east. A Notice of Preparation for the Project was submitted to the State Clearinghouse in 2008. 1

Western Riverside Multiple Species Habitat Conservation Plan (MSHCP)

The Department is responsible for ensuring appropriate conservation of fish and wildlife resources including rare, threatened, and endangered plant and animal species, pursuant to the CESA, and administers the Natural Community Conservation Plan Program (NCCP Program). On June 22, 2004, the Department issued NCCP approval and Take Authorization for the Western Riverside County MSHCP per Section 2800, *et seq.*, of the California Fish and Game Code. The MSHCP establishes 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. 2

Conserving California's Wildlife Since 1870

R:\PLO1101_ProLogis_EIP_MoVal\PDF_LSA\2012 DEIR\RTC\Letter_A-2.cdr (09-20-12)

Letter A-2

In order to be considered a covered activity, Permittees must demonstrate that proposed actions are consistent with the MSHCP and its associated Implementing Agreement.

The proposed Project occurs within the MSHCP area and is subject to the provisions and policies of the MSHCP. The Project is located in the City of Moreno Valley, County of Riverside. The City of Moreno Valley is the lead agency and is signatory to the implementing agreement of the MSHCP. Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Specifically, Section 15125(d) of the CEQA Guidelines requires that the DEIR discuss any inconsistencies between a proposed Project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans. An assessment of the impacts to the MSHCP as a result of this Project is necessary to address CEQA requirements. Included in the appendices is the "MSHCP Consistency Analysis and Burrowing Owl Habitat Assessment and Focused Survey for the Eucalyptus Industrial Development." 2

The Project is located in the Reche Canyon/Badlands Area Plan of the MSHCP and does not involve a Criteria Cell. The site is not adjacent to any conservation areas. MSHCP survey requirements for this area include surveys for burrowing owl. Vegetation on the site consists of ruderal, agriculture, non-native grasslands, "disturbed" mule fat, non-native woodland, unvegetated streambed and channel upland vegetation. There is a riparian stream just prior to the eastern Project boundary, and a riparian stream on the west, and southeast. Burrowing owl surveys were conducted over five days in July of 2011 and no birds were found, but suitable habitat was observed on the site.

Analysis of the Potential Project-Related Impacts on Biological Resources

CEQA Section 21068 defines "significant" as: "...a substantial, or potentially substantial, adverse change in the environment." This particular Project has the potential to have significant environmental impacts on Cooper's hawk, red-tailed hawk, coyote, desert cottontail, southern California black walnut, bladder pod, and mule fat. The Project is located in the MSHCP survey area for the burrowing owl. 3

Burrowing Owl

The site was suitable for burrowing owl, even though none were found. The applicant should submit a copy of the burrowing owl pre-construction survey (with SCH #) to the Department and notify the Department if a DBESP will be required. 4

Proposed mitigation

The mitigation proposed for upland species is to pay into the Stephens' kangaroo Habitat Conservation Plan and to pay the development fees to the MSHCP. 5

Department Concerns

The Department is concerned about three issues: 1) stream and riparian vegetation impacts, 2) the potential presence of burrowing owl, and, 3) the cumulative impact of the Project on SR-60 traffic and nearby roadways (particularly Gilman Hot Springs Road and Lamb Canyon Road). The Department recommends that the traffic analysis be revised and 6

the Department's concerns addressed in the Final Environmental Impact Report or a subsequent CEQA document. 6

Lake and Streambed Alteration Agreement

The applicant conducted a jurisdictional delineation of State and Federal waters. There is an unnamed, eroded channel that originates in the northwest, trends southeast and exits the Project site heading south. Quincy Channel traverses the eastern boundary of the site on a north to south alignment. The applicant has filed a Determination of Biologically Equivalent or Superior Preservation (DBESP) with the Resource Conservation Agency (RCA) of the MSHCP.

Although the proposed Project is within the MSHCP, a Notification of Lake or Streambed Alteration is still required by the Department, should the site contain jurisdictional waters. Additionally, the Department's criteria for determining the presence of jurisdictional waters are more comprehensive than the MSHCP criteria in Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools). The Department is responsible for assessing and evaluating impacts to jurisdictional waters; typically accomplished through reviewing jurisdictional (JD) reports, supporting information, and conducting site visits. Following review of a JD, the Department may request changes to the JD. The Department may also recommend that additional project avoidance and/or minimization measures be incorporated, or request additional mitigation for project-related impacts to jurisdictional areas. The Department recommends submitting a notification early on, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please go to http://www.dfg.ca.gov/habcon/1600/forms.html. 7

The applicant completed a JD of State and Federal Waters and included the document as an Appendix. A jurisdictional delineation was conducted in 2011and the impact analysis determined that there will be 0.362 acres of permanent impact and 0.33 acres of temporary impact to jurisdictional streams. The applicant is proposing to mitigate for 0.362 acres of permanent impacts at a 2:1 ratio or with payment of in-lieu fees to the Santa Ana Watershed Association for arundo donax removal. The JD will be reviewed by the Department to ensure consistency with the Department's regulatory policies. Any mitigation measures required by the resource protection policies of the MSHCP should be included in the CEQA document.

The Department opposes the elimination of ephemeral, intermittent, and perennial streams, channels, lakes, and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors.

Analysis of Traffic Impacts

The Traffic section of the DEIR states that the project would contribute to the worsening of the unsatisfactory Level of Service (LOS) at the Redlands Boulevard/SR-60 westbound ramps and a significant impact at the intersection of Redlands Boulevard/Eucalyptus Avenue-Fir Avenue. Additionally, the SR-60 Eastbound (Pigeon Pass Road to Peacock 8

Street, AM and PM peak hours), SR-60 Westbound (Poacock Street to Perris Boulevard, AM peak hour), and SR-60 westbound (Perris Boulevard to Anson Street, AM peak hour) are forecast to operate at an unsatisfactory level of service with the proposed Project. The traffic study also notes that there are no projects proposed for the SR-60.

The traffic section of the DEIR is limited to projects within a five mile radius and how the proposed development and other development within the five mile radius would affect local traffic conditions. The Department would like to point out that SR-60 is a major west to east linkage connecting State Route 91 (SR-91) to the Interstate 10 (I-10), as well as extending from the City of Los Angeles to the SR-91, Interstate 215 (I-215) and Interstate 15 (I-15) interchanges. There is already heavy congestion on the westbound SR-60.

The Department is interested in existing and projected future traffic flow along SR-60. Specifically, the Department is interested in an analysis of how the Project and other proposed development (which cumulatively includes 13,483,062 sf of development), will ultimately use SR-60. The analysis should include the cumulative impacts associated with future projected traffic flow along SR-60 from these developments. The Department would like to stress that the 13,483,062 sf figure does not include the World Logistics project which would add 41 million sf of warehouse facilities. This omission alone dictates that the traffic study should be revised and recirculated. The scale of these projects suggests that the Project facilities are not for local use only, but are designed as regional warehousing centers to serve the Counties of Riverside, Orange, Los Angeles, and San Bernardino. Therefore an analysis of local intersection impacts is not adequate to describe the regional impacts of these facilities on the SR-60. The analysis also does not include the Villages of Lakeview Specific Plan that involves 11,350 dwelling units near the intersection of Gilman Hot Springs Road and Ramona Expressway, or proposed residential development near the intersection of Lamb Canyon Road and SR-60.

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The Department is concerned that traffic congestion on SR-60 will result in an increase in traffic on area surface streets, particularly Gilman Hot Springs Road and the Ramona Expressway. Both of these roads provide access to the Department's San Jacinto Wildlife Area (SJWA), where major development projects are proposed, but are not included in the current traffic study. The Department is very concerned about the potential cumulative impacts of commercial/industrial/warehouse facilities on nearby conserved lands. Of particular importance to the Department are the potential direct and indirect effects of the Project on the adjacent SJWA, Lake Perris Recreation Area, and Badlands area, and potential increased use of Davis Road, lighting, noise, windblown trash, vehicular emissions, traffic, and surface road runoff.

The Badlands area and the SJWA represent a substantial investment ($80+ million) by the State in acquiring habitat for native plants, animals, and migratory waterfowl. The SJWA is a important and historic migratory stopover for waterfowl, game birds, and non-game birds in Southern California. The SJWA is also a regional destination point for bird watching. A key component of the SJWA is waterfowl and upland game hunting.

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In summary, we believe the DEIR is inadequate in describing project related traffic impacts and identifying appropriate mitigation for purposes of CEQA. We appreciate the opportunity to comment on the referenced DEIR and we recommend that the DEIR be revised to

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Letter A-2

address the Department's concerns. If you should have any questions pertaining to these comments, please contact Robin Maloney-Rames at (909) 980-3818.

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Sincerely,

Jeff Brandt
Senior Environmental Scientist

RESPONSE TO LETTER A-2

California Department of Fish and Game

Response to Comment 1. The commenter accurately characterizes the responsibilities of the Department and the characteristics of the proposed project.

Response to Comment 2. The commenter accurately summarizes both the CEQA requirement for an analysis of the proposed project's consistency with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the MSHCP policies and procedures applicable to the proposed project. The commenter also outlines the MSHCP requirement for a burrowing owl survey, and that the surveys conducted for the project showed no burrowing owl sign or observations, but the site was determined to contain suitable habitat.

Response to Comment 3. The commenter provides the definition for significant impact under CEQA but then applies it incorrectly to the project site. The detailed biological surveys prepared for the project site, as well as the Section 4.4 of the EIR on biological resources, concludes that the proposed project would not have significant impacts on the species listed by the commenter due to the lack of existing native vegetation on the site, the fact that the has been regularly disturbed by disking for weed abatement (i.e., fuel modification for fire protection), and a substantial portion of the site supports citrus trees that are not commercially harvested. Development of this site would remove an incremental amount of land that now provides foraging for the two raptor species (i.e., Cooper's hawk and red-tailed hawk) but the site does not contain any large trees that are suitable for raptor roosting or perching (i.e., the citrus trees make these activities difficult for raptors). Impacts to cottontail, bladder pod, and mule fat must be considered only incremental as a result of the loss of 122.8 acres of vacant disturbed land that supports mainly weedy non-native vegetation. The commenter provided no empirical evidence or data to support the contention that impacts to these species should be considered significant under CEQA. Finally, impacts to the drainages that support southern California black walnut were assessed and appropriate onsite and offsite mitigation will be provided, as outlined in Mitigation Measure 4.4.6.3A on 4.4-30 of the Draft EIR. These conclusions are supported by the technical studies prepared by ICF International based on the proposed warehouse development project.

ICF International also reviewed this comment and wished to add the following:

> "Cooper's hawk, coyote, and southern California black walnut are fully covered species under the MSHCP and as such any potential impacts to them would be fully mitigated through the project being consistent with the MSHCP. Red-tailed hawk, desert cottontail, bladder pod, and mule fat are all widely distributed species with no threat to their continued existence in western Riverside County. The removal of 121.29 acres of foraging habitat for red-tailed hawk is judged to be less than significant under CEQA. The nesting bird mitigation measure will ensure no direct take of individuals would occur. The removal of 121.29 acres of occupied habitat for desert cottontail is judged to be a less than significant impact under CEQA. This species if widely distributed throughout western Riverside County, including many areas of development. The removal of a few bladder pod and less than an acre of occupied mule fat habitat is also judged to a less than significant impact given these species' wide distribution w/in the county. Agreed, the project site occurs within the survey area of burrowing owl and a survey following MSHCP protocol was performed and the species was absent."

Response to Comment 4. ICF International has prepared and is processing a Determination of Biologically Equivalent or Superior Preservation (DBESP) report for review and approval by Riverside Conservation Authority (RCA) and California Department of Fish and Game (CDFG), according to the

procedures established by the MSHCP. The applicant will be preserving the Quincy Channel along the east side of the project, and will mitigate for the loss of the two minor drainage features along the western and southern portions of the site, as outlined on page 4.4-30 of the Draft EIR.

As outlined in Mitigation Measures 4.4.6.1A through C in the Draft EIR, a pre-construction survey for burrowing owl will be prepared and processed through CDFG prior to grading the site.

Response to Comment 5. As required by law, the developer will pay the established SKR mitigation and MSHCP development impact fee. ICF International adds that this is for those species covered by both the SKR HCP and the MSHCP. For species with potential for occurrence and/or confirmed present, the proposed impacts were judged less than significant under CEQA and no mitigation was necessary.

Response to Comment 6. It is understandable CDFG is concerned about impacts to stream and riparian vegetation and burrowing owl. However, the commenter does not explain why the CDFG, which is a responsible and trustee agency for biological resources in the state, is concerned with traffic issues or the traffic study. However, we believe Response 8 adequately addresses the CDFG's concerns.

In addition, ICF International adds the following information to this response:

1) Stream and riparian vegetation impacts – the project will impact stream and riparian vegetation that is protected under the WRC MSHCP, Clean Water Act Sections 401 and 401, and CDFG 1600 code. The project must, under the WRC MSHCP, provide mitigation for impacts (permanent and temporary) such that the compensation is equivalent or superior in preservation to that proposed for impact. A Determination of Equivalent or Superior Preservation (DBESP) report will be submitted to USFWS and CDFG to ensure the compensatory mitigation is at a minimum adequate per the WRC MSHCP. This is stated in the EIR. Under CEQA is it judged that a minimum mitigation ratio at 2:1 would provide equivalent or superior mitigation for that being impacted. Under the MSHCP, USFWS and CDFG concurrence is necessary and the mitigation ratio may be determined to be higher than 2:1. In addition, it is stated in the CEQA document that impacts to federal and state jurisdictional waters/streambeds would require permits/agreements under CWA 401 and 404 and CDFG 1600 code and that under CEQA, impacts would need to be mitigated at a 2:1 ratio to make impacts less than significant. The mitigation ratio determined during the permit/agreement processing may be determined to be higher or lower and the project proponent would be required to fulfill the higher mitigation ratio. Mitigation Measure 4.4.6.3 will be revised to read "….shall be mitigated at a minimum of a 2:1 ratio."

2) The potential presence of burrowing owl – as indicated in the EIR, a focused survey was performed for this species and the species was found absent. A pre-construction survey for burrowing owl is required and stated in the EIR and is to occur within 30 days prior to ground disturbance activities. This is consistent with the WRC MSHCP. Additionally, the EIR states that if burrowing owl is found that the species would be excluded from the site through appropriate measures that USFWS and CDFG approve. These measures ensure that burrowing owl is not directly impacted by the project, that the project is consistent with the WRC MSHCP and that the project is consistent with USFWS and CDFG protocol.

Response to Comment 7. The commenter summarizes the results of the jurisdictional delineation prepared for the project by ICF International. The project will protect in place the entire Quincy Channel along the eastern boundary of the project site. The City is aware the Department opposes the elimination of minor drainage channels, as outlined in their comment, but there are times when small eroded ephemeral drainage courses must be channelized or incorporated into the overall drainage management of a site to provide effective erosion and flood control. The two smaller

ephemeral drainages along the eastern and southwestern portions of the site will be removed, but their loss will be compensated by offsite mitigation as outlined in Mitigation Measure 4.4.6.3A in the Draft EIR. The Department's subsequent Streambed Alteration Agreement process will allow for the effective transition and ultimate loss of these small drainages with minimum offsite compensation of 2:1 (note: subsequent regulatory permitting may require a different compensation ratio).

ICF International would like to add the following information to this response:

1) The project proponent plans on submitting an application to CDFG in the near future to ensure CDFG is involved early on in the permitting process.

2) The measures indicated in the CDFG comment are being incorporated into the revised DBESP. Finally, the EIR indicates that impacts to stream and riparian habitat will be mitigated at a ratio of 2:1 to provide sufficient mitigation under CEQA. The project has attempted to reduce impacts to all jurisdictional waters/streambeds. The project will install two storm drains and a bridge. The storm drains are necessary to continue supporting water volumes reaching the natural streams and the bridge is a requirement to maintain appropriate movement into and out of the project site. The ability to support on-site mitigation is limited due to the small amount of Quincy Channel that is owned by the project proponent and which is to be dedicated to the City of Moreno Valley as a condition of project approval. As such, all compensatory mitigation will occur off-site at a minimum ratio of 2:1. It is understood that further coordination with CDFG through the Streambed Alteration Agreement program will be necessary and that under the Streambed Alteration Agreement; the mitigation ratio may be higher or lower than 2:1 (as noted above).

3) Based on a pre-application MSHCP project meeting with CDFG, USFWS, RCA, and RWQCB that occurred on October 10, 2012, the following minor changes and clarifications will be added to the indicated mitigation measures, mainly to incorporate temporary impacts into the compensation for permanent impacts:

4.4.6.2A *As outlined in the project's Determination of a Biologically Equivalent or Superior Preservation (DBESP) report, the project applicant shall compensate for the temporary and permanent impact on and loss of jurisdictional waters and streambeds by providing a minimum 2:1 off-site replacement of equivalent riverine/riparian habitat prior to project construction. ~~(0.36 acre impact = 0.72 acre replacement). This off-site replacement shall be accomplished through the contribution of in-lieu fees to the Santa Ana Watershed Association (SAWA) for its efforts in removal of invasive plants and restoration of riparian habitat adjacent to the tributaries of the San Jacinto River or within the Santa Ana River watershed. Documentation of acceptance of the SAWA contribution shall be provided to the City prior to issuance of a grading permit.~~ Offsite restoration, enhancement, and/or land purchase mitigation for the drainage impacts will occur at an offsite location through one or more of the following: an USACE approved mitigation bank, through an in lieu fee mitigation program, and/or land purchase and conservation. DFG and USFWS will need to provide concurrence that this mitigation is equivalent or superior to that proposed for impact through their review and acceptance of the DBESP.*

4.4.6.2B ~~*The project applicant shall retain qualified personnel to prepare and implement a Habitat Mitigation and Monitoring Plan (HMMP) to oversee restoration of temporarily affected areas (0.35 acre of riverine/riparian habitat) to their pre-construction contours and vegetation. The HMMP will be approved by USACE and CDFG prior to the City issuing any occupancy permits.*~~ *Riparian/riverine resources that are temporarily impacted by project construction shall be returned to their preconstruction contours and hydroseeded, as outlined in the DBESP.*

NOTE: The DBESP replaces the need for a separate Habitat Mitigation and Monitoring Plan.

4.4.6.3A ~~*The project applicant shall obtain a Section 404 Nationwide or Individual Permit, as appropriate, from the USACE and a Section 1602 Streambed Alteration Agreement from the CDFG Direct temporary impacts to more than 0.1 acre of jurisdictional area that are regulated by the USACE, CDFG, and RWQCB shall be mitigated at a 2:1 ratio, including enhancement and/or creation of wetlands or the contribution of in-lieu feed to the Santa Ana Watershed Association (SAWA) for its efforts in removal of invasive plants and restoration of off-site riparian habitat, as outlined in Mitigation Measure 3.3.6.2A.*~~ *The project applicant shall obtain a Section 404 Nationwide or Individual Permit, as appropriate, from the USACE, a Section 401/Porter-Cologne Water Quality Certification from the RWQCB, and a Section 1602 Streambed Alteration Agreement from the CDFG. Offsite restoration, enhancement, and/or land purchase mitigation of jurisdictional drainage impacts will occur at an off-site location through one or more of the following: an USACE approved mitigation bank, through an in-lieu fee mitigation program, and/or land purchase and conservation.*

NOTE: These mitigation measures have been revised to be consistent with the revised DBESP report, and so there will not be any conflicts between the implementation measures of the DBESP and the mitigation measures of the EIR.

Response to Comment 8. This comment states that the Traffic Impact Analysis (TIA) only looks at projects within a 5-mile radius. The 2035 conditions analyzed in the TIA were based on the RivTAM model, which includes General Plan land uses for Cities in Riverside County and SCAG forecasts outside Riverside County. Therefore, the comment that the Draft EIR only evaluates projects within a 5-mile radius is incorrect.

The commenter is interested in how the project and other proposed development will affect traffic flow on the SR-60. The analysis of 2035 conditions is based on reasonable absorption rates for General Plan Buildout of the County and based on SCAG forecasts. The background without project conditions for Year 2035 includes potential projects that are consistent with the approved General Plans.

The commenter notes that the World Logistics Center is not included as a cumulative project. Please note that the baseline used to prepare the cumulative conditions analysis in the EIR is based on the past, present and reasonably foreseeable projects at the time the Notice of Preparation (NOP) for the Draft EIR is issued. The NOP was distributed to state, regional, and local agencies on February 4, 2008. At that time, the World Logistics Center was not a planned project, so this project was not included directly as a cumulative project for opening year conditions. However, the traffic model utilized to prepare the traffic analysis does include the approved Moreno Highlands Specific Plan, which is located on the same site as the currently proposed World Logistics Center project. Furthermore, the Moreno Highland Specific Plan generates more trips than the World Logistics Center. As a result, although the World Logistics Center is not included as a cumulative project, as noted in the comment, the 2035 analysis does evaluate the effects of a larger project than the World Logistics Center.

Similarly, although the analysis does not include the Villages at Lakeview as a cumulative project directly, it is included as a Community Development zone in the RIVTAM model, which was used to forecast future volumes. The Community Development land use designation includes all uses proposed in the now rescinded EIR for the Villages at Lakeview project. The commenter also mentions a residential development near the intersection of Lamb Canyon Road and SR-60. It should be noted that Lamb Canyon Road does not intersect SR-60 and therefore it is unclear exactly where this developed uses is located or the exact size of the developed uses. However, LSA believes that the commenter is referring to a development off of SR-79 in the City of Beaumont. It is unlikely that a

residential development located approximately 16 miles from the proposed project would add cumulatively considerable trips to the project study area. Therefore inclusion of the referenced project in the cumulative project list would not be required.

The commentator is concerned about traffic on surface streets due to increased congestion on the SR-60, especially on Gilman Springs Road and Ramona Expressway. As noted in previous comments, the 2035 conditions analyzed in the TIA were based on the RivTAM model, which includes General Plan land uses for cities in Riverside County and SCAG forecasts outside Riverside County. Traffic models route trips based on available capacity and traffic volumes on roadways using the least cost approach. Using this approach, the RivTAM model also forecasts potential diversion of trips due to congested conditions on freeways. Therefore, the 2035 conditions analyzed in the DRAFT EIR accurately represent the future traffic that could be expected on area surface streets, including Gilman Hot Springs Road and the Ramona Expressway. The commenter also states that these two roadways provide access to the San Jacinto Wildlife Area (SJWA), but are not included in the traffic study. Based on local agency guidelines, intersections where the project would add more than 50 peak hour trips were included in the study area. The project would add fewer than 10 peak hour trips to Gilman Hot Springs Road and Ramona Expressway and as a result, these facilities were not included in the study area. The comment claims that potential cumulative impacts on nearby conserved lands, particularly potential direct and indirect effects of the project on the adjacent SJWA, Lake Perris Recreation Area, and Badlands Area, and potential increased use of Davis Road are not discussed in the DRAFT EIR because the project would add an insignificant number of vehicle trips in these areas. It should be noted that Davis Road is not on the City's Circulation Plan or the County of Riverside's Circulation Element. The road is not open to through traffic, and is currently gated. The gate is controlled/maintained by the California Department of Fish and Game. Even if Davis Road were open to through traffic, the small number of trips that would likely be added by the project or diverted from other facilities is minimal and is therefore not required to be analyzed.

Response to Comment 9. The commenter provides brief information on the SJWA and the resources with which the Department is concerned. This comment provides factual information about the Badlands area and the SJWA and does not require a response. The Badlands and the SJWA will not be significantly adversely impacted by the proposed project, as it is not proximate to either of these areas and only a small amount of project-related traffic is expected to use Gilman Springs Road which is adjacent to both areas.

Response to Comment 10. Based on the information in Responses to Comments A-2, Nos.7-9 above, the analysis of traffic impacts provided in the Draft EIR is based on local agency standards, relevant provisions of CEQA, data obtained the most recent version of RivTAM, and standard traffic engineering principles. The comment does not provide any additional information to reinforce the claim that the Draft EIR is inadequate in describing project related traffic impacts and in identifying mitigation measures.

LETTER A-3: CALIFORNIA NATIVE AMERICAN HERITAGE COMMISSION

Letter A-3

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

RECEIVED
JUL 23 2012
CITY OF MORENO VALLEY
Planning Division

July 20, 2012

Mr. Jeff Bradshaw, Associate Planner
City of Moreno Valley Community Development Department:
Planning Division
14177 Frederick Street; P.O. Box 88005
Moreno Valley, CA 92552

Re: SCH#2008021002; CEQA Notice of Completion: draft Environmental Impact Report (DEIR) for the **PROLOGIS EUCALUPTUS INDUSTRIAL PARK;** located in the City of Moreno Valley; Riverside County, California.

Dear Mr. Bradshaw:

The Native American Heritage Commission (NAHC), 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). 1

This letter includes state and federal statutes relating to Native American historic properties 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. 2

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 3

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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. 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 Section 2183.2 that requires documentation, data recovery of cultural resources. 3

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.' 4

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. 5

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'. 6

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. 7

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). 8

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 Contact
Riverside County
July 20, 2012

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

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 391820 Cahuilla
Anza , CA 92539
(951) 659-2700
(951) 659-2228 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

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

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

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

Soboba Band of Mission Indians
Scott Cozaet, Chairperson; Attn: Carrie Garcia
P.O. Box 487 Luiseno
San Jacinto , CA 92581
carrieg@soboba-nsn.gov
(951) 654-2765
(951) 654-4198 - Fax

Morongo Band of Mission Indians
Robert Martin, Chairperson
12700 Pumarra Rroad Cahuilla
Banning , CA 92220 Serrano
(951) 849-8807
(951) 755-5200
(951) 922-8146 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#2008021002; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Prologis Eucalyptus Industrial Park Project; located in the City of Moreno Valley; Riverside County, California.

Letter A-3

Native American Contact
Riverside County
July 20, 2012

Serrano Nation of Indians
Goldie Walker
P.O. Box 343 Serrano
Patton , CA 92369

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

Cahuilla Band of Indians
Chairperson
PO Box 391760 Cahuilla
Anza , CA 92539
tribalcouncil@cahuilla.net
915-763-5549

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

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

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#2008021002; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Prologis Eucalyptus Industrial Park Project; located in the City of Moreno Valley; Riverside County, California.

RESPONSE TO LETTER A-3

California Native American Heritage Commission

Introduction to Responses. The City has implemented the guidance received from the Native American Heritage Commission (NAHC) regarding the structure of the relationship with concerned Native American tribes and individuals during project development. In particular, the relationship with the tribes and the City regarding this project site have been ongoing since 2008, beginning with a request for a Sacred Lands File Search, and continued by providing copies of reports and other documents to interested tribes. Most recently, the City met with the Pechanga Tribe's Cultural Resources Analyst on October 9, 2012 to further discuss the SB 18 consultation process.

Response to Comment 1. The comment is introductory and states that the NAHC is the State "trustee agency" pursuant to Public Resources Code Section 21070 for the protection and preservation of the State's Native American resources. The comment also states that the letter contains state and federal statutes relating to Native American historic properties of religious and cultural significance. The second paragraph is also introductory in nature and outlines the NAHC's authority and role as a commenting agency. The NAHC's introduction in this comment is noted, and no further response is required.

Response to Comment 2. The comment states that CEQA requires that any project that causes a substantial adverse change in the significance of a historical resource, which includes archaeological resources, is a "significant effect" requiring the preparation of an EIR. A Draft EIR was prepared for the proposed project and circulated for public review on July 18, 2012. Based on the *Phase I Cultural Resources Assessment* prepared for the proposed project (Draft EIR Appendix D), the site contained no cultural or historic resources. Consequently, construction and grading of the proposed project site will not affect significant cultural or paleontological resources, resulting in less than significant impacts.

In the second part of the paragraph, the commenter recommends the NAHC Sacred Lands File (SLF) be searched, and such a search was conducted during the Cultural Resource Assessment and found that no Native American cultural resources were identified within the project area. Similarly, the Draft EIR determined that there were no cultural resources (historic or prehistoric) identified on the project site as a result of records searches or during on site reconnaissance. The comment does not contain any substantive statements or questions about the Draft EIR or the analysis therein. Therefore, no further response is necessary.

Response to Comment 3. The comment states that NAHC Sacred Sites are confidential and exempt from the Public Records Act pursuant to California Government Code Section 6254. The City acknowledges the sensitivity and confidentiality of the information contained in the cultural resources report. No records maps have been made public nor will they be made public in association with the City's consideration of the proposed project.

In the second paragraph, the comment states that pursuant to California Public Resources Code Section 5097.95, the NAHC requests that pertinent project information be provided to Native American consulting parties, and that Native American consultation is a matter of environmental justice. The comment letter states that early consultation with Native American Tribes in the area of the project site is the best way to avoid unanticipated discoveries once a project is underway. The letter includes a list of Native American contacts and recommends obtaining their recommendations concerning the proposed project.

Appendix D of the Draft EIR contains the *Phase I Cultural Resource Assessment* prepared for the proposed project in which Native American consultation was conducted. The NAHC was contacted to

determine whether any sacred sites were listed on the Scared Lands Files for this area of Moreno Valley containing the project site. In response to the Sacred Land Record Search request, the NAHC identified fourteen Native American contacts that may have knowledge of cultural resources in the project area.

Letters were sent to all the Native American contacts provided by the NAHC in 2008. The letters notified the parties of the proposed project and requested that the tribes respond with information concerning cultural resources that might be affected.

Response to Comment 4. The comment states that consultation with Tribes and interested Native American consulting parties on the NAHC list should be conducted in compliance with the requirements of federal National Environmental Policy Act (NEPA), Sections 106 and 4(f) of the National Historic Preservation Act, and the Native American Grave Protection and Repatriation Act (NAGPRA), as appropriate.

Although the project is not a federal undertaking as defined under Section 106 of the National Historic Preservation Act (NHPA) or 36 Code of Federal Regulations (CFR) Part 800 regulations implementing Section 106, and does not use federal funds, it will require a federal Clean Water Act Section 404 permit. Therefore, the project falls under the regulatory oversight of Section 106. As described in Response to Comment A-3, No. 3 above, the City conducted consultation with thirteen local tribes and interested Native American individuals for the project. Consultation included providing those parties with pertinent project and location information.

The project is not a federal transportation project, so it also does not fall under the jurisdiction of Section 4(f) of the Department of Transportation Act of 1966. There is also no federal involvement in the project that would trigger the requirements of NAGPRA.

Response to Comment 5. The comment states that historic properties of religious and cultural significance are confidential and protected by California Government Code Section 6254. The comment further states that the confidentiality of such resources may also be protected by section 304 of the NHPA. The City acknowledges the sensitivity and confidentiality of any identified resources. The SLF and any associated records maps are not for public distribution. In addition, because the project is not a federal undertaking, it is not regulated under Section 304 of the NHPA.

Response to Comment 6. The comment identifies State laws regarding the accidental discovery of human remains. In compliance with these laws, in the unlikely event human remains are encountered during project grading, the County Coroner and the City Planning Division would be notified immediately, and no further disturbance would occur until the County Coroner makes a determination of origin and disposition. If the remains are determined to be Native American, the County Coroner would notify the NAHC, which will determine and notify the most likely descendant (MLD). Implementation of state law reduces potential impacts related to the discovery of human remains on the proposed project site to a less than significant level, and no additional mitigation is required.

Response to Comment 7. The comment states that effective consultation, in the opinion of the NAHC, is the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors. The City agrees that effective consultation is desired. The City has reached out to Native American tribes through the consultation process (as detailed in the Draft EIR in Appendix D).The comment does not contain any substantive statements or questions about the Draft EIR or the analysis therein. Therefore, no further response is necessary.

Response to Comment 8. The comment states that the NAHC recommends avoidance when a project would damage or destroy Native American cultural resources. The comment further states that documentation and data recovery of such resources is required pursuant to the CEQA Guidelines. Based on the *Phase I Cultural Resources Assessment* (Draft EIR Appendix D) prepared

for the proposed project, the site has a low potential for containing archeological resources due to the lack of such resources previously discovered in the surrounding area and the disturbed nature of the project site. Consequently, construction and grading of the proposed project site will have a low probability of damaging archeological resources. Impacts to archeological resources are considered to be less than significant.

LETTER A-4: PECHANGA BAND OF LUISEÑO INDIANS

Letter A-4

PECHANGA CULTURAL RESOURCES
Temecula Band of Luiseño Mission Indians

Post Office. Box 2183 • Temecula, CA 92593
Telephone (951) 308-9295 • Fax (951) 506-9491

Chairperson:
Germaine Arenas

Vice Chairperson:
Mary Bear Magee

Committee Members:
Evie Gerber
Darlene Miranda
Bridgett Barcello Maxwell
Aurelia Marruffo
Richard B. Scearce, III

Director:
Gary DuBois

Coordinator:
Paul Macarro

Cultural Analyst:
Anna Hoover

September 4, 2012

VIA E-MAIL and USPS

Mr. Jeff Bradshaw
Associate Planner
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92552

Re: Pechanga Tribe Comments on the Draft EIR for the Prologis Park Moreno Valley Eucalyptus Project

Dear Mr. Bradshaw:

This comment letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government. The Tribe formally requests, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"). The Tribe requests to be directly notified of all public hearings and scheduled approvals concerning this Project. Please also incorporate these comments into the record of approval for this Project. 1

The Tribe submits these comments concerning the Project's potential impacts to cultural resources in conjunction with the environmental review of the Project. The Tribe has reviewed the Cultural Resources Section of the Draft Environmental Impact Report and is very concerned that the City did not address any of the Tribes comments and seems to have ignored the other comments provided by Native American tribes. Both Pechanga and Soboba requested monitoring during grading activities as the City itself in the Initial Study indicated that the possibility of uncovering cultural resources during earthmoving activities was high. Further, the Tribe was not afforded the opportunity to consult with the City per SB18 requirements and as we had requested in our March 4, 2008 comment letter. This violates state law. Additionally, as written, the proposed mitigation measures are inadequate and insufficient to mitigate for unanticipated discoveries of cultural resources. Additional information is provided in our comments below. 2

Sacred Is The Duty Trusted Unto Our Care And With Honor We Rise To The Need

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THE CITY OF MORENO VALLEY MUST INCLUDE INVOLVEMENT OF AND CONSULTATION WITH THE PECHANGA TRIBE IN ITS ENVIRONMENTAL REVIEW PROCESS

It has been the intent of the Federal Government[1] and the State of California[2] that Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This arises when tribal interests are affected by the actions of governmental agencies and departments. In this case, it is undisputed that the project lies within the Pechanga Tribe's traditional territory. Therefore, in order to comply with CEQA and other applicable Federal and California law, it is imperative that the City of Moreno Valley consult with the Tribe in order to guarantee an adequate knowledge base for an appropriate evaluation of the Project effects, as well as generating adequate mitigation measures.

On this Project, the Tribe was not asked by the City of Moreno Valley for a consultation meeting. Although there was some confusion regarding the original SB18 notification in 2007, an additional SB18 consultation letter was submitted in 2008 and the Tribe responded with a request to consult in our March 4, 2008 letter. Further, LSA Associates sent out an additional consultation letter in 2011 and the Tribe again notified the City that consultation was desired. The Tribe received no further communication from the City until receipt of this DEIR document July 26, 2012. The Tribe believes that would adequate consultation have occurred, the proposed mitigation measures would be adequate and respectful of tribal requests. Further, under SB 18, the City cannot proceed with approving this Project until consultation requests by Tribes have been fulfilled. As such, moving ahead with a Planning Commission hearing at this stage would be in violation of California State law. 3

PECHANGA CULTURAL AFFILIATION TO PROJECT AREA

The Pechanga Tribe asserts that the Project area is part of Luiseño, and therefore the Tribe's, aboriginal territory as evidenced by the existence of Luiseño place names, *tóota yixélval* (rock art, pictographs, petroglyphs), and an extensive Luiseño artifact record in the vicinity of the Project. This culturally sensitive area is affiliated with the Pechanga Band of Luiseño Indians because of the Tribe's cultural ties to this area as well as extensive history with both this Project and other projects within the area. 4

The Tribe's knowledge of our ancestral boundaries is based on reliable information passed down to us from our elders; published academic works in the areas of anthropology,

[1] See e.g., Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments, Executive Order of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments, Executive Memorandum of September 23, 2004 on Government-to-Government Relationships with Tribal Governments, and Executive Memorandum of November 5, 2009 on Tribal Consultation.
[2] See California Public Resource Code §5097.9 et seq.; California Government Code §§65351, 65352.3 and 65352.4

history and ethno-history; and through recorded ethnographic and linguistic accounts. Many anthropologists and historians who have presented boundaries of the Luiseño traditional territory include this region in their descriptions (Drucker 1937; Heiser and Whipple 1957; Kroeber 1925; Smith and Freers 1994), and such territory descriptions correspond with what was communicated to the Pechanga people by our elders. While historic accounts, anthropological and linguistic theories are important in determining traditional Luiseño territory; the Tribe asserts that the most critical sources of information used to define our traditional territories are our songs, creation accounts and oral traditions.

Luiseño history originates with the creation of all things at *'éxva Teméeku*, known today as the City of Temecula, and dispersing out to all corners of creation (what is today known as Luiseño territory). It was at Temecula that the Luiseño god *Wuyóot* lived and taught the people, and here that he became sick, finally expiring at Lake Elsinore after visiting many of the hot springs located within Luiseño and Cahuilla territory. From Elsinore, the people spread out, establishing villages and marking their territories. The first people also became the mountains, plants, animals and heavenly bodies.

4

The Pechanga Tribe has a specific legal and cultural interest in this Project as the Tribe is culturally affiliated with the geographic area, which comprises the Project property. The Tribe has been named the Most Likely Descendent (Cal. Pub. Res. C. §5097.98) on Projects in the nearby vicinity of the proposed Project and has specific knowledge of cultural resources and sacred places near the Project site. The Tribe submitted information regarding cultural affiliation to the City in previous comment letters for this Project. We would also like the City and the DEIR consultant to know that the Project is not located within Cahuilla territory. The Tribe has previously submitted archaeological, ethnographic, ethnohistoric, oral traditions and song and linguistic information showing that Moreno Valley was indeed Luiseño territory. We would be happy to provide this information again to the City and DEIR preparers so that the cultural affiliation portions of the Cultural section of the DEIR can be updated.

The Tribe welcomes the opportunity to meet with the City of Moreno Valley to further explain and provide documentation concerning our specific cultural affiliation to lands within your jurisdiction, if so desired. In addition, the Tribe is once again requesting face-to-face, government-government consultation under SB 18, as is our legally protected right.

PROJECT IMPACTS TO CULTURAL RESOURCES

The Project is located in a highly sensitive region of Luiseño territory and the Tribe believes that the possibility for recovering subsurface resources during ground-disturbing activities is high. The Tribe has over thirty-five (35) years of experience in working with various types of construction projects throughout its territory. The combination of this knowledge and experience, along with the knowledge of the culturally-sensitive areas and oral tradition, is what

5

the Tribe relies on to make fairly accurate predictions regarding the likelihood of subsurface resources in a particular location. 5

The Tribe has reviewed the 2012 Draft Environmental Impact Report for the Prologis Industrial Park Project. In addition to not consulting with the Tribe as required by law, the City has failed to adopt appropriate and protective mitigation measures for any unknown cultural resources, under both the letter and the spirit of CEQA. Based upon the Archaeological Study, there are over 65 cultural sites within a one-mile radius and the Project is located within the Moreno Hills Complex, a well documented habitation site. Habitation sites are of the utmost importance to the Tribe because they are the last physical remains of where the ancestors lived. They contain information and data that are reflective of every aspect of tribal culture. It is well known that native village and habitation complexes enveloped large areas of land, sometimes several square miles. The Tribe agrees that the high number of recorded sites indicates a high prehistoric use area as well as the potential for identification of subsurface cultural resources on this Project. By not providing for archaeological and tribal monitoring during earthmoving, the City is a willing participant in the destruction of irreplaceable cultural sites. The Tribe has continually argued that it is vital to require an archaeological and tribal monitor at the onset of grading and for other activities such as trenching and off-site development because relying on untrained construction crews to identify cultural resources is not only inappropriate, but also untenable since they are not professional cultural resource personnel. Construction crews would not be able to identify cremations, for example or be able to distinguish human from animal bone, or how to identify what is an artifact (manipulated by human hands) or an ecofact (a product of nature). 6

Additionally, while the Tribe understands that the Project has been under citrus groves and agriculture for many years, this does not negate the possibility for cultural resources to be identified below the plow zone, approximately 16 to 24 inches. Both the Soboba and Pechanga tribes have informed the City that the possibility for cultural resources to be identified during earthmoving activities is high and yet the City and DEIR Consultant ignored our comments. The City is well aware of the Highland Fairview project, upon which cultural resources were discovered, despite the use of the land for agricultural purposes and despite the project archaeologist assuring that no resources were on the property. Further, we know of a situation in San Diego County where as many as 14 individual burials were located in what had been a long-time orange tree grove – in fact, one of the burials, a cremation, was discovered entangled with the roots of an orange tree. Thus, agricultural activities rarely touch deeply buried cultural deposits – they typically only affect those artifacts or features that lay within the plow zone. As such, the potential for subsurface resources remains a very real concern for Pechanga. 7

As the City knows from our long history together, the Pechanga Tribe involves itself in these matters because its contributions and knowledge of the natural/cultural resources is not focused on the archaeological or scientific importance of the resources, but rather in the cultural and sociological significance of the sites and places to our People. The Pechanga Tribe contends that despite the lack of identification of surface artifacts during the survey, subsurface sites and 8

resources, i.e. inadvertent finds, may be found throughout the development of this entire Project. As such, we request that the City take into account the Pechanga Tribe's cultural view of any such resources. 8

Since the DEIR has now been completed and distributed for public review without tribal consultation - in contravention to SB 18 – it is the Pechanga Tribe's position that this DEIR does not meet standard requirements for cultural resources impact analysis and may not meet state legal requirements for environmental review. Without consultation prior to finalization of the mitigation measures, the City is in danger of putting itself in a position of adopting deferred and arguably inadequate mitigation, which may not be permissible pursuant to CEQA. Furthermore, without consultation prior to finalization of the mitigation measures, Pechanga is unable to meaningfully participate in the CEQA process and we are being denied the rights guaranteed to Tribes by SB 18 – mainly, early and meaningful consultation to address concerns regarding impacts, both direct and indirect, to tangible and intangible cultural resources. 9

The Pechanga Tribe is not opposed to this Project; however, we are opposed to any direct, indirect and cumulative impacts this Project may have to tribal cultural resources. The Tribe's primary concerns stem from the Project's proposed impacts on Native American cultural resources. The Tribe is concerned about both the protection of unique and irreplaceable cultural resources, such as Luiseño village sites, sacred sites and archaeological items which would be displaced by ground disturbing work on the Project, and on the proper and lawful treatment of cultural items, Native American human remains and sacred items likely to be discovered in the course of the work. 10

The Tribe believes that the proposed mitigation measures as written are not sufficient, given the sensitivity of the area which was acknowledged in the archaeological study and the Initial Study, but which was inadequately addressed in the DEIR. Although the DEIR addresses procedures for inadvertent finds, the Tribe is concerned with the lack of specificity of the mitigation measures and the lack of a requirement for both archaeological and tribal monitors for the duration of the Project. While the Tribe understands that the Property has been subjected to previous disturbances, as the Project site lies within such a culturally-sensitive area, the Tribe believes that the possibility exists for the recovery of subsurface resources during earthmoving activities. 11

The Tribe has multiple concerns with the mitigation measures as they are drafted. We believe that it is premature and potentially negatively impacts the Tribe's rights under both SB 18 and the CEQA process to comment on specific mitigation measures until we are able to have our legally protected SB 18 consultation with the City. Had this occurred before the DEIR was released for review, we are certain that more protective measures would have been included that would satisfy both the Tribe and the City's concerns. That has not happened and as such, we are expressly reserving our right to provide comments on the proposed mitigation measures until <u>after</u> the City completes its legally mandated SB 18 consultation with Pechanga. 12

The Tribe reserves the right to fully participate in the environmental review process, as well as to provide further comment on the Project's impacts to cultural resources and potential mitigation for such impacts. 13

The Pechanga Tribe looks forward to working together with the City of Moreno Valley in protecting the invaluable Pechanga cultural resources found in the Project area. Please contact me at 951-770-8104 or at ahoover@pechanga-nsn.gov within the next two weeks so we can schedule our legally required SB 18 consultation to discuss the issues at hand. Thank you. 14

Sincerely,

Anna Hoover
Cultural Analyst

Cc Pechanga Office of the General Counsel
John Terrell, Planning Official

RESPONSE TO LETTER A-4

PECHANGA BAND OF LUISEÑO INDIANS

Response to Comment 1. The City acknowledges the Pechanga Band ("Tribe") is a federally recognized Indian Tribe. The City will continue to notify the Tribe regarding the CEQA process for this project, and the Tribe will be notified of any hearings regarding this project. As requested, the Tribe's comments and the City's responses are incorporated into this Final EIR document and administrative record.

Response to Comment 2. According to its records, the City did contact the Tribe for consultation under SB 18 when the applicant first started processing the project in 2007-08, and the City sent a copy of the project cultural resources report at that time. The City received no further correspondence or emails regarding the project, so it believed the SB 18 consultation process for the ProLogis project was completed at that time. On July 25, 2011 a letter inquiring about additional consultation was sent to Mark Macarro and the commenter with Pechanga and no response was received (Paul Macarro is the Director of Cultural Resources). A second letter was sent on August 9, 2011 to which the commenter responded that she would work directly with the City regarding further consultation. Jeff Bradshaw with the City contacted Ms. Hoover ("commenter") but received no follow-up from the Tribe for additional input or consultation. The revised cultural resources study was mainly an update of the original study to "bring it current" and contained no new additional information. At that time, Mr. Bradshaw considered this second round of SB 18 communication with the tribe completed as well. Separate from the SB 18 process, the Tribe has provided comments to the City during the Notice of Preparation (NOP) period and the Notice of Completion (NOC) sent out for the project under CEQA. The commenter is incorrect that the City has not incorporated concerns and comments from the Tribe into the CEQA document, or has somehow neglected the SB 18 consultation process. The City met with the Anna Hoover, Cultural Analyst for the Tribe regarding SB 18 on October 9, 2012 to address any pending questions regarding the City's participation in the SB 18 consultation process on this project (see Appendix B in this document).

Response to Comment 3. Although there appears to be some confusion regarding the actual completion of the SB 18 consultation process, the City and the Tribe can still continue to consult effectively on the proposed project, following the guidance from the NAHC which states that "To be effective, consultation on specific projects must be the result of an ongoing relationships between the Native American tribes and lead agencies, project proponents, and their contractors." The City believes the EIR reflects the intent and desire of the Tribe regarding monitoring of grading activities on the project site, as outlined in the tribe's comment letter received during the Notice of Preparation (NOP) period and included in Appendix A of the Draft EIR. Mitigation Measures 4.5.6.1A through 4.5.6.1E in the Draft EIR state the following:

4.5.6.1A *If cultural resources are found during grading, the applicant shall immediately retain a qualified archaeological monitor to oversee subsequent ground-altering activities (e.g., removal of debris, de-vegetation, and grading). This monitor shall ensure that any buried or previously unidentified resources are adequately identified, recorded, and evaluated in accordance with applicable standards. The archaeological monitor shall be trained in both prehistoric and historic archaeology and have the authority to temporarily redirect any ground disturbing activities affecting potentially significant cultural resources.*

4.5.6.1B *Prior to the issuance of a grading permit, the local Native American representatives (Soboba, Morongo, and Pechanga) shall be notified in writing of the pending activities. If any evidence of Native American resources is discovered during grading, the archaeological monitor identified in* ***Mitigation Measure 4.5.6.1A*** *shall invite one or more Native American monitors to participate in the monitoring program. The Native American*

monitor shall work with the archaeological monitor to aid in the identification of resources and assist in the preliminary evaluation of any Native American resources.

4.5.6.1C *If cultural artifacts and resources are discovered during ground disturbance activities and are historic in nature (not Native American in origin), the archaeological monitor shall make recommendations for the appropriate handling and evaluation of the resources. If cultural artifacts and resources are discovered during ground disturbance activities are determined to be of Native American origin (but not involving burials or grave goods), the archaeological monitor/consultant shall notify the applicant, City, and local Native American representatives and complete consultation for the handling of the resources. All archaeological decisions shall be at the discretion of the professional archaeologist, taking the Native American concerns into account. Work may continue on other parts of the project site while historic or unique archaeological mitigation takes place (14 Cal. Code Regs. 15065.5(f)).*

4.5.6.1D *As a condition of approval, the property owner shall make all cultural resources (e.g., artifacts) discovered on site available for curation at a facility identified by the City (e.g., the UCR Archaeological Research Unit, the Western Center for Archaeology and Paleontology, or the Ya'i Heki' Regional Indian Museum). All artifacts shall be inventoried and prepared for curation per standard professional requirements. If neither repository is available to accept the collections, the cultural resources shall be temporarily curated at a facility identified through consultation with all stakeholders.*

4.5.6.1E *Should resources determined to be of sacred or religious significance to Native Americans be identified within the project area, the resources shall be protected from adverse impacts until consultation between the applicant, City, the Most Likely Descendant (MLD) as determined by the Native American Heritage Commission, and the archaeological consultant, occurs. At that time, the responsibility for the care and disposition of the cultural resources shall be the determined and recorded to the satisfaction of all parties involved.*

These measures are consistent with the information provided in the Pechanga NOP comment letter. However, the City desires to work cooperatively with the tribe to the greatest extent possible. Therefore, the wording of all these mitigation measures will be modified as shown below:

4.5.6.1A *Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Moreno Valley that a Cultural Resources Monitoring Agreement has been secured for qualified Tribal representatives, and that a professional archaeological monitor meeting Secretary of Interior standards has been retained by the Applicant to conduct monitoring of all mass grading and trenching activities and has the authority to temporarily halt and redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist and Tribal representatives shall attend the pre-grading meeting with the City and contractors to explain and coordinate the requirements of the monitoring program.*

4.5.6.1B *Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Moreno Valley that appropriate Native American representative(s), Project Archaeologist, and the Tribal representative(s) shall be allowed to monitor and have received a minimum of 30 days advance notice of all mass grading and trenching activities. During grading and trenching operations, the Tribal representatives and the project archaeological monitor shall observe all mass grading and trenching activities per the Cultural Resources Monitoring Agreement. If the Tribal representatives suspect that an archaeological resource may have been unearthed, the archaeologist, in consultation with the tribal representative, shall immediately halt and redirect grading operations in a*

100-foot radius around the find to allow identification and evaluation of the suspected resource. In consultation with the appropriate Native American Tribe(s), the archaeological monitor shall evaluate the suspected resource and make a determination of significance pursuant to California Public Resources Code Section 21083.2.

4.5.6.1C *If a significant archaeological resource(s) is discovered on the property, ground disturbing activities shall be suspended 100 feet around the resource(s). The archaeological monitor and representatives of the appropriate Native American Tribe(s), the Project Applicant, and the City Planning Division shall confer regarding mitigation of the discovered resource(s). A treatment plan and/or preservation plan shall be prepared and by the archaeological monitor and reviewed by representatives of the appropriate Native American Tribe(s), the Project Applicant, and the City Planning Division and implemented by the archaeologist to protect the identified archaeological resource(s) from damage and destruction. The landowner shall relinquish ownership of all archaeological artifacts that are of Native American origin found on the Project site to the culturally affiliated Native American tribe(s) for proper treatment and disposition. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to the City Planning Division, the appropriate Native American tribe(s), and the Eastern Information Center at the University of California, Riverside. All cultural material, excluding sacred, ceremonial, grave goods and human remains, collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site shall be curated, as determined by the treatment plan, according to the current professional repository standards and may include the Pechanga Bands curatorial facility.*

4.5.6.1D *Prior to grading permit issuance, the City shall verify that the following note is included on the Grading Plan:*

"If any suspected archaeological resources are discovered during ground-disturbing activities and the archaeological monitor or Tribal representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the project archaeologist and the Tribal representatives to the site to assess the significance of the find."

Based on input from the tribe, the City believes these modifications will better protect any potential undiscovered cultural resources if they are present on the site. In addition, Measure 4.5.6.1B clearly allows tribal monitors to be present onsite during grading if they so desire, consistent with the City's current practices for allowing such monitoring.

In addition, although DEIR Section 4.5.5.2, *Human Remains*, concludes potential impacts of the project will be less than significant with compliance with state law, Mitigation Measure 4.5.6.1E has been added at the request of the tribe to help assure there will be no significant impacts related to the potential discovery of human remains during grading:

4.5.6.1E *If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner. If the Riverside County Coroner determines the remains to be Native American, the California Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48*

hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code §5097.98.

Finally, the commenter is correct that the CEQA process cannot be completed before the SB 18 process is completed. However, the City believes the SB 18 consultation process can still be completed prior to final action on the project as specified by state law.

It should also be noted the tribe requested the following language be added to the mitigation for potential impacts to paleontological resources, so the City has agreed to add the following as Mitigation Measure 4.5.6.2D:

4.5.6.2D *Prior to grading permit issuance, the City shall verify that the following note is included on the Grading Plan:*

"If any suspected paleontological resources are discovered during ground-disturbing activities, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call a qualified paleontologist to the site to assess the significance of the find. A qualified paleontologist shall evaluate the suspected resource. If the paleontologist determines that the find is not unique, construction shall be permitted to proceed. However, if the paleontologist determines that further information is needed to evaluate significance, the City of Moreno Valley shall be notified and a treatment plan shall be prepared and implemented in consultation with the City to protect the identified paleontological resource(s) from damage and destruction."

Response to Comment 4. The City acknowledges that the tribe has legitimate legal and cultural interests in the project site and surrounding areas, and appreciates the tribal history upon which these interests are based. The City believes it did participate in the SB 18 consultation process in good faith on this project twice, but the City is willing to consider additional input from the tribe regarding this property integral to the CEQA process at this point in time. On October 9 2012, Jeff Bradshaw met with Anna Hoover, Cultural Analyst with the tribe, to receive additional input from the tribe relative to this project. In any case, all of this information will be presented to the City Council for their review prior to any final action on the project, consistent with the requirements of SB 18 and CEQA.

Response to Comment 5. The project cultural resource assessment, and Section 4.5 of the Draft EIR, both acknowledge the existence of Native American resources and sites in the surrounding area. However, the study did not identify any resources actually on the project site, and the site has been previously and regularly disturbed by agricultural and weed abatement activities. In an effort to respond to remaining concerns expressed by the tribe, and based on evidence from mitigation at site on other projects in the region, the City has modified the text of Mitigation Measures 4.5.6.1A trough 4.5.6.1E as shown in Response 3 above. The City understands the Tribe's ongoing and currently stated desire to have private development fund Native American monitoring on construction sites. However, the City's repeated position on this issue is not to require private funding of such monitoring, but rather to encourage private landowners to collaborate with Native American tribes regarding monitoring (i.e., private funding is not required but optional). In addition, the revised mitigation measures cited above do require ongoing coordination with the local tribes, including Pechanga.

Response to Comment 6. As outlined in the previous Response to Comment A-4, No.3, the City believes the mitigation measures included in the Draft EIR do reflect the concerns raised by the tribe during the SB 18 and EIR Notice of Preparation processes. In addition, the City believes it has participated in the SB 18 process to an appropriate degree, as described in the previous Responses to Comments A-4, No. 2 and 4 above. Appendix B of this Final EIR includes additional

correspondence and documentation from the City regarding the SB 18 process with the Pechanga tribe on this project.

Response to Comment 7. In response to the tribe's concerns about excavation of the project site, the City has modified the wording of Mitigation Measures 4.5.6.1A through 4.5.6.1E to provide for monitoring of all grading activities. In addition, the modified measures provide a way for local tribes to participate in the monitoring process.

Response to Comment 8. In response to the tribe's concerns, the City has modified the wording of Mitigation Measure 4.5.6.1A to provide for monitoring of all grading activities, and Mitigation Measure 4.5.6.1B provides a way for local tribes like Pechanga to participate in the monitoring process.

Response to Comment 9. As previously explained in Responses 2 and 4 above, the City has participated twice in the SB 18 process on this project, but is certainly willing to accept additional input from the tribe regarding potential impacts and mitigation language within the context of the CEQA process. The mitigation in the EIR, including the text changes to Measures 4.5.6.1A through 4.5.6.1E, do not defer mitigation and are clear as to what will be done and when during the development process if the project is approved. The City believes the tribes have provided input on this project under both SB 18 and CEQA, and the City will strive to implement the project mitigation as outlined.

Response to Comment 10. Section 4.5 of the EIR does evaluate the direct, indirect, and cumulative impacts of the project on cultural resources, and did incorporate information from the City's SB 18 consultation process and the letter from the Pechanga tribe received during the EIR's Notice of Preparation period (see Draft EIR Appendix A). In addition, Appendix B if this Final EIR includes additional correspondence and documentation from the City regarding the SB 18 process with the Pechanga tribe on this project.

Response to Comment 11. The City believes Section 4.5 of the EIR adequately addresses potential impacts of the project on cultural resources, and recommends mitigation measures commensurate with the level of impact expected. In addition, Mitigation Measures 4.5.6.1A through 4.5.6.1E provide additional protection for any undiscovered cultural resources that may exist on the site. The City believes the revised measures are specific, implementable, and do not defer mitigation. It is the City's long-standing policy to encourage but not require private developers to allow and/or fund monitoring of grading by Native American tribal representatives. That continues to be the City's policy on this project as well.

Response to Comment 12. As outlined in the previous responses above, the City believes it has and is participating in the SB 18 and CEQA processes as required by state law, and in a reasonable and fair manner with the Tribe. Please see Response to Comment A-4, No. 11 for additional information in this regard. However, it would not be in the interest of the Tribe to withhold additional comment on the EIR, expecting the City to delay action on the proposed project, based solely on its contention that the City had somehow failed to complete the SB 18 process – the City disagrees with that conclusion. The City encourages the Tribe to provide additional comments if necessary on the EIR and mitigation measures, noting that Measures 4.5.6.1A through 4.5.6.1E have been modified in response to concerns expressed by the Tribe.

Response to Comment 13. The City encourages the Tribe to participate fully in the CEQA process, and see Responses to Comments A-4, Nos. 11 and 12 regarding the related SB 18 process.

Response to Comment 14. The City also looks forward to continuing discussion with the tribe on this project. It should be noted that the City met with the Anna Hoover, Cultural Analyst with the tribe, on October 9 2012 regarding SB 18 which should address any lingering questions about the City's participation in the SB 18 consultation process on this project.

LETTER A-5: MORONGO BAND OF MISSION INDIANS

Letter A-5

MORONGO BAND OF MISSION INDIANS

A SOVEREIGN NATION

RECEIVED
SEP 12 2012
CITY OF MORENO VALLEY
Planning Division

September 10, 2012

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Community & Economic Development Department
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: Notice of Availability
Prologis Eucalyptus Industrial Park Project)
Draft Environmental Impact Report

Dear Mr. Bradshaw:

Thank you for contacting the Morongo Band of Mission Indians regarding the above referenced project. The Tribe greatly appreciates the opportunity to review the project and, respectfully, offer the following comments.

The project is outside of the Tribe's current reservation boundaries but within an area that may be considered a traditional use area or one in which the Tribe has cultural ties (e.g. Cahuilla/Serrano territory). Because the project involves a Zone Change, General Plan Amendment, master Plot Plan, Tentative Parcel Map, Plot Plans, and Environmental Impact Report for the Prologis Eucalyptus industrial Park Project the Morongo Band of Mission Indians asks that you impose specific conditions regarding cultural and/or archaeological resources and buried cultural materials on any development plans or entitlement applications as follows: 1

- If human remains are encountered during grading and other construction excavation, work in the immediate vicinity shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5. 2

- In the event that Native American cultural resources are discovered during project development/construction, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the overall project may continue during this assessment period. 3

  If significant Native American cultural resources are discovered, for which a Treatment Plan must be prepared, the developer or his archaeologist shall contact the Morongo Band of Mission Indians 4

12700 PUMARRA ROAD - BANNING, CA 92220 - 951-849-4697 - FAX: 951-849-4425

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("Tribe")[1]. If requested by the Tribe, the developer or the project archaeologist shall, in good faith, consult on the discovery and its disposition (e.g. avoidance, preservation, return of artifacts to tribe, etc.). 4

If I may be of further assistance with regard to this matter, please do not hesitate to contact me at your convenience.

Very truly yours,

MORONGO BAND OF MISSION INDIANS

Franklin A. Dancy,
Director of Planning

[1] The Morongo Band of Mission Indians realizes that there may be additional tribes claiming cultural affiliation to the area; however, Morongo can only speak for itself. The Tribe has no objection if the archaeologist wishes to consult with other tribes and if the city wishes to revise the condition to recognize other tribes.

RESPONSE TO LETTER A-5

MORONGO BAND OF MISSION INDIANS

Response to Comment 1. The Draft EIR contained measures the City believes are sufficient to protect undiscovered cultural resources, including Native American artifacts. However, the City wishes to cooperate with the tribe to the extent practical, so the language of the mitigation measures related to archaeological and paleontological resources, have been modified to better address the tribe's concerns as outlined in Response to Comment A-4-3 in the previous letter from the Pechanga Tribe.

Response to Comment 2. This action is required under State law, but the City understands the tribe's desire to have the requirement reiterated in the mitigation measure. Therefore, Mitigation Measure 4.5.6.1E has been modified to address this concern as outlined in Response to Comment 3 in Letter A-4 from the Pechanga Band.

Response to Comment 3. All of the cultural mitigation measures were modified as shown to respond to this and similar comments by the Pechanga Band (see Response to Comment 3 in Letter A-4).

Response to Comment 4. The text of Mitigation Measure 4.5.6.1C was changed as shown in Response to Comment 3 in Letter A-4 from the Pechanga Band to better address the tribe's concerns.

B. LETTERS FROM REGIONAL AGENCIES

LETTER B-1: EASTERN MUNICIPAL WATER DISTRICT

Letter B-1

EASTERN MUNICIPAL WATER DISTRICT
SINCE 1950

Board of Directors

President and Treasurer
Joseph J. Kuebler, CPA

Vice President
Philip E. Paule

Ronald W. Sullivan
Randy A. Record
David J. Slawson

General Manager
Paul D. Jones II, P.E.

Director of The Metropolitan Water District of So. Calif.
Randy A. Record

Board Secretary and Assistant to the General Manager
Rosemarie V. Howard

Legal Counsel
Lemieux & O'Neill

September 4, 2012

City Of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Re. **NOA of DEIR, Prologis Eucalyptus Industrial Park**
PA07-0081,82,83,84,142,158,159,160,161,162,&186

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 project is generally described as General Plan Amendment and Zone Change from existing Business Park, to Business Park Mixed-Use, R15, R5, and RA-2 land use designations to Light Industrial for 116.99-net acres. The land use changes are required for development of six distribution warehouse facilities totaling 2,244,419 square feet with building sizes that range from 160,106 square feet to 862,035 square feet. The applicant also proposes Tentative Parcel Map No. 35679 to subdivide the project into six parcels corresponding to the six warehouse facilities. 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, which is still not yet developed by the project proponent. To that end, EMWD requires dialog with the project proponent, to develop the EMWD Plan of Service, as clarified in the attached letter. 1

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. 2

Sincerely,

Jayne Joy
Director of Environmental and Regulatory Compliance

JJ:hs
Cc: Maroun El-Hage
Encls.

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

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RESPONSE TO LETTER B-1

EASTERN MUNICIPAL WATER DISTRICT #1

Response to Comment 1. The EIR acknowledges that the project requires water, sewer, and recycled water service from EMWD. The City and the developer are aware that a Plan of Service will be needed if the project receives entitlement approval from the City.

Response to Comment 2. The Final EIR document, including the Response to Comments, will be sent to the EMWD since they commented on the Draft EIR, in accordance with CEQA Guidelines Section 15088(b).

LETTER B-2: EASTERN MUNICIPAL WATER DISTRICT

Letter B-2

EASTERN MUNICIPAL WATER DISTRICT
SINCE 1950

September 4, 2012

Board of Directors

President and Treasurer
Joseph J. Kuebler, CPA

Vice President
Philip E. Paule

Ronald W. Sullivan
Randy A. Record
David J. Slawson

General Manager
Paul D. Jones II, P.E.

Director of The Metropolitan Water District of So. Calif.
Randy A. Record

Board Secretary and Assistant to the General Manager
Rosemarie V. Howard

Legal Counsel
Lemieux & O'Neill

City Of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Re. NOA of DEIR, Prologis Eucalyptus Industrial Park
PA07-0081,82,83,84,142,158,159,160,161,162,&186

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

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: 2

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

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

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RESPONSE TO LETTER B-2

EASTERN MUNICIPAL WATER DISTRICT

Response to Comment 1. The developer will prepare a Project Questionnaire (NDB-058) and contact the District to schedule a "due diligence" meeting.

Response to Comment 2. As indicted in the responses to the District's first letter (B-1), the City and the developer are aware that a Plan of Service will be needed if the project receives entitlement approval from the City.

LETTER B-3: SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 www.aqmd.gov

Letter B-3

E-MAILED: September 4, 2012 September 4, 2012

Mr. Jeff Bradshaw, Associate Planner, jeffreyb@moval.org
Planning Department
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Draft Environmental Impact Report (Draft EIR) for the Proposed ProLogis Eucalyptus Industrial Park Project (SCH. NO. 2008021002)

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

In the project description, the lead agency proposes construction of six warehouse distribution facility buildings totaling 2,244,419 square feet with 326 total loading docks. Building sizes will range from 160,106 to 862,035 square feet on a total 122.8 acre site. Operations at the proposed industrial park will include approximately 1,989 trucks operating 24 hours per day and 7-days per week. Construction is planned to begin in the fall of 2012 and be completed as early as the last quarter of 2013, with a possible opening year by 2016.

In the Air Quality Section, the Draft EIR quantified the project's construction and operation air quality impacts and found that those impacts exceeded the AQMD's recommended significance thresholds. As stated in the Draft EIR, air quality in our basin exceeds federal and state standards and presents numerous health risks to those living and working here. The AQMD staff appreciates that the project therefore includes mitigation measures that have the potential to reduce emissions including building energy efficiency measures, carpooling programs, and encouragement of alternative fueled vehicles. However, the project's air quality impacts remain substantially above AQMD thresholds after mitigation. This is due, in part, to the lack of enforceability of some mitigation measures. The AQMD staff recommends that the lead agency strengthen the project's mitigation measures and additionally provide further clarity to portions of the air quality analysis. Details are provided in the attached comments. 1

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 2

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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.

Sincerely,

Ian MacMillan
Program Supervisor, Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment
IM:GM

SBC120718-01
Control Number

Operational Mitigation Measures

1. AQMD staff commends the lead agency for encouraging the use of alternatively fueled technologies to reduce the significance CO, VOC, NOx, PM10, and PM2.5 impacts. However, these measures are not enforceable and thus it is unclear how likely they will be implemented because tenants are only "encouraged to promote" them. AQMD staff recognizes that requiring warehouse tenants to place engine technology restrictions on their vendors presents unique challenges. Further, requiring standards for one development and not another can yield competitive inequalities. The AQMD staff therefore encourages the lead agency to work with our agency to develop a common set of measures that are enforceable and that reduce emissions to the maximum extent feasible for the many warehouse projects under consideration in the city.

   Some of these measures could include:

   Requiring all on-site vehicles (hostlers, forklifts, etc.) to utilize zero or near-zero emission technology
   Requiring the installation of sufficient alternative fueling infrastructure (e.g., electric charging, CNG/LNG, hydrogen, etc.) for trucks on-site or within close proximity to the site to facilitate the use of these technologies
   Providing 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
   Prohibiting the placement of loading docks or major truck routes within 500 feet of sensitive receptors

   Should any of these measures be found infeasible, other measures should be considered that will reduce air quality impacts. The measures listed below have been used by other lead agencies including the City of Banning[1], Riverside County[2], City of San Bernardino[3], and the San Pedro Bay Ports[4], among others.

   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 requirement is 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.

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[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/

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. 3

Prohibit all vehicles from idling in excess of five minutes, both on warehouse property and on streets in the General Plan Amendment area. 4

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)]. 5

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 additional impacts through CEQA prior to allowing this higher activity level. 6

Limit project operations to non-refrigerated warehouse types of trucks and appurtenances (e.g., transportation refrigeration units, TRUs) included in the project description and analyzed in the Final EIR. If this equipment and associated higher emissions are anticipated to visit the site, the lead agency should commit to re-evaluating project impacts through CEQA prior to allowing this higher activity level. 7

Require at least a portion of the fleet to utilize alternative fueled technologies. 8

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. 9

Design the warehouse/distribution center such that any check-in point for trucks is well inside the facility property to ensure that there are no trucks queuing outside of the facility. 10

Restrict overnight parking in residential areas. Establish overnight parking within the warehouse/distribution center where trucks can rest overnight. 11

Due to the large roof area associated with this project, consider installing solar roof panels to reduce emissions from fossil fuel based electrical generating technologies providing electrical power to the project site. At a minimum, buildings should be designed to allow the installation of solar panels at a later date. 12

Use street sweepers that comply with SCAQMD Rules 1186 and 1186.1. 13

Trucking Support Services

2. The project is projected to accommodate nearly 2,000 trucks on a daily basis. In addition to the project's 2.24 million square feet of warehousing, there are several other warehouse projects in the area, including a recently proposed 40+ million square foot project. The trucks from all of these warehouse operations do not currently have any facilities in this portion of the city to serve their specific needs. Trucking support services can include truck repair, fueling, and overnight parking, hotels, restaurants, banking, etc. If these services are not easily accessible to this 14

project or surrounding projects, then truckers may have no choice but to make extra trips into the surrounding neighborhoods to find these services. In other parts of the basin, these extra trips and idling in surrounding neighborhoods has led to increased emissions affecting local residents. The lead agency should address how these trucking services will be provided to truckers serving this project and the other nearby projects. Potential measures to consider include:

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.
Improve traffic flow by signal synchronization.
Design the warehouse/distribution centers to ensure that truck traffic within the facility is located away from the property line(s) closest to its residential or sensitive receptor neighbors.

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Equipment Not Included in Air Quality Analysis

3. The Draft EIR includes a Health Risk Assessment (HRA) that evaluates the impact from two sources, trucks and employee cars. Although the lead agency has proposed encouraging the promotion of near-zero emission yard trucks, it isn't clear if all applicable on-site equipment are accounted for and included in the health risk assessment. Equipment that is commonly found at warehouses that is not included in the HRA or the air quality analysis includes hostlers (e.g., yard trucks), diesel generators, and transportation refrigeration units (TRU's). The Final EIR should estimate the emissions from these equipment types or specifically prohibit their use onsite.

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Health Risk Assessment Calculations

4. Several parameters used to determine potential health risks for the proposed project require further explanation or recalculation in the Final EIR. In addition to the comments below, details that should be provided in the Final EIR include the EMFAC modeling output and the dispersion modeling output. Should you have any questions regarding these parameters, please call AQMD staff at (909) 396-3244. AQMD staff notes the following items that are unclear in the HRA:

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   - The HRA assumes that 2025 is a representative year from EMFAC2007 for the entire 70 year span of the project. Further justification is needed to

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validate this assumption, especially considering the significantly higher emissions that are expected in the years preceding 2025, and the relatively unchanged emissions in the years following 2025. 17

- No emissions are calculated for onsite travel such as trucks traveling from Eucalyptus to building dock doors and back. Hostlers, diesel generators, and TRU's are also not included. 18
- The project description states that operations will occur 24 hours per day, 7 days per week while the HRA states that emissions will only occur 12 hours per day. 19
- The HRA assumes that half the trucks will travel east, while the other half travel west on Eucalyptus when exiting/entering the project site. The traffic study within the Draft EIR states that only 33% will travel west while the preponderance travel east. 20
- The HRA assumed that 12.5% of heavy duty trucks, 30% of medium duty trucks, and 80% of light duty trucks will use gasoline instead of diesel fuel. These values should be justified when considering the kinds of trucks that typically serve warehouses. AQMD staff recommends a default assumption of 100% diesel fueled trucks serving warehouses without further justification. 21
- The derivation of emission rates is unclear. For example, the HRA Emission Rate Worksheet shows a rate of 8.7E-05 g/s for heavy duty diesel trucks. AQMD staff was not able to reproduce this rate. For example, running EMFAC2007 at 70°, 50% humidity, year 2025, with a SCAQMD fleet yields an emission rate of 9.27E-05 g/s. 22
- It is not clear how the idling emission rate was derived. 23
- The effects of building downwash was included, however no mention was made that downwash does not work with volume sources in either the AERMOD or ISC dispersion model. In addition, if downwash is used in the final analysis, the building heights should match those found elsewhere in the Draft EIR. The HRA states that heights of 65 feet were used, however this is considerably taller than any building heights described in Appendix K. 24

On-Site Truck Idling Emissions

5. In the health risk effects analysis, the lead agency assumes that 1,246 heavy duty diesel trucks will operate daily at the project site. On page 4.3-17 in the Air Quality Section, the lead agency used only five minutes of idling in the emissions estimate for the health risk assessment. Although state regulations only allow five minutes of idling at any one time, trucks may idle for five minute periods several times on-site (e.g., queuing to enter the site, at the loading dock, exiting the site, etc.). AQMD staff therefore recommends an assumption of 15 minutes for on-site idling. If less than 15 minute of idling is used in the HRA, a mitigation measure should be added that requires the project proponent to limit *total* onsite idling time to the time used in the health risk assessment. 25

Truck Categorization

6. In the air quality analysis, the lead agency used the truck trip rate of 1.96 trips per 1,000 square feet of land use to estimate operational air quality impacts instead of the default CalEEMod land use model trip rate of 2.59. In addition, the lead agency assumed, as specified in the Transportation chapter of the Draft EIR, the vehicle fleet mix used to estimate truck emissions based on values recommended in the Fontana Truck Study. This study includes data for 2-axle, 3-axle, and 4+ axle trucks. Although EMFAC2007 also includes emission factors based on truck size, the splits are based however on vehicle weight, not axle. For the regional criteria pollutant calculations, the Draft EIR assumes that 2-axle and 3-axle trucks correspond to EMFAC2007 LDT1 and LDT2 vehicle classifications. LDT1 and LDT2 are for pickup trucks and are not typical of the higher emitting 2-axle and 3-axle trucks that would make deliveries at a warehouse. Based on guidance in Appendix E in the CalEEMod User Guide, 2-axle trucks should use the LHD1 classification, and 3-axle trucks should use MHD in the Final EIR. AQMD staff notes that these classifications were used for the Health Risk Assessment. — 26

Construction Mitigation Measures

7. In the Draft EIR, the lead agency has determined that project regional construction impacts exceed the AQMD recommended significance thresholds. AQMD staff therefore recommends the following changes and additional mitigation measures during the projected 12 month construction period in addition to the measures proposed starting on page 4.3-23 to further reduce ROG and NOx impacts, if applicable and feasible. — 27

Recommended change:

4.3.6.2D All clearing, grading, earthmoving, or excavation activities shall cease when winds (as instantaneous gusts) exceed 25 miles per hour per SCAQMD guidelines in order to limit fugitive dust emissions. — 28

Recommended addition:

Limit the amounts of daily soil disturbance to the amounts analyzed in the EIR. Prohibit truck idling in excess of five minutes, both on- and off-site. — 29

Further, other lead agencies in the region including LA County Metro, the Port of Los Angeles, and the Port of Long Beach have also enacted the following mitigation measures. AQMD staff recommends the following measures to further reduce air quality impacts from construction equipment exhaust: — 30

Project start to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier 3 off-road emissions standards. In

addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. 30

Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. 31

A copy of each unit's certified tier specification, BACT documentation, and CARB or AQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment. 32

For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html . 33

Average Vehicle Ridership

8. Mitigation measure 4.3.6.5B lists as one of the measures the development of trip reduction plans that will achieve 1.5 average vehicle ridership for businesses with fewer than 100 employees. Because AQMD's rule 2202 has been modified[5] to only apply to businesses with at least 250 employees, the mitigation measure should be modified to include businesses with fewer than 250 employees, rather than 100 employees. 34

[5] http://www.aqmd.gov/rules/reg/reg22/r2202.pdf

RESPONSE TO LETTER B-3

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Introduction Letter (Pages 1-2)

Response to Comment 1. The following responses address the South Coast Air Quality Management District's (District) specific comments on the air quality analysis in the Draft EIR, including the mitigation measures. The City believes the recommended mitigation measures are feasible and enforceable on future tenants of this project. The project air study does not support the commenter's contention that the main reason the project air emissions exceed the AQMD's daily thresholds is because the mitigation measures cannot be enforced. However, the City desires to address the District's recommendations to the extent feasible, so the applicant has agreed to allow the following modifications to Mitigation Measure 4.3.6.6A to incorporate the District's recommendations to eliminate "encouraged" with stronger enforceable language.

4.3.6.6A *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of ~~20~~ 10 percent until January 1, 2014. For building permits issued after that date, new state energy standards require a 20 percent reduction from 2008 Title 24, Part 6 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. ~~Any combination of~~ The following design features ~~including but not limited to the following list~~ shall be used to fulfill this requirement:*

- *Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.*
- *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 shall be installed, as deemed acceptable by the City. Automatic devices to turn off lights when they are not needed shall be implemented.*
- *To the extent that they are compatible with landscaping guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site.*
- *Paint and surface color palette for the project shall emphasize light and off-white colors which reflect heat away from the buildings.*
- *All buildings shall 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 shall implement the following:*
    - *Landscaping palette emphasizing drought-tolerant plants;*

- *Use of water-efficient irrigation techniques; and,*
- *U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.*

- *The project shall provide secure, weather-protected, on-site bicycle storage/parking.*
- *The project shall provide on-site showers (one for males and one for females). Lockers for employees shall be provided.*
- *The project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce greenhouse gas (GHG) emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.*
- *The project shall provide preferential parking for carpools and vanpools. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the project site plan.*
- *The project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the project building plans.*
- *Lease/purchase documents shall identify that tenants are encouraged to promote the following:*
  - *Implementation of compressed workweek schedules.*
  - *SmartWay partnership;*
  - *Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long-haul trips carried by SmartWay 1.0 or greater carriers.*
  - *Achievement of at least 15 percent 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 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
  - *Use of fleet vehicles conforming to 2010 air quality standards or better.*
  - *Installation of catalytic converters on gasoline-powered equipment.*
  - *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.*
  - *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles.*
  - *Provision of preferential parking for EV and CNG vehicles.*
  - *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.*
  - *Use of electric (instead of diesel or gasoline-powered) yard trucks.*

- *Use of SmartWay 1.25 rated trucks.*
- *Each facility operator shall provide regular sweeping of onsite parking and drive areas using street sweepers that comply with applicable SCAQMD Rules.*
- *Each facility operator shall maintain a log of all trucks entering the facility to ensure that, on average, the daily truck fleet meets applicable air quality emission standards. This log shall be available for inspection by City staff at any time.*
- *Each facility operator shall prohibit all vehicles from idling in excess of five minutes in all onsite areas.*
- *Each facility operator shall ensure that onsite staff in charge of keeping the daily log and monitoring for excess idling will be trained and certified in diesel health effects and technologies, such as by requiring attendance at CARB-approved courses.*
- *Each facility operator which upon occupancy does not already operate 2077 and newer trucks shall in good faith be required to apply for funding to replace or retrofit their trucks such as Carl Moyer, VIP, Prop 1B or similar funds. Should funds be awarded, the tenant shall be required to accept and use them.*

Response to Comment 2. The AQMD will receive a copy of the Final EIR, with the Response to Comments, at least 10 days prior to action on the project and EIR, as required under Section 15088(b) of the State CEQA Guidelines.

Technical Evaluation (Pages 3-8)

Response to Comment 1. The recommendations made by the SCAQMD are beyond the scope of this project-level EIR. Fleet-related requirements such as these are the responsibility of state-level agencies (e.g., California Air Resources Board)."

(1) Onsite vehicles to zero or near-zero emission technology – Mitigation Measure 4.3.6.6A requires the inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.

(2) Alternative fueling infrastructure – These technologies do not yet represent a significant share of the warehousing truck fleet, so it is burdensome to require one particular project to provide this infrastructure when it is not known what user will locate to this site, or to what degree the future user can control their truck fleet (i.e., large corporate user may have total control, smaller user fleets may be independent truckers who cannot afford the modifications to their trucks to accommodate these fuels.

(3) Phase-in of zero or near-zero technology – Response to Comment B-3, No. 2 below indicates that Mitigation Measure 4.3.6.6A encourages the future user of the site to participate in the SmartWay program. It should be noted that the end-user of the building is not know at this time and there is the possibility that participation in the SmartWay program may not be feasible.

(4) Loading docks or truck routes more than 500 feet from sensitive receptors – The Draft EIR clearly describes that the closest loading dock would be 664 feet from to the existing residential uses southeast of the site (Draft EIR page 4.3-17, 4th paragraph). In addition, Eucalyptus Avenue, the project's truck route both east and west to the freeway, would be 1,500 feet at its closest point to the residential uses.

Response to Comment 2. This mitigation might be appropriate if the project warehouses were being built and used by one large warehousing company that had its own truck fleet, but it is infeasible to apply this measure to a "speculation" project where the eventual end user is not known at this time. However, the City desires to address the District's recommendations to the extent feasible, so the applicant has agreed to allow the following modifications to Mitigation Measure 4.3.6.6A to incorporate the District's recommendations:

4.3.6.6A *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of ~~20~~ 10 percent until January 1, 2014. For building permits issued after that date, new state energy standards require a 20 percent reduction from 2008 Title 24, Part 6 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. ~~Any combination of~~ The following design features ~~including but not limited to the following list~~ shall be used to fulfill this requirement:*

- *Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.*
- *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 shall be installed, as deemed acceptable by the City. Automatic devices to turn off lights when they are not needed shall be implemented.*
- *To the extent that they are compatible with landscaping guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site.*
- *Paint and surface color palette for the project shall emphasize light and off-white colors which reflect heat away from the buildings.*
- *All buildings shall 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 shall implement the following:*
    - *Landscaping palette emphasizing drought-tolerant plants;*
    - *Use of water-efficient irrigation techniques; and,*
    - *U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.*
- *The project shall provide secure, weather-protected, on-site bicycle storage/parking.*
- *The project shall provide on-site showers (one for males and one for females). Lockers for employees shall be provided.*
- *The project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate*

carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce greenhouse gas (GHG) emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.

- *The project shall provide preferential parking for carpools and vanpools. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the project site plan.*
- *The project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the project building plans.*
- *Lease/purchase documents shall identify that tenants are encouraged to promote the following:*
  - *Implementation of compressed workweek schedules.*
  - *SmartWay partnership;*
  - *Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long-haul trips carried by SmartWay 1.0 or greater carriers.*
  - *Achievement of at least 15 percent 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 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
  - *Use of fleet vehicles conforming to 2010 air quality standards or better.*
  - *Installation of catalytic converters on gasoline-powered equipment.*
  - *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.*
  - *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles.*
  - *Provision of preferential parking for EV and CNG vehicles.*
  - *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.*
  - *Use of electric (instead of diesel or gasoline-powered) yard trucks.*
  - *Use of SmartWay 1.25 rated trucks.*
  - *Each facility operator shall provide regular sweeping of onsite parking and drive areas using street sweepers that comply with applicable SCAQMD Rules.*
  - *Each facility operator shall maintain a log of all trucks entering the facility to ensure that, on average, the daily truck fleet meets applicable air quality emission standards. This log shall be available for inspection by City staff at any time.*

- o *Each facility operator shall prohibit all vehicles from idling in excess of five minutes in all onsite areas.*
- o *Each facility operator shall ensure that onsite staff in charge of keeping the daily log and monitoring for excess idling will be trained and certified in diesel health effects and technologies, such as by requiring attendance at CARB-approved courses.*
- o *Each facility operator which upon occupancy does not already operate 2077 and newer trucks shall in good faith be required to apply for funding to replace or retrofit their trucks such as Carl Moyer, VIP, Prop 1B or similar funds. Should funds be awarded, the tenant shall be required to accept and use them.*

In addition, the City will consider application of these actions on future truck-intensive projects in the area. The District also recommended additional mitigation measures that are addressed in the following Responses to Comments B-3, Nos. 3 through 14.

Response to Comment 3. Truck log – this item has been added to Mitigation Measure 4.3.6.6.A (see Response to Comment B-3, No. 2 and Final EIR, Section 3.0, *EIR Errata and Additions*).

Response to Comment 4. Idle limits - this item has been added to Mitigation Measure 4.3.6.6A (see Response to Comment B-3, No. 2 and Final EIR, Section 3.0, *EIR Errata and Additions*).

Response to Comment 5. Log monitor training - this item has been added to Measure 4.3.6.6A (see Response to Comment B-3, No. 2 and Final EIR, Section 3.0, *EIR Errata and Additions*).

Response to Comment 6. The traffic levels projected in the EIR are considered to be conservative and protective of the environment and public health. Realistically, it is anticipated that the project traffic generation might also be considerably less than indicated in the Draft EIR, depending on the actual user(s) that locate within this project. The City believes the items outlined in Mitigation Measure 4.3.6.6A, including all the recommended additions described in Responses to Comments B-3, Nos. 2-5 and 11-13 are adequate to reduce project emissions. However, considering the volume of emissions generated and current commuter habits, it is unlikely the implementation of TDMs/TCMs described in the EIR will result in a reduction of operational project emissions to below existing localized operation emissions thresholds. Long-term air quality impacts resulting from the operation of the proposed project would remain significant and unavoidable.

Response to Comment 7. Again, the traffic levels projected in the EIR are considered to be conservative and protective of the environment and public health. The City believes the items outlined in Mitigation Measure 4.3.6.6A, including all the recommended additions described in Responses to Comments B-3, Nos. 2-5 and 11-13 are adequate to reduce project emissions to the extent practical.

Response to Comment 8. This measure would be onerous and difficult if not impossible to implement for a particular warehouse project, especially one such as this where the ultimate end user is not known. The City believes the items outlined in Mitigation Measure 4.3.6.6A, including all the recommended additions described in Responses to Comments B-3, Nos. 2-5 and Nos. 11-13 are adequate to reduce project emissions to the extent practical.

Response to Comment 9. Measure 4.3.6.6A require the project applicant to encourage the use of the SmartWay program for the leasee to reduce truck emissions over the long-term. The City believes the items outlined in Mitigation Measure 4.3.6.6A including all the recommended additions described in Responses to Comments B-3, Nos. 2-5 and 11-13 are adequate to reduce project emissions to the extent practical.

4.3.6.6A *Prior to issuance of the first building permit, building and site plan designs shall ensure*

that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of ~~20~~ 10 percent until January 1, 2014. For building permits issued after that date, new state energy standards require a 20 percent reduction from 2008 Title 24, Part 6 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. ~~Any combination of~~ The following design features ~~including but not limited to the following list~~ shall be used to fulfill this requirement:

- *Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.*
- *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 shall be installed, as deemed acceptable by the City. Automatic devices to turn off lights when they are not needed shall be implemented.*
- *To the extent that they are compatible with landscaping guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site.*
- *Paint and surface color palette for the project shall emphasize light and off-white colors which reflect heat away from the buildings.*
- *All buildings shall 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 shall implement the following:*
    - *Landscaping palette emphasizing drought-tolerant plants;*
    - *Use of water-efficient irrigation techniques; and,*
    - *U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.*
- *The project shall provide secure, weather-protected, on-site bicycle storage/parking.*
- *The project shall provide on-site showers (one for males and one for females). Lockers for employees shall be provided.*
- *The project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce greenhouse gas (GHG) emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.*
- *The project shall provide preferential parking for carpools and vanpools. Locations and configurations of proposed preferential parking for carpools and vanpools are*

subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the project site plan.

- *The project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the project building plans.*
- *Lease/purchase documents shall identify that tenants are encouraged to promote the following:*
  - *Implementation of compressed workweek schedules.*
  - *SmartWay partnership;*
  - *Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long-haul trips carried by SmartWay 1.0 or greater carriers.*
  - *Achievement of at least 15 percent 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 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
  - *Use of fleet vehicles conforming to 2010 air quality standards or better.*
  - *Installation of catalytic converters on gasoline-powered equipment.*
  - *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.*
  - *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles.*
  - *Provision of preferential parking for EV and CNG vehicles.*
  - *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.*
  - *Use of electric (instead of diesel or gasoline-powered) yard trucks.*
  - *Use of SmartWay 1.25 rated trucks.*
  - *Each facility operator shall provide regular sweeping of onsite parking and drive areas using street sweepers that comply with applicable SCAQMD Rules.*
  - *Each facility operator shall maintain a log of all trucks entering the facility to ensure that, on average, the daily truck fleet meets applicable air quality emission standards. This log shall be available for inspection by City staff at any time.*
  - *Each facility operator shall prohibit all vehicles from idling in excess of five minutes in all onsite areas.*
  - *Each facility operator shall ensure that onsite staff in charge of keeping the daily log and monitoring for excess idling will be trained and certified in diesel health effects and technologies, such as by requiring attendance at CARB-approved courses.*

- o *Each facility operator which upon occupancy does not already operate 2077 and newer trucks shall in good faith be required to apply for funding to replace or retrofit their trucks such as Carl Moyer, VIP, Prop 1B or similar funds. Should funds be awarded, the tenant shall be required to accept and use them.*

Response to Comment 10. The project site plan has already been checked by City staff for this component and there is sufficient stacking distance within the project.

Response to Comment 11. No residential areas are immediately accessible to the project site from the two main freeway access points (i.e., along Eucalyptus Avenue west to Redlands Boulevard and west to Moreno Beach Drive). Overnight parking of trucks in residential areas is prohibited by the City.

Response to Comment 12. The roofs of all buildings within the proposed project will be capable of supporting photovoltaic solar panels. As shown below, ProLogis has a strong history of installing solar panels on its warehouse projects:

Description	Bldg Size (SF)	Megawatts (Mw)
Ontario Airport #2	562,089	2.55
Ontario Airport #3	369,086	1.41
Ontario Airport #4	680,925	2.85
Ontario Airport #5	241,367	0.773
Rialto I-210 DC #2	1,197,051	8.6
Rialto I-210 DC #3	543,400	2.62
Vista Rialto DC #1	436,650	
Kaiser DC #2	577,905	2.25
Kaiser DC #5	757,765	4.5
Kaiser DC #6	544,768	1.94
Kaiser DC #7	872,380	4.688
Transpark DC #1	849,054	3.86
Redlands DC #1	467,853	3.4
Redlands DC #2	259,572	1.75
Redlands DC #3	446,050	3.2
Redlands DC #4	683,269	5.0176
Redlands DC #5	699,350	4.9
Redlands DC #6	600,306	3.09
San Bernardino DC #1	758,139	4.85
Redlands DC #10 (to start Q4 '12)		
	12,860,449	**68.67**

Response to Comment 13. This item (street sweeping) has been added to Mitigation Measure 4.3.6.6A to require compliance with applicable SCAQMD rules (refer to Response to Comment B-3, No. 2 above).

Response to Comment 14. The recommendations regarding "Trucking Support Services" are all beyond the scope of this project-level EIR. As stated in the comment, these measures are suggested as City requirements that would be applied to any truck-intensive projects in the City.

Response to Comment 15. The combination of the very conservative assumptions required of all health risk assessments with the very small amount of emissions from yard trucks (the project does not plan to use any diesel generators nor allow TRUs during normal operations) compared to the

large emissions from the many heavy-duty haul trucks idling and driving around mean that the HRA as published, which shows health risk levels less than half of the significance thresholds, adequately analyzes the risks to public health from the project operations.

Response to Comment 16. The HRA modeling only allows for one emission rate for the diesel engines to represent the entire 70-year period from opening year (2013) until 2083. The available emissions factors model (EMFAC) only has factors thru 2040. Thus, there is no information available about how the diesel emissions will change from 2040 until 2083. It is pure guesswork to predict how the diesel emissions will change over this period. To assume that the emissions during this 43 year period will not change at all is a very conservative assumption – there is a real possibility that all diesel engines will have been replaced by an alternative power source before 2083 resulting in zero diesel particulate emissions. Selecting the best year between 2083 and 2013 to represent the average is somewhat arbitrary – the median is 2048, outside the range of available factors. EMFAC incorporates expectations of technological improvements that would result in lower emissions over the period from the 1990s thru 2040, however it does not include everything – for instance it does not include the law just passed in August 2012 that sets the average mileage of cars and light trucks to 54.5 miles per gallon by 2025. While this does not include the heavy-duty trucks the HRA is focused on, it is an indication that there will be aggressive regulations in the future reducing these diesel emissions below what is in the EMFAC model. While using the emissions factors for 2040 as an average is not optimal due to the higher existing emissions, using 2013 factors as an average is unreasonably conservative also. In our best engineering judgment, 2025 is the best set of emissions factors to represent this complicated issue.

It should be noted that all of the details for calculating health risks of the proposed project were provided in Appendix B of the Draft EIR, including the EMFAC and dispersion modeling outputs. In addition, “active” CalEEMod and supporting computer files were sent to the AQMD during the EIR review period to allow for replication and verification of the HRA report results.

Response to Comment 17. Refer to Response to Comment B-3, No. 16 above.

Response to Comment 18. Refer to Response to Comment B-3, No. 16 above. The emissions for trucks idling at the load bays and for vehicle operating on the roadways were explicitly modeled. The emissions for the trucks moving the short distances from the loading docks to the driveways were included in the modeling, just without explicit emissions sources (those emissions were included with the roadway sources). Since there are no sensitive receptors between where the trucks are traveling from the loading docks to the driveway and the roadway sources, this simplification of the modeling results in the same health risk levels as a more detailed modeling with the additional emissions sources. There are no diesel generators planned and TRUs will not burn diesel fuel because any refrigerated trucks will plug in and their TRUs run off that electricity. There are also no plans for onsite diesel-powered hostlers or other diesel-powered equipment.

Response to Comment 19. The project is expected to operate 24 hour per day. Modeling the actual number of trucks that are planned to operate over 24 hours as if they operated over 12 hours results in much higher hourly emissions. Thus, the HRA is protective of human health in case there is a change in the project operations to only operate 12 hours per day.

Response to Comment 20. The vast majority (over 90 percent) of the project’s diesel particulate emissions are from the trucks idling on the project site, so adjusting the amount of trucks traveling east and west will have only a very minor effect on the HRA results. The HRA assumed a relatively equal split for east-west trip distribution so the results would not be biased relative to the closest sensitive receptor to the project site (i.e., residential southeast of site) that could otherwise result from an unequal distribution of projected versus actual project trips.

Response to Comment 21. While assuming that 100% of the trucks will be diesel is certainly worst case, it overstates the real-world condition that some trucks use gasoline. The HRA is a careful balance of assumptions, some already very conservative (such as assuming people live in one place for 70 years and stay in that house 24 hours a day for 350 days out the year). The fuel use percentages are from the URBEMIS model. These are percentages there to best represent the real-world operations for projects modeled using the URBEMIS model. Since it is not known what the actual warehouse operator will use, using this published representative fuel use percentages is the best method to model the future use. The carcinogenic health risk at the nearest residences for individuals living there for 70 years was identified in the DEIR as 4.33 in 1 million. Changing the percentage of trucks using diesel from the URBEMIS parameters to 100% would certainly increase the estimate carcinogenic health risk.

Response to Comment 22. The PM_{10} emissions factor from EMFAC2007 at 50°, 50% humidity, 2025, SCAQMD fleet for HDT traveling at 40mph is 0.095 g/mile/truck. To derive the corresponding project emissions rate in g/sec, the g/mile rate is adjusted by the distance covered between volume sources per second. Thus, 0.095 g/mi is multiplied by 117 meter source spacing. And, since this is to convert from trucks per day to emissions per second, the result is divided by 86,400 sec/day. So, 0.095 * 117 * 0.0006214 meters/mile / 86,400 = 8.0E-08 g/s/truck. With 1,246 trucks per day that are 87.5% diesel, this becomes 8.7E-05 g/s.

Response to Comment 23. The idling emissions factors were from EMFAC2007 for HDT at 0.396 g/hr. The following table lists the derivation of the individual emissions rates:

Idling Emissions of Diesel Particulate

	No. of diesel trucks per day	Minutes Idling	Idling Emission Factor	Number of Sources	Emission Rates per Source		
					g/s	lb/hr	lb/yr
Building 1	89	5	0.396	3	9.9E-06	7.9E-05	0.7
Building 2	594	5	0.396	12	1.7E-05	1.3E-04	1.2
Building 3	84	5	0.396	3	9.4E-06	7.5E-05	0.7
Building 4	234	5	0.396	5	1.6E-05	1.3E-04	1.1
Building 5	269	5	0.396	6	1.5E-05	1.2E-04	1.0
Building 6	224	5	0.396	6	1.2E-05	9.5E-05	0.83

For example, for Building 1:89 * 87.5% / 24 * 5 min / 60 * 0.396 / 3,600 / 3 sources

Response to Comment 24. All of the emissions sources in proximity to the project building that could be affected by the building downwash are point sources, which do work correctly with building downwash. The building height used was an estimate made before the project design had progressed far enough to include the building heights described in the DEIR. The HRA has not been updated to use the planned building heights for two reasons – using a higher building height results in greater building wake affects and higher health risk levels, so is conservative. Secondly, the effects of building wake affects diminish quickly the further the residence of concern is downwind. At the distance of the nearest residence the building wake affect is making a negligible difference

Response to Comment 25. The site is designed so that there will not be any queuing while entering the site, the trucks will proceed immediately from the loading docks immediately to their truck route and vice versa. While it is possible that there will be isolated trucks that stop briefly while in transit, it is expected that the number of occurrences will be so small as to not affect the health risk assessment.

Response to Comment 26. The project trip rate used in the air quality analysis matches what was used in the project traffic study. That study explains the project trip rate selection. The conversion of these factors between EMFAC and CalEEMod is difficult, due to the nomenclature differences. The air quality study used the fleet defaults built into the CalEEMod model to characterize the project operational emissions as the most representative of the expected emissions. As the HRA did not use the same fleet assumptions as the operational air quality analysis, as noted by SCAQMD staff, the HRA used the CalEEMod classifications. ~~these fleet EMFAC adjustments were different.~~

Response to Comment 27. As detailed in Responses 28-33, the mitigation measures have been modified to include all feasible SCAQMD mitigation language suggestions. Since the effectiveness of these mitigation measures is not included in the analysis, the analysis represents a worst-case post-mitigation analysis.

Response to Comment 28. Mitigation Measure 4.3.6.2D has been modified to incorporate this clarification as follows:

4.3.6.2D *All clearing, grading, earthmoving, or excavation activities shall cease when winds (as instantaneous gusts) exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*

Response to Comment 29. Mitigation Measure 4.3.6.2D has been modified to include a provisions that grading shall be stopped when instantaneous gusts exceed 25 mph to help further minimize offsite dust impacts. Restricting the number of acres grading on any one day is not reasonable. The CalEEMod calculates a total grading disturbed area many times the size of the project site based on the idea that there are multiple graders, dozers, scrapers, etc. making multiple passes during any one day. This suggested measure to limit simultaneous disturbance of the site to 5 acres per day would not change the results of the air quality modeling and projected air emissions identified in the Draft EIR and in fact may increase emissions due to the grading inefficiencies created by this restriction. By grading a smaller area it prolongs the grading process and releases dust and vehicular emissions (grading construction workers going back and forth to the site over a greater period of time and grading equipment moving around the site) into the air basin over a longer period of time. In addition, the 120-acre project generally slopes at approximately 2% from north to south. Areas on the northern half of the project will have dirt removed (cut) while areas to the south will have dirt added (fill). To achieve this will require that dirt be moved over more than 5 acres per day. To limit the grading operation to any one 5 acre area per day area would result in the same dirt being deposited and picked up many times as it is “hop scotched” to its final location rather than transporting the dirt in one move. A 5-acre daily limitation would result in more, not less, grading equipment emissions. The grading contractor is motivated to move the dirt as efficiently as possible resulting in the lowest amount of equipment run time which also results in the lowest amount of emissions. There are also logistical considerations getting construction equipment and people back and forth to the site.

Response to Comment 30. The agencies mentioned have much more control over truck operations and activities within their respective jurisdictions compared to the City of Moreno Valley. However, the City and the applicant have agreed to add this requirement into Mitigation Measure 4.3.6.2C. The measure has been amended as follows as is included in Final EIR, Section 3.0, *EIR Errata and Additions:*

4.3.6.2C *Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.*

Project start to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 horsepower shall meet Tier 3 off-road emission standards. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emission control devices used by the contractor shall achieve emission reductions that are no less than what would be achieved by a Level 3 diesel emission control strategy for a similarly sized engine as defined by CARB regulations.

Post January 1, 2015: All off-road diesel–powered construction equipment greater than 50 horsepower shall meet Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emission control devices used by the contractor shall achieve emission reductions that are no less than what would be achieved by a Level 3 diesel emission control strategy for a similarly sized engine as defined by CARB regulations.

A copy of each unit's certified tier specifications, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

Response to Comment 31. The City and the applicant have agreed to include this requirement into Mitigation Measure 4.3.6.2C. The measure has been amended as indicated above in Response to Comment B-3, No. 30 and is included in Final EIR, Section 3.0, *EIR Errata and Additions.*

Response to Comment 32. The City and the applicant have agreed to include this requirement into Mitigation Measure 4.3.6.2C. The measure has been amended as indicated above in Response to Comment B-3, No. 30 and is included in Final EIR, Section 3.0, *EIR Errata and Additions.*

Response to Comment 33. Many of the activities listed in the referenced CEQA Handbook have already been incorporated or have been added to the project mitigation, as outlined in previous responses in this section regarding mitigation.

Response to Comment 34. Mitigation Measure 4.3.6.5B has been modified to include businesses with fewer than 250 employees, rather than 100 employees.

LETTER B-4: RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Letter B-4

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

51183

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

RECEIVED
SEP 17 2012
CITY OF MORENO VALLEY
Planning Division

City of Moreno Valley
Community Development Department -
Planning Division
Post Office Box 88005
Moreno Valley, California 92552-0805

Attention: Jeff Bradshaw

Ladies and Gentlemen: Associate Planner

Re: ProLogis Eucalyptus Industrial Park

The District does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check city land use cases, or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided. — 1

The District has not reviewed the proposed project in detail and the following checked comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety or any other such issue: — 2

___ No comment.

___ This project would not be impacted by District Master Drainage Plan facilities nor are other facilities of regional interest proposed.

X This project may involve District Master Plan facilities. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required. — 3

___ This project proposes channels, storm drains 36 inches or larger in diameter or other facilities that could be considered regional in nature and/or a logical extension of the adopted _____ Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.

X This project is located within the limits of the District's Moreno Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit. — 4

X An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities. For further information, contact the District's encroachment permit section at 951.955.1266. — 5

X The Districts previous comments are still valid. — 6

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt. — 7

If this project involves a Federal Emergency Management Agency (FEMA) mapped flood plain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy. — 8

If a natural watercourse or mapped flood plain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit. — 9

Very truly yours,

HENRY OLIVO
Engineering Project Manager

Date: 9/10/2012

c: Riverside County Planning Department
Attn: Kristi Lovelady

R:\PLO1101\PDF_LSA\2012 DEIR\RTC-FEIR\B-4.cdr (09-20-12)

February 14, 2008

Mr. Jeff Bradshaw, Associate Planner
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92552-0805

Dear Mr. Bradshaw:

Re: Notice of Preparation of a
Draft Environmental Impact Report for
ProLogis Park Moreno Valley Eucalyptus

This letter is written in response to the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for ProLogis Park Moreno Valley Eucalyptus. The proposed project includes a General Plan Amendment (GPA), a Change of Zone (CZ), a Tentative Parcel Map, Municipal Code Amendment, and a Plot Plan. The project site encompasses approximately 122 acres and is bounded in general by State Route 60, Quincy Street, Eucalyptus Avenue and Pettit Street in the city of Moreno Valley, County of Riverside.

The Riverside County Flood Control and Water Conservation District has the following comment: 6

> The proposed project is located within the Moreno Master Drainage Plan (MDP). When fully implemented, these MDP facilities will provide flood protection to relieve those areas within the plan of the most serious flooding problems and will provide adequate drainage outlets. The DEIR should address impacts to MDP facilities within the proposed project area. To obtain further information on the MDP and the proposed facilities, please contact Dale Anderson of the District's Planning Section at 951.955.1345.

Thank you for the opportunity to review the NOP and Initial Study. Please forward any subsequent environmental documents regarding the project to my attention at this office. Any questions concerning this letter may be referred to Art Diaz at 951.955.4643 or me at 951.955.1233.

Very truly yours,

TERESA TUNG
Senior Civil Engineer

c: TLMA
Attn: David Mares
Dale Anderson

AD:mcv
P8\117913

RESPONSE TO LETTER B-4

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Response to Comment 1. The City thanks the District for_clarifying its role in the project review process relative to flood control issues.

Response to Comment 2. The City does not infer the District's approval or endorsement of the proposed project.

Response to Comment 3. The City and the developer understand the project improvement review and approval process. The applicant will contact the District to coordinate the design and maintenance of the Quincy Channel as needed.

Response to Comment 4. The City and the applicant understand the project is within the Moreno Area Drainage Plan and the project will pay applicable fees in this regard.

Response to Comment 5. The applicant will obtain an encroachment permit from the District if necessary for work related to the Quincy Channel.

Response to Comment 6. The City and the applicant understand the District's NOP comments on the project are still valid.

Response to Comment 7. The City and the applicant understand that the project may require an NPDES permit from the Regional Water Quality Control Board.

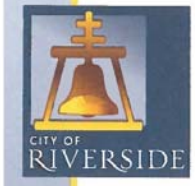
Response to Comment 8. The City and the applicant understand that a CLOMR and/or a LOMR may be required for this project – one or both will be obtained if necessary as part of the subsequent development review process if the project is approved.

Response to Comment 9. The City and the applicant understand that a 1602 Agreement will be needed with Fish and Game, a 401 Certification will be needed from the Regional Water Quality Control Board, and a 404 permit may be required from the U.S. Army Corps of Engineers. The applicant would obtain the necessary permits in this regard subsequent to approval of the proposed entitlements.

C. LETTERS FROM LOCAL AGENCIES

LETTER C-1: CITY OF RIVERSIDE

Letter C-1



Community Development
Department
Planning Division

September 4, 2012

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley CA, 92553

SUBJECT: Notice of Availability (NOA) of a Draft Environmental Impact Report for the Prologis Eucalyptus Industrial Park Project in Moreno Valley

Dear Mr. Bradshaw:

Thank you for the opportunity to review and comment on the Notice of Availability (NOA) of a Draft Environmental Impact Report (DEIR) for the Prologis Eucalyptus Industrial Park Project proposed on approximately 122.8 acres generally located south of and adjacent to State Route (SR)-60, east of the Moreno Valley Auto Mall and adjacent to and west of the Quincy Channel. As described in the DEIR, the project consists of the development of six distribution warehouse facilities totaling 2,224,419 square feet. Associated with this project is a General Plan Amendment to change the land use designation of 71.3 acres of the project site from Residential (R15, R5, and R2) to Business Park (BP) so the entire site would then be designated Business Park (BP).

City of Riverside staff has reviewed the DEIR and offers the following comments:

- The proposed General Plan Amendment will change the land use designation of 71 acres from residential to a business park designation allowing for large warehouse distribution facilities which will result in a substantial increase in truck trips beyond what is currently anticipated in the Moreno Valley General Plan. The County Transportation Uniform Mitigation Fee (TUMF) model is based on the existing Moreno Valley General Plan and as such did not account for this major change of 71 acres to distribution warehousing facilities. As a result, payment of TUMF does not sufficiently mitigate traffic impacts of the proposed project. — 1

- The traffic analysis section of the DEIR is limited in scope as it only analyzes localized traffic impacts within Moreno Valley at 17 intersections, most of which are within a mile radius of the project site, yet the project involves a large warehouse development (over 2.2 million square feet) that will generate substantial truck traffic. Taken together, passenger vehicle and truck traffic is equivalent to over 7,500 passenger vehicle trips a day in terms of traffic impact. The DEIR needs to analyze project impacts regionally, — 2

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considering cumulative impacts of significant truck traffic that will be added with the proposed project along with traffic that will be generated by other projects in Moreno Valley including the proposed RPT Centerpointe West Project (1.28 million square-foot warehouse development) and the a pending EIR for the World Logistics Center – over 40 million square feet of warehouse distribution facilities. These cumulative impacts to the City of Riverside have not been fully analyzed and are potentially significant. 2

- Another regional impact that has not been appropriately evaluated in the DEIR includes the impacts generated by vehicles (those that would normally travel west along the SR-60 Freeway toward I-125/SR-91 interchange). Motorists will find the "path of least resistance" when the freeways are congested and take routes on City of Riverside arterials such as Van Buren and Alessandro Boulevards to get to the SR-91 Freeway. The DEIR shows that project trips will travel south from the project site to Cottonwood Street and Alessandro Boulevard then travel west towards the I-215 Freeway and Riverside. Beyond the I-215 Freeway, a percentage of these project trips will utilize Alessandro or Van Buren Boulevards to access SR-91 Freeway. As a result, the DEIR needs to fully evaluate the spill-over effect on these streets within the City of Riverside to 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. Specific mitigation or fair share contribution toward mitigation (beyond TUMF) may be needed to address impacts to the City of Riverside. 3

- The DEIR finds that segments of the SR-60 Freeway (both westbound and eastbound) currently operate at an unacceptable level of service (LOS). The project is cumulatively significant and will worsen the existing unacceptable LOS on freeway segments. The DEIR also states that "neither the project applicant nor the City of Moreno Valley have jurisdiction over the Caltrans facilities; therefore, implementation of improvements to the freeway mainline cannot be guaranteed. Additionally, the RTIP has no projects programmed on the SR-60 within the study area and Caltrans does not have a mechanism for development projects to contribute to improvements on State highways. Given this significant unavoidable impact which cannot be mitigated, the impacts will spill over onto other roadways including City of Riverside streets as discussed above, further emphasizing the need to further analyze and mitigate the spill-over impacts to the City of Riverside. 4

- In addition to primary concerns related to unmitigated traffic impacts to the City, as described above, the DEIR finds that the project will result in an excessive number of impact areas (a total of five including transportation/traffic) with significant unavoidable environmental impacts where a statement of overriding considerations is needed. The impact areas found to have significant impacts include Aesthetics, Agricultural Resources, Air Quality, Land Use and Planning, and Transportation/Circulation. These impacts are excessive and as a result the proposed General Plan Amendment to add 71 acres of warehouse distribution facilities is inappropriate and other project alternatives need to be further considered to reduce the number of significant impacts. 5

City of Riverside staff appreciates Moreno Valley's consideration of the comments provided in this letter. Please forward any updated environmental documents to the City of Riverside Planning Division for further review. Should you have any questions regarding this letter, please feel free to contact Doug Darnell, AICP Senior Planner, at (951) 826-5219 or ddarnell@riversideca.gov. 6

Sincerely,

Steve Hayes, AICP
City Planner

c: Ronald Loveridge, Mayor
Riverside City Council Members
Scott Barber, City Manager
Deanna Lorson, Assistant City Manager
Al Zelinka, FAICP, Community Development Director
Kristi Smith, Supervising Deputy City Attorney
Tom Boyd, Public Works Director
Steve Libring, Traffic Engineer
John Terell, Planning Official, City of Moreno Valley14177 Frederick Street Moreno Valley, CA 92553
LSA Associates, Inc., 1500 Iowa Avenue, Suite 200 Riverside, California 92507

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RESPONSE TO LETTER C-1

CITY OF RIVERSIDE

Response to Comment 1. The comment has accurately summarized the characteristics of the proposed project. It is correct that the project proposes a change in land use 71 acres of land from residential uses to warehousing uses. As noted on Page 18 of the traffic study, currently 5 percent of the project site is designated as R2 Residential, 2 percent as R5 Residential, 41 percent as R15 Residential, and the remaining 34 percent as Business Park/Light Industrial. Table E of the Traffic Study (DEIR Table 4.11.E on page 4.11-15 of the DEIR) illustrates a comparison between the trip generation of the site as presently zoned, and the trip generation of the proposed project. As can be seen in Table E, compared to the present zoning, the project produces 6,702 fewer trips per day, with 885 fewer trips in the a.m. peak hour and 939 fewer trips in the p.m. peak hour. Please note that these trips are PCE trips, so the effects of trucks have been included in the trip generation. Therefore, the commenter is mistaken in the statement that the project increases the number of trips. On the contrary, the proposed project actually reduces the future number of PCE trips compared to approved land uses on the site. The comment also asserts that payment of the TUMF does not sufficiently mitigate the traffic impacts of the proposed project. The Mitigation Measures identified in Section 4.11.6.4.E of the DEIR outline the specific improvements required to mitigate the direct and cumulative impacts of the project. This section also identifies where the required improvements are programmed into the DIF and TUMF. In cases where the improvements are not programmed, the project would be responsible to implement the improvements, as outlined in Section 4.11.6.4.E. As a result, the impacts of the project will be fully mitigated prior to issuance of the Certificate of Occupancy by the City, either through payment of the DIF, TUMF, or by a fair-share participation in improvements that are not included in these funding programs.

Response to Comment 2. The City selected the intersections for analysis in accordance with the guidelines established by the City's Traffic Impact Analysis Preparation Guide (i.e., 50 or more peak hour trips within a five mile radius) and as accepted and required by the City of Moreno Valley in their Traffic Impact Assessment (TIA) guidelines. It should be noted that this is the same criteria for selection of a study area in the City of Riverside Traffic Impact Analysis Preparation Guide. It should also be noted that the project does not add more than 50 trips at intersections farther than those included in the analysis. In addition, Response to Comment C-1, No. 1 above demonstrates the proposed project actually reduces the number of PCE trips that would be generated on the project site from the previously considered project. Since the World Logistics Center and RPT Centerpointe West projects were initiated after the NOP for this project went out, the trips from these two projects are not required to be and have not been included in this analysis. See also Response to Letter A-2, Comment No. 8.

Response to Comment 3. The comment states that the redistribution of traffic caused by the project was not appropriately analyzed in the DEIR - this statement is incorrect. The 2035 analysis was prepared using forecasts from the RivTAM traffic model, which distributes traffic according to the "path of least resistance", as requested in the comment. The select zone assignment prepared for the project shows that approximately 5 percent of project traffic, equating to fewer than 50 trips, would utilize Alessandro and Van Buren Boulevards in the City of Riverside. Changes in the distribution of traffic within the City of Riverside due to the influence of the project were not evaluated, as these roadways and intersections do not meet the criteria for inclusion into the project study area. An explicit analysis of "spill-over" traffic, as requested in the comment, is not required by the traffic study guidelines adopted by the Cities of Moreno Valley or Riverside, or the County of Riverside. The comment also asserts that the TUMF program may not adequately mitigate project impacts due to "spill-over" traffic. This comment is also incorrect. The TUMF Nexus Study prepared by Parsons Brinckerhoff in October 2009 relied upon traffic forecasts from the RivTAM traffic model. As noted previously, the RivTAM traffic model assigns traffic based on the "path of least resistance".

Additionally, the General Plan land use planned for the project site, and included in the RivTAM, would generate more trips than the proposed project. As a result, the forecasts prepared for the TUMF Nexus Study would be a more conservative estimate of "spill-over" traffic than would be experienced with the project, and the projects programmed in the TUMF would be adequate to mitigate project impacts.

Response to Comment 4. The RIVTAM traffic model was used to generate forecast traffic volumes for no project and with project condition. The methodology utilized by the RivTAM traffic model to assign trips to the roadway network minimizes travel time and delay for trip origins and destinations within the model network. As such, if a faster route was observed, then a significant diversion of trips should have been seen on these routes. However, significant diversion of traffic was not observed between the no-build and build conditions. Furthermore, the modeling indicated that diversion of trips on to surface streets under without and with project conditions are anticipated to be minimal (a maximum diversion of 7 peak hour PCE trips is forecast at on Alessandro Boulevard). Please note that compared to the present zoning, the project produces 6,702 fewer trips per day, with 885 fewer trips in the a.m. peak hour and 939 fewer trips in the p.m. peak hour, and based on the model runs, the trips on surface streets in the City of Riverside are generally lower under conditions where the proposed zone change is approved.

Response to Comment 5. The commenter is correct that the project involves a General Plan Amendment and Zone Change, and the Draft EIR does identify a number of significant impacts for the proposed project. The purpose of an EIR is to disclose potential impacts of the project to the public and to decision makers. Utilizing the information provided in the DEIR, the decision makers will determine whether the benefits of the project outweigh the environmental impacts of the project.

Response to Comment 6. The City of Moreno Valley will keep the City of Riverside informed regarding the review process for this project, and the City of Riverside will have an opportunity to review these responses prior to action on the ProLogis project.

D. LETTERS FROM PRIVATE ORGANIZATIONS AND INDIVIDUALS

LETTER D-1: LOZEAU DRURY, LLP

Letter D-1

LOZEAU DRURY LLP
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Oakland, Ca 94607
www.lozeaudrury.com
michael@lozeaudrury.com

August 29, 2012

Via email

Jeff Bradshaw
Associate Planner
City of Moreno Valley, Planning Division
14177 Frederick Street
Post Office Box 88005
Moreno Valley, CA 92553
Email: jeffreyb@moval.org

Re: Comment on Draft Environmental Impact Report for ProLogis Eucalyptus Industrial Park (State Clearinghouse No. 2008021002)

Dear Mr. Bradsahw:

I am writing on behalf of Laborers International Union of North America, Local Union No. 1184, and its members living in Riverside County ("LIUNA Local Union No. 1184") regarding the Draft Environmental Impact Statement ("DEIR") for the ProLogis Eucalyptus Industrial Park, State Clearinghouse No. 2008021002 ("Project").

On Tuesday, August 28, 2012, we made a request that the City of Moreno Valley ("City") extend the comment period for the DEIR due to substantial information requiring additional time for review and comment. You responded today, August 29, 2012 that you respectfully decline to grant the request for additional time.

Today, we sent you an email requesting Appendix L. Appendix L is referenced in the DEIR. In pertinent part, the DEIR states:

> **Mitigation Measures.** The potential mitigation measures identified by the City's General Plan have been deemed infeasible by the property owner under current economic conditions. In addition, supplementary analysis of the project site and local economic conditions indicates that continued citrus production and/or the raising of row crops would not be economically feasible on the project site (*see Appendix L*).

(DEIR, p. 4.2-8) (emphasis added). The DEIR does not contain an Appendix L.

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The current comment period closes on Tuesday, September 4, 2012, and the City has failed to provide access to a critical document referenced in the DEIR that is required by law to be made available to the public during the entire DEIR comment period. The City is in violation of CEQA's Section 21092(b)(1) requirement which mandates that "all documents referenced in the draft environmental impact report or negative declaration" be available for review and "readily accessible" during the entire comment period. PRC § 21092(b)(1). Even if the requested document were to be made available to the public today, there is insufficient time for the public to review and comment on this document at this time. 1

Accordingly, we request that the City extend the comment period for the ProLogis Eucalyptus Project until at least forty-five (45) days from the date that the City makes available all documents referred to in the DEIR.

Given the shortness of time before the current comment deadline, please contact me as soon as possible with your response to this request. Feel free to call me at (510) 836-4200 should you have any questions.

Sincerely,

Richard T. Drury
Christina Caro
Brooke O'Hanley
Lozeau Drury LLP
Attorneys for LIUNA Local Union No. 1184

RESPONSE TO LETTER D-1

LOZEAU DRURY, LLP (8/29/12)

Response to Comment 1. As explained to the commenter on the telephone and via email by Jeff Bradshaw on August 28, 2012, the reference to Appendix L was a typographical error – it should have referred to Appendix E which contains the material on "agricultural resources" requested by the commenter. The material in Appendix E is clearly labeled "Agricultural Resources" in the Table of Contents, so the Draft EIR does not need to be recirculated. This correction will be noted in Section 3 of this document (*EIR Errata and Additions*) as shown below. Appendix E was available along with the entire DEIR and all DEIR appendices for the duration of the 45-day public review period. In addition, the comment has not resulted in any change in the impact judgment contained in the DEIR regarding agricultural resources and that impacts were identified as significant and unavoidable.

Mitigation Measures. *The potential mitigation measures identified by the City's General Plan have been deemed infeasible by the property owner under current economic conditions. In addition, supplementary analysis of the project site and local economic conditions indicates that continued citrus production and/or the raising of row crops would not be economically feasible on the project site (see Appendix ~~L~~ E).*

LETTER D-2: SIERRA CLUB

Letter D-2

SIERRA CLUB
FOUNDED 1892

SAN GORGONIO CHAPTER

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Riverside, CA 92501
(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

September 3, 2012

RE: ProLogis Eucalyptus Industrial Park project's Draft Environmental Impact Report (DEIR).

The Sierra Club appreciates this opportunity to comment on this DEIR. We hope to read your responses in the FEIR which do 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 Sierra Club understands that "the applicant has indicated the building will be designed to qualify for certification under the Leadership in Energy and Environmental Design (LEED) program, but there are no plans to submit the project to actual LEED certification." (p 3-12) We do not understand why you do not match the Gold LEED certification recently agreed to by the Alessandro Business Center warehouse in the City of Riverside or even the LEED Silver of nearby Skechers and West Ridge Commerce Center warehouses. In fact your words do not guarantee anything about even reaching the lowest level of LEED certification. The City needs to require you to hire a LEED expert and then require you to become LEED certified--hopefully higher than just certified. You could pay less than $1,000 this year and lock in current LEED standards for your building. Through the installation of solar panels and other verified LEED ideas you could avoid generating air pollutants with the electricity you consume. This warehouse and all warehouses need to be required to have their roofs built to accommodate the maximum number of solar panels. You are now able to sell excess energy back and earn money as well as do right for our non-attainment area. The DEIR states that "the proposed project would unavoidably contribute to the significant cumulative air quality impacts." (p 1-28) The DEIR also indicates that the "cumulative impacts associated with diesel particulate matter are considered significant and unavoidable". (p 1-29) The Sierra Club does not believe it is totally unavoidable. The fact you are given a cafeteria list of mitigations to chose from shows that there is more that could and should be done to protect the health of area residents. These need to be required of the project and not just implemented "where feasible" or some other weasel words like "will be considered". Why isn't there a requirement to exceed current Title 24 at time of construction by at least 25% instead of just "exceed" Title 24? Agreeing to require all of your

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off road construction equipment meet or exceed Tier III standards would also significantly help our non-attainment city and county. 2

Continuing to pave over Prime Agricultural lands as well as those of Local and State Importance must be mitigated. Having locally grown products also cuts down on the Climate Change problems mentioned in this letter. The FEIR must show the impacts of losing the citrus groves on Climate Chang/Green house Gas/ Air Quality or it will be inadequate. Recently a 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 which would use your monetary donation to mitigate the loss of important Ag lands as well as the loss of lands for raptor foraging. It is therefore incorrect to say that it is "significant and unavoidable". (p 1-15) 3
The impact to Quincy Channel and other watercourses need to be dealt with at the site and not some far distance place. What will you do to reduce direct and indirect edge effects, habitat fragmentation, and reduced habitat quality during construction as well as at build out? You pay little attention to the loss of what could be Moreno Valley's last significant citrus grove with all its biological value and the FEIR needs to rectify that inadequacy. Please consider how your project will seriously mitigate your impacts to Agriculture, nesting and foraging. The San Jacinto Wildlife Area and nearby lands -- which includes this project's--have more than 20 species of raptors. The Sierra Club would differ with the DEIR that the State-listed Swainson's hawk would not likely use the site, because we see them in this valley. The project's land should not be disced or graded 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 project's impacts on adjacent lands also need to be analyzed, because of the noise. vibration, fumes and lighting created during the construction as well as operation of this project will impact the Burrowing Owl. You should also make sure your parking provides significant drought tolerant shade trees - not palm trees- and ample reserved spaces for several forms of cars using alternative fuels. The parking lot for cars also needs to be made of porous material to help with ground water recharge and to lessen run off. 4 5 6 7 8 9 10

The Sierra Club did not see World Logistic Center on your Cumulative Project List (p 3-16). We do not believe all of your analysis have included this massive project. The FEIR will be inadequate unless this and all other projects are part of the analysis in each area of the FEIR. The projects distance from homes and land zoned for homes needs to be easily understood as well as all the paths trucks could take to the warehouse. This project is only across an intersection form existing homes. 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. The FEIR needs to show all adjacent zoning within at least 2,000 feet. The Sierra Club believes that it will show many lands zoned for residential use which this project will make very unhealthy. What mitigations will be made to these residentially zoned lands and to the project to reduce the direct, indirect and cumulative impacts of more than 2,000,000 sq ft of warehousing? How will you protect the warehouse workers from the long term health affects of breathing toxic diesel emissions throughout their workday and employment? 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 FEIR needs to explain how noise barriers used during construction and use of the warehouse could lessen impacts identified. Impacts to our local 11 12 13 14

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 tucks which will use the warehouses/project each workday and not just after the first year, but when all the warehouses/project are being used to its maximum capacity during peak times of the year. Your traffic analysis will be inadequate unless it addresses the July 2012 judgement 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. Judge Waters mentions 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) The decision makers have a right to know the cumulative impacts before they vote, that the section of SR 60 passing through Moreno Valley will become a parking lot with significant pollution. How will this project's traffic impact the health of those living near SR60? The FEIR will be inadequate unless this project analyzes all the impacts caused to the Moreno Valley Auto Mall. Simply paying into a pot of money which may not be used in the impacted part of Moreno Valley does not mitigate your traffic.

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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.

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

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environment. For the City's convenience, a scientific background on global warming and the specific threats posed to California is provided below.

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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 to the earth's surface.[3] Consequently, the higher the level of greenhouse gas concentrations, the larger the degree of warming experienced.

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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

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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.

[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."

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).

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 CO_2 emitted causes damage worth at least $85 (Stern 2006).

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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

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[4] Additional reports issued by California agencies are available at http://www.climatechange.ca.gov, and IPCC

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 (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 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.

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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.

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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.[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

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[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.

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.

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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).

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.

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(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).

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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.

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.").

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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.

E. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

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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).

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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.

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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

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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 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.

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iii. Mitigation Related to Project Construction

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• 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.

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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.

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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.

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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 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.

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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

4th 1437, 1456-57 (2007) (quotations omitted). In analyzing the no-project alternative, the EIR must discuss the need for this project andwhether 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).

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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. The no project alternative where the existing General Plan and zoning is implemented is the most appropriate use of these lands. Much more comparisons and analysis needs to be done with these alternatives. Where is the alternative which mentions agricultural uses in total or part? The quality of this land is such that even I could become a successful farmer.

CONCLUSION

Thank you for your attention to these comments. Moreno Valley needs to make sure that this and other environmental documents are also in Spanish. The 2010 census shows that 55% of our residents are Latino with almost 25% foreign born. It is a social justice issue which needs to be corrected. Since your Notice of Preparation (NOP) is more than four years old, the Sierra Club believes you should start again with a new NOP and recirculate the DEIR in English/Spanish. We look forward to working with the City to assure that the FEIR conforms to the requirements of CEQA and to make sure that all significant impacts to the environment are thoroughly analyzed, mitigated or avoided. I hope the FEIR will fully address the concerns found within this letter including the direct, indirect, cumulative and growth inducing impacts of this massive warehouse project as I did not see that within the DEIR. How will this project which is adjacent to lands zoned for housing impact Moreno Valley's General Plan and land use? The Sierra Club does not believe this General Plan amendment and zone change is in the best interest of our City. The Sierra Club wishes to be placed on the mailing list for all future meetings, notices and documents regarding this project. Please mail these to Sierra Club, San Gorgonio Chapter, Moreno Valley Group, 26711 Ironwood Ave, Moreno Valley, CA. 92555.

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Thank you,

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Conservation Chair
Moreno Valley Group
San Gorgonio Chapter
Sierra Club
951.924.0816

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RESPONSE TO LETTER D-2

SIERRA CLUB

Response to Comment 1. The City believes the following responses address the comments submitted by the Sierra Club relative to this EIR on all the topics indicated. Short-term and long-term project specific and cumulative effects of the proposed project on air quality are evaluated in Section 4.3, *Air Quality* (pages 4.3-1 through 4.3-38) in the Draft EIR. Greenhouse gas emissions and climate change were evaluated in Section 4.13, *Global Climate Change* (4.13-1 through 4.13-22) in the Draft EIR. Where the proposed project's impacts were determined to be significant mitigation was provided to lessen those impacts. It was determined that even with the implementation of feasible mitigation measures the proposed project will have a significant and unavoidable impact on short-term construction air quality, long-term operational air quality impacts, cumulative air quality, and cumulative greenhouse gas emissions.

The concerns raised by the commenter have been responded to in the following Response to Comments 1 through 31. Any comments that were raised by the commenter that resulted in additions or revisions to the language in the Draft EIR are provided in Section 3.0, *Errata and Additions*, of this Final EIR.

Lastly, the commenter inaccurately suggests that the project should be required to obtain a LEED Silver or Gold rating as a form of mitigation of significant impacts associated with air pollution and greenhouse gas emissions. The process of obtaining a LEED rating is not mitigation. The specific green building features that are part of the LEED rating equation can reduce air pollution and greenhouse gas emissions impacts by minimizing and reducing the quantity of emissions associated with operations of a building. To clarify, Section 3.5.3, Green Building Construction, in the Project Description states that "The applicant has indicated the buildings will be designed to qualify for certification under the Leadership in Energy and Environmental Design (LEED) program, but there are no plans to submit the project for actual LEED certification at this time due to cost and time delay factors." (EIR page 3-12). The applicant will formally apply for LEED Certified status, but the ultimate determination of the level of compliance is up to the LEED organization and cannot be guaranteed with any certainty at this point in time, since the final engineering will not occur until after certification of the EIR.

Response to Comment 2. See Response No. 1 above regarding LEED certification. In addition, the applicant has agreed that the project will be constructed to accommodate solar photovoltaic panels in the future. Additional information in this regard is found in the responses to the comments by the South Coast Air Quality Management District (Letter B-3).

The opinions stated by the Sierra Club regarding the significance of project and cumulative air quality impacts are unsubstantiated. The air quality analysis in the EIR includes a detailed analysis showing that the cumulative impacts are unavoidable. The "cafeteria list" of mitigation measures listed in Mitigation Measure 4.3.6.5B is included to minimize the air quality impacts from the area and energy emissions. As described in EIR Section 4.3.6.5, page 4.3-34: "*Although implementation of Mitigation Measures 4.3.6.5A through 4.3.6.5B may reduce vehicle trips associated with the proposed project, it is not possible to quantify the reduction in the amount of emissions that may occur. Considering the volume of emissions generated and current commuter habits, it is unlikely the implementation of TDMs/TCMs will result in a reduction of operational project emissions to below existing SCAQMD thresholds. Application of Leadership in Energy and Environmental Design (LEED) standards and green building design principles could reduce emissions from building operations such as heating and cooling; however, such standards and principles would not reduce emissions of CO, ROG, NO_X, PM_{10}, and PM2.5 to below SCAQMD thresholds. No other feasible mitigation measures have been identified to reduce the operational emissions of CO, ROG, NO_X, PM_{10}, and $PM_{2.5}$ to a less than*

significant level." Further, the commenter mixed the short-term construction impacts with the long-term operational impacts – the majority of the comment above is about long-term operational impacts, however the last sentence is about short-term construction impacts and would not help reduce long-term emissions. The emissions control measures listed in Mitigation Measures 4.3.6.2A through 4.3.6.2M are adequate to reduce the short-term construction measures. However, the City and the applicant have agreed to add the Tier III requirement into Mitigation Measure 4.3.6.2C. The measure has been amended as follows as is included in Final EIR, Section 3.0, *EIR Errata and Additions:*

4.3.6.2C *Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.*

Project start to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 horsepower shall meet Tier 3 off-road emission standards. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emission control devices used by the contractor shall achieve emission reductions that are no less than what would be achieved by a Level 3 diesel emission control strategy for a similarly sized engine as defined by CARB regulations.

Post January 1, 2015: All off-road diesel–powered construction equipment greater than 50 horsepower shall meet Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emission control devices used by the contractor shall achieve emission reductions that are no less than what would be achieved by a Level 3 diesel emission control strategy for a similarly sized engine as defined by CARB regulations.

A copy of each unit's certified tier specifications, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

However, several air quality related mitigation measures have been modified as a result of discussion in the Final EIR (refer to Final EIR, Section 3.0 *EIR Errata and Additions*). The list of mitigations included in the Air Quality section are qualified by "where feasible" because the EIR can only require a project to implement feasible mitigation measures, and at this time it is not possible to determine mitigation measure feasibility. The determination will only be possible once operations have begun and will have to be determined by the project operator in cooperation with the City. Additionally, mandating that the construction process exceed Title 24 by a particular percentage makes the mitigation measure infeasible – there is no way to determine by what percentage the construction operations exceed Title 24.

The modified measures are also in the Mitigation Monitoring and Reporting Plan in Section 4.0 in the Final EIR to ensure they are implemented

Response to Comment 3. As documented in Section 4.2 of the Draft EIR, farming is no longer a viable economic activity in this portion of Riverside County, and the General Plans of the County and City both identify land uses that will a transition from historical agricultural land to appropriate suburban land uses. This proposed project represents a step in that anticipated transition.

This commenter also states that a developer recently donated $100,000.00 to the Riverside Land Conservancy to help mitigate for the loss of agricultural lands but fails to appropriately cite the

information and identify the basis for determining the amount of agricultural lands lost in relation to this monetary amount. In discussion with Gail Egenes, Executive Director of the Riverside Land Conservancy, the agency does not have any established program to purchase agricultural easements or lands. Also, in consultation with the National Conservation Easement Database, Riverside County does not have any established agricultural easements.[1]

Contributions to Riverside County Land Conservancy or the San Jacinto Basin Resource Conservation District by private land owners are laudable but are not required as part of a City or regional mitigation plan for loss of agricultural land. Therefore, the decision whether to make any contributions in this regard would be at the discretion of the developer in consultation with the City. For additional detailed analysis on this issue, see Responses 22 and 23 in the letter from Johnson & Sedlack (D-3). Since there is no feasible mitigation available, the impact has been identified as significant and unavoidable, and the City will have to adopt a Statement of Overriding Considerations as part of its Findings on the EIR prior to action on the project.

The project's greenhouse gas (GHG) emission assessment assumes the citrus groves are not present onsite, which we consider to be a "worst case" estimate of greenhouse gases related to the proposed project. The Draft EIR determined that GHG impacts would be less than significant with implementation of the proposed mitigation, and this information does not alter that conclusion.

The project site likely provides some amount of raptor foraging habitat, as outlined on page 4.4-2 of the Draft EIR. However, there are few large trees suitable for raptor perching and roosting (i.e., the citrus trees do not contribute much in this regard), and the site is proximate to human activity at its southeast and northwest corners, as well as SR-60 along its northern boundary. Therefore, the value of the project site for raptor foraging is marginal at best. The DEIR concluded project impacts on raptor foraging were less than significant with implementation of Mitigation Measure 4.4.6.1A to address impacts on nesting birds (DEIR page 4-29). In addition, any incremental cumulative impact on raptor foraging would be mitigated by the project's payment of the MSHP fee.

Response to Comment 4. Section 4.4 of the Draft EIR fully evaluates and minimizes impacts to the Quincy Channel, the main onsite drainage feature. The offsite mitigation for onsite impacts is mainly for removal of the two degraded erosional drainage channels along the west and southwest portions of the site. As shown on the project site plan (Figure 1.2 in the Draft EIR), the project would protect the Quincy Channel essentially intact (only 0.04 acre permanent impact and 0.03 acre temporary impact) along the eastern boundary of the project site. The impacts are outlined in Table 4.4.D of the EIR and the planned improvements are shown in Figures 1.2, 3.6.B, and 3.6.F, and Appendix K-3 A-1 Master Architectural Plan which shows the channel and bridge notes.

Response to Comment 5. There is no empirical evidence presented that would support the contention that the citrus groves on the project site provide significant biological habitat. The orchard property and the trees are subject to human disturbance on a regular basis, and are immediately adjacent to the SR-60 Freeway. The trees are maintained such that they provide minimal or no potential for roosting or perching by raptors, although some songbirds may utilize them and the fruit to some degree. A detailed biological assessment was prepared for the project to document consistency with the County's MSHCP, of which the City is a signatory. It came to a similar conclusion (i.e., the site has very low value as biological habitat).

Response to Comment 6. Impacts related to agriculture and raptor foraging are addressed in Sections 4.2 and 4.4 of the Draft EIR, and in Responses 3 and 5 above.

[1] http://nced.conservationregistry.org/browse/map, accessed October 4, 2012.

Response to Comment 7. The observation of Swainson's hawk in the general vicinity of the project site does not change the fundamental conclusion that impacts of the project on biological resources are less than significant with the proposed mitigation. Payment of the MSHCP impact fee will also help contribute to preservation of raptor foraging lands as habitat lands are purchased under the plan.

Response to Comment 8. The site would need to continue to be disked for weed abatement and fuel modification per City Fire Department requirements. Since the site is not actively tilled, this clearing would take place mainly once a year. Mitigation Measures 4.4.6.1B and 4.4.6.1C require a pre-construction burrowing owl survey and establish what actions must be taken if the burrowing owl is found on-site during the pre-construction surveys that are in accordance with the Burrowing Owl Consortium 1993 Burrowing Owl Survey Protocol and Mitigation Guidelines[1] and referred to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) survey instructions[2] to complete the pre-construction burrowing owl survey.

Response to Comment 9. All of the topics mentioned in the comment were addressed in the Draft EIR and are addressed in specific responses to this letter. Impacts to burrowing owl were addressed in Section 4.4 of the Draft EIR (biological resources), including mitigation for pre-construction surveys. The Draft EIR did look at direct and indirect impacts of the project relative to noise, vibration, odors (fumes?), and light during both construction and operation of the proposed warehouse buildings. Mitigation Measure 4.3.6.5B and 4.3.6.6A require the planting of shade trees in parking areas to reduce heat load on cars and buildings. Alternative fuels for onsite vehicles are addressed in Mitigation Measure 4.3.6.6A.

Response to Comment 10. There is no City-wide general requirement for parking areas of warehouse projects to use porous pavement, which create their own water quality issues with percolation of runoff directly from parking areas into the ground, rather than collecting runoff into detention basins, especially low flows which can have the most concentrated pollutants.

Response to Comment 11. CEQA requires an analysis of cumulative impacts from projects that are "on the books" at the time the baseline for the EIR is established (i.e., recently approved or proposed at the time of issuance of the Notice of Preparation). The cumulative project list does not include the World Logistics Center (WLC) because it was not a proposed project when the Notice of Preparation (NOP) was released for this project EIR (i.e., "baseline" conditions are typically established at the time the NOP is released). Even though that project is now on the City's "horizon", no traffic study or other technical information were available for evaluation relative to the cumulative impacts of this proposed project when the EIR for this project was prepared.

Response to Comment 12. The Draft EIR clearly identifies that…"The nearest existing sensitive land uses are single-family residences located approximately 50 feet southeast of the southern boundary of the project site, approximately 395 feet southeast of the proposed warehouse buildings, and approximately 664 feet southeast of the proposed loading docks." (Draft EIR page 4.3-17, 4th paragraph). The commenter may be confused by the terms used to characterize the spatial relationship of the project to the existing residences. The residences are 50 feet from the project's property line, but the Project Description (e.g., Figure 1.2 clearly shows there are several large detention basins in the southern portion of the site that will act as a buffer and separate truck activities of the project from the residences. As stated in the EIR and demonstrated on the project site plan, the residences would be 395 feet from the closest proposed warehouse building, and 664 feet from the closest proposed loading dock. As shown in the air quality analysis and health risk assessment of the EIR, this distance is sufficient to project the health of the residents near to the project.

[1] http://www2.ucsc.edu/scpbrg/burrowingowls.htm.
[2] http://www.tlma.co.riverside.ca.us/epd/documents/survey_protocols/burrowing_owl_survey_instructions.pdf.

All recommendations for locating warehouses some safe distance (which varies depending on the author) are all conditioned with the concept "unless a site-specific health risk assessment is performed." This EIR did include such a health risk assessment, which shows that, even with all the very conservative assumptions required, there will not be a significant health risk to any sensitive receptors (residents, schools, medical facilities, etc.) from project-related air emissions.

Response to Comment 13. The commenter is correct in pointing out there are other residential uses in the area. However, they are over 250 feet north across the SR-60 Freeway from the project site, and are not downwind of the site based on regional prevailing wind patterns As stated on page 4.3-17 of the DEIR, "…*receptors were placed in a general grid extending in all directions to characterize the risk level surrounding the project site. Meteorological data from the Perris area were utilized to represent the conditions at the project site*." These features of the HRA insure that the health risk levels to all individuals in the region of the project site were adequately considered. The SCAQMD's methodology for preparing health risk assessments requires an examination of impacts at the closest sensitive receptor to identify the worst case conditions. Therefore, it is neither required nor would it be helpful to show potential health risk levels of all residential zoning within 2,000 feet of the site.

As outlined in Response 12 above, the existing residences would be 664 feet from the closest truck loading dock, which would be the closest main source of truck-related air pollutants including diesel particulate matter. The project HRA used a worst case estimate of 25 meters (minimum 82.5 feet) to calculate potential health risks from new project warehousing, therefore, the actual exposure would likely be lower than that identified in the HRA, which showed that the project would create a maximum health risk of 1 additional cancer case in a million near the southwest corner of the site (or 10 times lower than the significance threshold of 10 in a million). As shown in Figure 4.3.3 of the Draft EIR, expected health risks further from the project site, including residences to the north across the freeway, are much less than 1 in a million." Therefore, existing housing north of the freeway would likely be exposed to a much higher health risk from ongoing traffic along SR-60 than would be generated by the proposed project.

Worker Health. A detailed health risk assessment (HRA) was prepared for the proposed project and included in Appendix B of the Draft EIR (LSA March 2012). The HRA examined the short-term and long-term potential health effects from project-related emissions of toxic air pollutants (TAP) in the exhaust of diesel-powered delivery trucks on existing surrounding sensitive receptors, including single- and multifamily residences. Onsite workers will be protected by the requirements established by the Occupational Safety and Health Administration (OSHA) and are not considered sensitive receptors in accordance to the California Air Resources Board (CARB). The CARB defines "sensitive" land uses, as homes, medical facilities, daycare centers, schools, and playgrounds but not on-site workers.

According to the HRA prepared for the proposed project, *"The operations expected to occur at this facility will not emit any toxic chemicals in any significant quantity other than vehicle exhaust. While there may be other toxic substances in use on site, compliance with State and federal handling regulations will bring emissions to below a level of significance. Due to the lack of data, precise evaluation of vehicle exhaust impacts is not feasible; however, based on the limited amount of TAC from vehicle exhaust associated with the project operations in relation to background levels, the impact is not expected to be significant."* (Section 5.4.2, *Operational Health Risk Impacts*, page 44).

The responsibility of the health of workers of the proposed project is to OSHA. The following is from the OSHA website (http://www.osha.gov/as/opa/worker/employer-responsibility.html):

Employer Responsibilities

Employers have certain responsibilities under the Occupational Safety and Health Act of 1970. The following list is a summary of the most important ones:

- Provide a workplace free from serious recognized hazards and comply with standards, rules and regulations issued under the OSHA Act.
- Examine workplace conditions to make sure they conform to applicable OSHA standards.
- Make sure employees have and use safe tools and equipment and properly maintain this equipment.
- Use color codes, posters, labels or signs to warn employees of potential hazards.
- Establish or update operating procedures and communicate them so that employees follow safety and health requirements.
- Provide medical examinations and training when required by OSHA standards.
- Post, at a prominent location within the workplace, the OSHA poster (or the state-plan equivalent) informing employees of their rights and responsibilities.
- Report to the nearest OSHA office within 8 hours any fatal accident or one that results in the hospitalization of three or more employees.
- Keep records of work-related injuries and illnesses. (Note: Employers with 10 or fewer employees and employers in certain low-hazard industries are exempt from this requirement.)
- Provide employees, former employees and their representatives access to the Log of Work-Related Injuries and Illnesses (OSHA Form 300).
- Provide access to employee medical records and exposure records to employees or their authorized representatives.
- Provide to the OSHA compliance officer the names of authorized employee representatives who may be asked to accompany the compliance officer during an inspection.
- Not discriminate against employees who exercise their rights under the Act.
- Post OSHA citations at or near the work area involved. Each citation must remain posted until the violation has been corrected, or for three working days, whichever is longer. Post abatement verification documents or tags.
- Correct cited violations by the deadline set in the OSHA citation and submit required abatement verification documentation.

With this OSHA protection, the employees of the proposed project will not be subject to unhealthful conditions.

The results of the conservative HRA modeling were shown in Table R (Table 4.3.F in the Draft EIR) for carcinogenic and chronic inhalation health risks at the sensitive receptors. Even with the conservative modeling technique used, assuming that an individual stays outdoors at his or her residence 24 hours per day for 70 years, which is the State-required period of time that all HRAs must assess, the nearest sensitive receptor would be exposed to an unmitigated inhalation cancer risk of

no more than 4.3 in 1 million, less than the State's threshold of 10 in a million. The highest worker exposure occurs at the east boundary of the facility just south of Eucalyptus Avenue (see Draft EIR Figure 4.3.1). Based on the conservative nature of the assumptions used in this study, the health risk levels cited in the DEIR in Table 4.3.F on page 3.4-17 are likely higher than are actually expected to occur. This assessment demonstrates that no significant health risk would occur from project-related truck traffic, and no mitigation is necessary. Much of the construction equipment used is not powered by electricity (i.e. grading equipment, bull dozers, etc.) is not available as electric equipment. Therefore, it is not practical to set a percentage requirement for the amount of construction equipment that must be powered by electricity. In addition, a percentage based requirement would not translate well to construction equipment. For example, it would not seem logical to base the calculation on the number of pieces of equipment since the size and emissions of equipment vary significantly.

Again, OSHA has programs that the project operator is required to comply with to project warehouse workers from the long term health effects of breathing toxic diesel emissions throughout their workday and employment.

Response to Comment 14. The noise impact analysis for the proposed project evaluated potential noise impacts from construction and project operations, and did not identify any significant noise impacts. Therefore, no noise barrier or other mitigation measures are required. For related discussion of noise impacts, see also Response to Comments 80 through 93 in Letter D-3 from Johnson & Sedlack. In addition, Mitigation Measure 4.3.6.6A was modified and Mitigation Measure 4.3.6.6B was added to address construction equipment and vehicles operating for the project (see Final EIR, Section 3.0, *EIR Errata and Additions*). Modifications are as follows:

4.3.6.6A *Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of ~~20~~ 10 percent until January 1, 2014. For building permits issued after that date, new state energy standards require a 20 percent reduction from 2008 Title 24, Part 6 Energy Efficiency Standards. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. The following design features~~, including but not limited to the following list,~~ shall be used to fulfill this requirement:*

- *Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.*
- *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 shall be installed, as deemed acceptable by the City. Automatic devices to turn off lights when they are not needed shall be implemented.*
- *To the extent that they are compatible with landscaping guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site.*
- *Paint and surface color palette for the project shall emphasize light and off-white colors which reflect heat away from the buildings.*

- *All buildings shall 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 shall implement the following:*
  - *Landscaping palette emphasizing drought-tolerant plants;*
  - *Use of water-efficient irrigation techniques; and,*
  - *U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.*
- *The project shall provide secure, weather-protected, on-site bicycle storage/parking.*
- *The project shall provide on-site showers (one for males and one for females). Lockers for employees shall be provided.*
- *The project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce greenhouse gas (GHG) emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.*
- *The project shall provide preferential parking for carpools and vanpools. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the project site plan.*
- *The project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the project building plans.*
- *Lease/purchase documents shall identify that tenants are encouraged to promote the following:*
  - *Implementation of compressed workweek schedules.*
  - *SmartWay partnership.*
  - *Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long-haul trips carried by SmartWay 1.0 or greater carriers.*
  - *Achievement of at least 15 percent 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 85 percent of all consolidated trips carried by SmartWay 1.0 or greater carriers.*
  - *Use of fleet vehicles conforming to 2010 air quality standards or better.*
  - *Installation of catalytic converters on gasoline-powered equipment.*
  - *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.*

- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles.*
- *Provision of preferential parking for EV and CNG vehicles.*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks.*
- *Use of SmartWay 1.25 rated trucks.*
- *Each facility operator shall provide regular sweeping of onsite parking and drive areas.*
- *Each facility operator shall maintain a log of all trucks entering the facility to ensure that, on average, the daily truck fleet meets the quantities and emissions standards. This log shall be available for inspection by City staff at any time.*
- *Each facility operator shall prohibit all vehicles from idling in excess of five minutes in all onsite areas.*
- *Each facility operator shall ensure that onsite staff in charge of keeping the daily log and monitoring for excess idling will be trained and certified in diesel health effects and technologies, such as by requiring attendance at CARB-approved courses.*
- *Each facility operator upon occupancy that do not already operate 2007 and newer trucks shall in good faith apply for funding to replace or retrofit their trucks such as Carl Moyer, VIP, Prop 1B or similar funds. Should funds be awarded, the tenant shall be required to accept and use them.*

Response to Comment 15. Many of the very detailed portions of the various environmental impact analyses are placed in the appendices so that the EIR is easier to read and understand. All details are available for the reviewer Trip lengths are not considered, as trip lengths to not affect the operation of traffic at various locations. The passenger vehicle and truck trip assignment figures provided in the DEIR show the number of passenger vehicle and truck trips at each intersection, and therefore indicate the routes that project trips are expected to utilize. The trip generation provided in the DEIR section would be for the project at its full capacity. The project trip generation analyzed in the analysis would be a typical weekday trip generation for the project. It is standard traffic engineering practice and the practice required by Cities and the County to analyze the project trips occurring during the weekday peak hours, as this is generally the period when the worst traffic is experienced on the adjacent streets. In addition, the trip generation analysis does not assume only some initial level of operation. The full operation of the project is analyzed so that the effects of the project on the existing environment are disclosed, as required by CEQA. Trips generated by the project under opening year are likely to be less than those included in the analysis. All of the details for calculating health risks of the proposed project were provided in Appendix B of the Draft EIR, including the EMFAC and dispersion modeling outputs. The details of the project traffic routing are discussed in detail in the traffic analysis and the truck trip length on DEIR page 4.3-32. In addition, "active" CalEEMod and supporting computer files were sent to the AQMD during the EIR review period to allow for replication and verification of the HRA report results. In addition, Mitigation Measure 4.3.6.6A was modified (see above) to address these types of equipment (see Final EIR, Section 3.0, *EIR Errata and Additions*).

Response to Comment 16. All of the details for calculating health risks of the proposed project were provided in Appendix B of the Draft EIR, including the EMFAC and dispersion modeling outputs. In addition, "active" CalEEMod and supporting computer files were sent to the SCAQMD during the EIR review period to allow for replication and verification of the HRA report results.

The Villages of Lakeview project included over 2,800 acres consisting of 11,350 dwellings, a mixed-use town center including some 500,000 square feet of retail, office and commercial uses, public facilities including four schools and a library, and nearly 1,000 acres of open space/conservation areas. The court found that the EIR analysis of traffic impacts was inadequate because it did not study how an additional 85,000 car trips would affect two local freeways. The only fault the court found in the project's relationship to the General Plan was that traffic congestion standards would be exceeded[1]. The proposed project reduces the intensity of the trip generation compared to the General Plan, and as shown in the analysis, doesn't change traffic congestion standards.

This EIR evaluates traffic impacts at intersections with more than 50 trips and freeway segments within a 5 mile radius where the project has more than 100 peak hour trips, as required by the traffic study guidelines adopted by the City of Moreno Valley as well as the County of Riverside. Please note that the 50 and 100 trip thresholds were not questioned in the Lakeview judgment. East of Redlands Boulevard, the project adds less than 100 peak hour trips to freeway facilities, therefore, the study area is consistent with the Friends decision. West of Pigeon Pass Road, project traffic is more than 100 trips. However, traffic volumes on the freeway west of Pigeon Pass Road are higher than those to the east of Pigeon Pass Road. Since the number of lanes is the same, and the segments east of Pigeon Pass Road are forecast to operate at unsatisfactory conditions under future conditions without the project, the segments to the west would also operate at unsatisfactory conditions (higher volumes and same capacity). Therefore, to the freeway segments west of Pigeon Pass Road, the project will not create a direct impact but add to unsatisfactory conditions.

It should also be noted that the referenced case is a Superior Court, not an appellate court decision and thus does not have the power of an appellate decision.

Response to Comment 17. It is not clear what the commenter is asking for. This project is not the Moreno Valley Auto Mall but if the commenter is asking if the cumulative impacts of the Moreno Valley Auto Mall in combination with this project (Eucalyptus Industrial Park) were considered, yes they were for both air quality and traffic on the SR-60. The DEIR includes (1) a description of the circulation system from both a local and regional perspective and list the pages; (2) screening criteria were used to determine the appropriate intersections and segments to include in the analysis, based on whether there was a potential or impacts and what the criteria were; and (3) that freeway impacts were studied in the EIR (list the pages) and the findings and pages on which the freeway analysis findings are listed. The EIR evaluates traffic impacts at intersections with more than 50 trips, and freeway segments within a 5 mile radius where the project has more than 100 peak hour trips. For freeway segments, the traffic analysis states that the project will add to unsatisfactory conditions but not create unsatisfactory conditions by itself. East of Redlands Boulevard, the project adds less than 100 peak hour trips to freeway facilities, therefore, the study area is consistent with the Friends decision. West of Pigeon Pass Road, since project traffic is more than 100 trips. However, traffic volumes on the freeway west of Pigeon Pass Road are higher than those to the east of Pigeon Pass Road. Since the number of lanes is the same, and the segments east of Pigeon Pass Road are forecast to operate at unsatisfactory conditions under future conditions without the project, the segments to the west would also operate at unsatisfactory conditions (higher volumes and same capacity). Therefore, to the freeway segments west of Pigeon Pass Road, the project will not create a direct impact but add to unsatisfactory conditions. Since the project does not create a direct significant impact at freeway segments where the project traffic is a higher percentage of the total freeway traffic, it can be said with certainty that the project will not create a direct impact at locations where the project traffic is a lower percentage of the total freeway traffic. Therefore, as described in the Response to Comment 13, as shown in Figure 4.3.3 of the DEIR, expected health risks further

[1] From Courthouse News Service, May 29, 2012. http://www.courthousenews.com/2012/05/29/46884.htm accessed September 17, 2012.

from the project site, including residences to the north along the freeway, are much less than 1 in a million.

A review of existing traffic volumes on the freeway reveals that the existing traffic volumes on segments beyond a 5-mile radius that were not analyzed and where the project has more than 100 peak hour trips are significantly higher than at the segments that were analyzed in the EIR. Since in 2035 all freeway segments analyzed operate at unsatisfactory levels of service in at least one peak hour, it can be said with certainty that segments with traffic volumes higher than those analyzed will also operate at unsatisfactory levels of service. Moreover, as the distance from the project site increases, project traffic on the freeway segments reduce. Since the project does not create a direct significant impact at freeway segments where traffic volumes are low and project contribution higher, it can be said with certainty that the project will not create a direct impact at locations where background traffic volumes are higher and project trips lesser. It is understood that the project will have a cumulative impact at all freeway segments where the background (without project) traffic volumes result in an unsatisfactory level of service. As stated in the DEIR Section 4.11.7, *Cumulative Impacts*, page 4.11-40, the addition of project traffic would be considered a cumulative impact. Review of the RTIP indicates that there are no projects programmed on SR-60 within the study area. Furthermore, neither the project applicant nor the City has jurisdiction over Caltrans facilities; therefore, implementation of improvements to the freeway mainline cannot be guaranteed. Furthermore, Caltrans does not have a mechanism for development projects to contribute to improvements on State Highways.

Response to Comment 18. The commenter states that global warming poses a grave threat to California and the Draft EIR is obligated to discuss the threats posed by greenhouse gas emissions for the public and decision makers. Page 4.13-1 through 4.13-6 in the Draft EIR (Section 4.13, *Global Climate Change*) provides the background information related to climate change requested in this comment.

The Draft EIR: discusses the existing greenhouse gas/climate change setting including the main gases of concern; provides the current emissions inventory at the global, US, and State levels; gives a detailed description of what global warming is and the effects that result, all of which could be considered the “threat of greenhouse gas pollution and global warming.” The EIR attempts to present a non-sensational, balanced description based on the best information available. Section 4.13.2 describes the entire regulatory setting, including all applicable federal, State and City of Moreno Valley regulations and policies. The DEIR’s GHG analysis is consistent with the requirements of CEQA (specifically CEQA Guidelines Section 15064.4, 15125(d), 15126.4(c), 15130(B).

Response to Comment 19. The comment summarizes international and national concerns about global climate change and greenhouse gas emissions which are also discussed in the DEIR in Section 4.13.1.1 on page 4.13-2.

Response to Comment 20. The comment summarizes concerns within the State of California about global climate change and greenhouse gas emissions which are also discussed in the DEIR in Section 4.13.1.1 on page 4.13-2.

Response to Comment 21. Section 4.13.6 of the Draft EIR includes a complete, detailed inventory and analysis of the project’s short-term construction and long-term operational greenhouse gas emissions. The EIR states the project’s greenhouse gas emissions and discusses the significance of these emissions without attempting to minimize the impact by subtracting whatever existing greenhouse gas emissions there might be from the project site. Section 4.13.7 discusses the cumulative impacts of the project’s greenhouse gas emissions.

The greenhouse gas impact study provided emissions from both construction and operation periods. During the construction period, emissions from both equipment exhaust and other area sources were

calculated. During the operational period, emissions associated with vehicular (including automobiles and trucks) trips, water and energy usage, waste treatment, and other known sources have been calculated and identified in the study. If the commenter is suggesting that an exhaustive "life-cycle" inventory of the project's greenhouse gas emissions be prepared, the State Office of Planning and Research provided guidance on this issue and clarified that a life-cycle analysis is not required.[1]

Response to Comment 22. According to the greenhouse gas impact study, "*Global climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other significant changes in climate (such as precipitation or wind) that last for an extended period of time. The term "global climate change" is often used interchangeably with the term "global warming," but "global climate change" is preferred to "global warming" because it helps convey that there are other changes in addition to rising temperatures."* The Draft EIR did analyze the project's effects on greenhouse gas emissions which is a component of global climate change or global warming (Section 4.13 Global Climate Change, pages 4.13-1 through 4.13-22).

In addition the California Green Building Code requires mandatory measures to be implemented on all new construction projects that consist of a wide array of green measures concerning project site design, water use reduction, improvement of indoor air quality, and conservation of materials and resources. The "Cal Green Building Code" refers to compliance with Title 24, Part 6 energy efficiency measures. Additionally, it encourages 15 percent energy use reduction over the amount required in Part 6. The Cal Green Building Code prescribes a wide array of measures that would directly and indirectly result in reduction of GHG emissions from the Business as Usual Scenario. The mandatory measures that are applicable to nonresidential projects include site selection, energy efficiency, water efficiency, materials conservation and resource efficiency, and environmental quality measures.

The Climate Change technical report included in the EIR Appendix B does include a discussion of the impacts that climate change could have on the project. The conclusion is that there are not expected to be any significant impacts. If the commenter is suggesting that the DEIR should provide a more detailed analysis of global warming on the proposed project, there is a recent CEQA Case, *Ballona Wetlands Land Trust v. City of Los Angeles and Ballona Ecosystem Education Project v City of Los Angeles,* No.B231965 (Cal. Ct. App 2d Dist., November 9, 2011), where the opponents claimed that the EIR was inadequate because it did not analyze the effects of sea rise due to global warming on the project. The Court held that CEQA did not require the EIR to analyze this risk, concluding that "the purpose of an EIR is to identify the environmental effects of the project on the environment and not the significant effects of the environment on the project." The court reasoned: "[w]e believe that identifying the environmental effects of attracting development and people to an area is consistent with CEQA's legislative purpose and statutory requirements, but identifying the effects on the project and its users of locating the project in a particular environmental setting is neither consistent with CEQA's legislative purpose not required by CEQA statutes." Although an analysis of the effects of global climate change on the project is not required, one was provided on page 4.13-3 of the DEIR (Section 4.13.1.3, *Effects of Global Warming*).

Response to Comment 23. The opinion of the Sierra Club that "The project's greenhouse gas impacts are clearly significant" is noted, but contrary to the detailed climate change analysis included in the EIR. The EIR does include a detailed significance discussion and conclusion at the end of Sections 4.13.5, 4.13.6, and 4.13.7.

The SCAQMD and other air quality agencies agree that GHG and climate change should be assessed as a potentially significant "cumulative impact" rather than a "project-specific" impact.

[1] *Transmittal of the Governor's Office of Planning and Research's Proposed SB97 CEQA Guidelines Amendments to the Natural Resources Agency*, California Governor's Office of Planning and Research, April 13, 2009, page 2.

SCAQMD is considering the adoption of a numeric plan-level efficiency target of 6.6 MTCO2E per service population.

The intent of CEQA is to determine the significant effects of a project on the environment and provide feasible and reasonable mitigation to reduce impacts to less than significant. In instances where the impact of the project cannot be reduced to less than significant and it is determined the impact is significant and unavoidable, the Lead Agency, must adopt a Statement of Overriding Considerations that 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 provisions of employment opportunities to highly trained workers make infeasible the mitigation measures or project alternatives identified in the Final EIR; 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. CEQA does have a provision as stated above that an impact can be significant and unavoidable if the City makes findings as to why it is willing to accept the significant impact; therefore, it was not CEQA's intent to not allow any tolerance for impacts on the environment as long a good faith effort is made to reduce the impacts where reasonable.

In addition, the Draft EIR analyzed the cumulative effects of the project on greenhouse gas emissions (Section 4.13.7 Cumulative Impacts, page 4.13-25). The EIR further determined that, while it is not possible to determine whether the project individually will have a significant impact on global warming or climate change, it will contribute to cumulative GHG emissions in California. Cumulatively, the build out of the proposed project would contribute approximately 79,000 metric tons of CO_2e per year. The mitigation measures discussed in the project-level impact analysis of GHG emissions indicated the measures would substantially reduce the project's emissions of greenhouse gases, however, without the necessary science and analytical tools, it is not possible to determine with certainty whether the project's emissions of greenhouse gases will be cumulatively considerable, within the meaning of CEQA Guidelines Sections 15065(a)(3) and 15130. The CARB is currently in the process of designing regulations to monitor, limit, and ultimately reduce California GHG emissions but there are as yet no adopted standards for assessing the significance of cumulative impacts from projects.

Cumulatively, the emissions from electricity production would comprise approximately 2.8 percent of the project's total CO_2e emissions. Water usage and solid waste disposal emissions comprise approximately 14 percent of the project's total CO_2e emissions while the emissions from vehicle exhaust would comprise approximately 84 percent of the project's total CO_2e emissions. The emissions from vehicle exhaust are controlled by the State and Federal governments and are outside the control of the City. The remaining CO_2e emissions are primarily associated with building systems. The proposed project is required to comply with existing State and Federal regulations regarding the energy efficiency of buildings, appliances, and lighting, which would reduce the project's electricity demand. The new buildings constructed in accordance with current energy efficiency standards would be more energy efficient than older buildings.

The Draft EIR (Section 4.3) made a determination that the proposed project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases and no mitigation is required. However, it was determined that the proposed project would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment and mitigation was proposed to reduce these project-specific effects to less that significant (Draft EIR, page 4.3-21 through 4.3-26).

With implementation of the strategies and programs described previously, the project is consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05. However, given the uncertainty of data and appropriate methodology to accurately analyze, and the inability to quantify the reduction achieved through implementation of strategies and programs previously identified, the proposed project's GHG emission contribution would result in a cumulative

impact regarding global climate change and the cumulative impacts of the proposed project on global climate change are considered to be significant and unavoidable.

In summary, the City believes all known emissions during construction and operations of the proposed project have been identified and calculated. The preparer of the greenhouse gas impact study has followed the guidelines provided by the OPR and California Air Pollution Controls Officers Association (CAPCOA) and has provided an adequate analysis. It is the City's opinion that the study has disclosed the impacts of the proposed project adequately and mitigated the impacts of greenhouse gas emissions where applicable (Draft EIR Section 4.13, *Global Climate Change*, pages 4.13-1 through 4.13-26).

Response to Comment 24. Section 4.13.6 includes mitigation measures 4.13.6.1A, 4.13.6.1B, and 4.13.6.1C which include many feasible mitigation measures to be implemented to minimize greenhouse gas emissions. As stated in Response 23, all known emissions during construction and operations of the proposed project have been identified and calculated. The preparer of the greenhouse gas impact study has followed the guidelines provided by the OPR and CAPCOA and has provided an adequate analysis. It is the City's opinion that it has disclosed the impacts of the proposed project adequately and mitigated the impacts of greenhouse gas emissions where applicable (Draft EIR Section 4.13, *Global Climate Change*, pages 4.13-1 through 4.13-26).

Response to Comment 25. The proposed project would certainly take advantage of public transit (i.e., bus service) when it becomes available to the area, most likely along the realigned Eucalyptus Avenue. The project would be required to install bus turnouts as directed by the Riverside Transit Authority (RTA) (e.g., RTA Route 35) and future workers would no doubt take advantage of bus service in the project area. The closest existing RTA Bus Route in the area is Route 35 with a bus stop at the WalMart Super Center at Moreno Beach Drive west of the project site and within walking distance.[1]. The commenter requests that the project create routes to facilitate access to commercial centers, schools and parks for residents, however, this is an industrial project, not a residential development, so there will not be residents who need access to those facilities.

The project provides for the relocation of the Quincy Channel multi-purpose trail and will provide sidewalks along Eucalyptus Avenue, as required by the City. When completed, Eucalyptus Avenue will be wide enough (72-foot curb-to-curb) to allow bicycles to travel safely east and west to the rest of the City. Pedestrians will also be able to travel west along Eucalyptus Avenue to the shopping and services along and off of Moreno Beach Drive.

Response to Comment 26. The comment states the "FEIR should consider mitigation measures that will ensure the planned community will use energy efficiently and conservatively." The proposed project is a logistics distribution warehouse not a planned community with a residential component. As stated in the Draft EIR, page 3-2: "The proposed project includes the construction and operation of a warehouse facility comprising six buildings consisting of a total of approximately 2,244,638 square feet." Nonetheless, the project will be required to comply with the state's new Green Building Code, which has significantly increased energy, water, and resource conservation features required of new buildings over previous building codes" Second, the project Mitigation Measures, as presented in the Draft EIR and as modified in this Final EIR, will substantially reduce energy, water, and other resource consumption by this project. Many of these measures will also help reduce the potential production of excessive air pollution and greenhouse gas emissions related to this project, as outlined in Sections 4.3 Air Quality and 4.13 Global Climate Change of the Draft EIR. For example, Mitigation Measure 4.3.6.5A requires that the project implement transportation demand management strategies such as preferential parking for employee vanpooling/carpooling, bicycle parking facilities (such as bicycle lockers and racks), bus turnouts, and other strategies to reduce vehicle miles traveled.

[1] http://www.riversidetransit.com/home/images/stories/DOWNLOADS/ROUTES/035.pdf accessed December 17, 2012.

Mitigation Measure 4.3.6.5B requires that the project applicant incorporate twenty-one (21) energy-efficiency and low-air pollution emission methods into the project design and building construction including but not limited to:

- *Low-emissions water heaters;*
- *Central water-heating systems;*
- *Energy-efficient appliances;*
- *Increased insulation;*
- *Automated controls for air conditioners;*
- *Energy-efficient parking lot lighting;*
- *Lighting controls and energy-efficient lighting;*
- *Low-VOC interior and exterior coatings during project repainting;*
- *On-site improvements such as sidewalks or pedestrian walkways to promote pedestrian activity and reduce the amount of vehicle trips;*
- *Installation of skylights and energy-efficient lighting that exceeds California Title 24 standards where feasible, including electronic dimming ballasts and computer-controlled daylight sensors in the buildings;*
- *Shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and building shall be planted at the proposed project site;*
- *Fans to assist natural ventilation, centralized water and space conditioning systems, high efficiency individual heating and cooling units, and automatic setback thermostats. Incorporating drought-tolerant plants into the landscaping palette; and*
- *Use of water-efficient irrigation techniques;*
- *Energy-efficient low-pressure sodium parking lot lights or lighting equivalent as determined by the City;*
- *Buildings shall be oriented north-south where feasible;*
- *Implement an on-site circulation plan in parking lots to reduce vehicle queuing;*
- *Develop a trip reduction plan to achieve 1.5 average vehicle ridership (AVR) for businesses with fewer than 100 employees or multitenant worksites;*
- *Include bicycle parking facilities such as bicycle lockers and racks;*
- *Include showers for bicycling employees use; and*
- *Construct on-site pedestrian facility improvements such as building access that is physically separated from street and parking lot traffic and walk paths.*

Mitigation Measure 4.13.6.1A requires that the project applicant incorporate four (4) energy-efficiency and water-efficiency methods into the project design including but not limited to:

- *Utilize exterior window treatments for efficient energy conservation;*
- *Utilize water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption;*

- *Prepare a Commissioning Plan that includes commissioning by a Commissioning Authority for all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, and water heating); and*
- *Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff;*

Mitigation Measure 4.13.6.1B requires that the project applicant incorporate twelve (12) energy-efficiency methods into the project design and construction including but not limited to:

- *Use locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project;*
- *Use "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project;*
- *Limit unnecessary idling of construction equipment;*
- *Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment;*
- *Design the project building to exceed the California Building Code (CBC) Title 24 energy standard, including, but not limited to, any combination of the following:*
    - *Increase 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 ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.*
- *Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping;*
- *Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings.*
- *Install light-colored "cool" roof and cool pavements.*
- *Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.*
- *Install solar or light-emitting diodes (LEDs) for outdoor lighting.*

Mitigation Measure 4.13.6.1C requires that the project applicant incorporate six (6) greenhouse gas emission and waste reduction methods into project operations including but not limited to:

- *Use less than 3,900 Global Warming Potential (GWP) hydrofluorocarbon (HCF) refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO2]) for refrigeration and fire suppression equipment;*
- *Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows;*
- *Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate:*
    - *Install drought-tolerant plants for landscaping.*

- *Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water.*
- *Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance.*

- *Provide employee education about reducing waste and available recycling services.*

Information on the project's LEED certification is presented in the previous Response to Comments D-2, Nos. 1 and. 2. The other measures suggested in this comment have already been evaluated in this EIR, and most have already been incorporated into the project Mitigation Measures. For example, the project will provide an alternative fuel station, shading of parking areas, energy efficient lighting both inside and outside, etc. The City believes compliance to at least 10 percent less than current energy codes included in the Green Building Code, and the project mitigation measures as proposed in the Draft EIR and as modified in this Final EIR, are sufficient and reduce the energy use of this project to the greatest extent practical and feasible, as required under CEQA.

The comment suggests that thirteen (13) additional measures to reduce greenhouse gas emission be included. The Draft EIR already incorporates or includes eight of the measures and the remaining six measures are not included or are infeasible. An explanation of these measures including where they are already included or incorporated in the Draft EIR or why they are not included or are infeasible is provided in Table A as follows:

Table A: Comparison of Sierra Club Suggested Measures to Project EIR Mitigation Measures

Suggested Mitigation Measure to Reduce Greenhouse Gas Emissions	**Response**
1. 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.	**Included.** The project description (see Draft EIR p 3-14) recognizes the trend towards "Green Building" in the state, and the applicant for the proposed project will apply for the Leadership in Energy and Environmental Design (LEED) Core & Shell rating program. LEED is a voluntary, consensus-based standard to support and certify successful green building design, construction, and operations.
2. Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	**Included.** A similar mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on pages 4.3-33 and 4.3-34.
3. 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.	**Included.** Similar mitigation measures are already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on pages 4.3-33 and 4.3-34 and **Mitigation Measure 4.3.6.6A** on pages 4.3-35 and 4.3-36 and Section 4.13 Global Climate Change of the Draft EIR under **Mitigation Measures 4.13.6.1A**, **4.13.6.1B**, and **4.13.6.1C** on pages 4.13-20 and 4.13-21.
4. Reducing the use of pavement and impermeable surfaces.	**Included where appropriate.** Impermeable surfaces will be installed were appropriate, but it is not feasible to use impermeable surfaces in the truck parking area since a soft permeable surface will not support the weight of a large truck.
5. Requiring water re-use systems.	**Infeasible.** Reclaimed water is not available to this area of the City yet, so a "purple" pipe system is not required to be installed as part of this project.
6. Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under

Suggested Mitigation Measure to Reduce Greenhouse Gas Emissions	Response
	Mitigation Measure 4.13.6.1B on page 4.13-21.
7. Limiting the hours of operation of outdoor lighting.	**Not Included.** The future facility operator is not known at this time since the developer is building a spec building. The City cannot burden the future, unknown operator with this limitation provided the operation complies with all applicable City ordinances regarding night lighting. **.**
8. Maximizing water conservation measures in buildings and landscaping, using drought tolerant plants in lieu of turf, planting shade trees.	**Included.** Similar mitigation measures are already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-34 and Section 4.13 Global Climate Change of the Draft EIR under **Mitigation Measures 4.13.6.1A**, **4.13.6.1B**, and **4.13.6.1C** on pages 4.13-20 and 4.13-21.
9. Ensure that the Project is fully served by full recycling and composting services.	**Included.** A similar mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6B** on page 4.3-37. **Infeasible.** The proposed industrial warehouse project will not generate any compost materials, with the exception of trimmings from landscape vegetation and scraps from employee meals. The landscape service provided will be responsible for removal of trimmed vegetation to an off-site receiving facility. Scraps from employee meals will not be generated in enough quantities to warrant an on-site composting facility, so such a system is not required to be installed as part of this project.
10. Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.	**Infeasible.** The site is served by public entities for wastewater and solid waste. Neither the City nor the project proponent has control over those facilities.
11. 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.	**Partially Included.** The proposed project does not have a specific end user at this point, but the building design will allow for future installation of solar photovoltaic for the entire building and solar hot water heating for the office area.
12. Installing solar water heating systems to generate all of the Project's hot water requirements.	**Not Included.** The proposed project does not have a specific end user at this point, but the building design will allow for future installation of solar photovoltaic and solar hot water heating for the office area.
13. Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.	**Included.** A similar mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6B** on page 4.3-36.

Response to Comment 27. The commenter is confusing the proposed project, which involves industrial warehouses, with a residential project. All known emissions during construction and operations of the proposed project have been identified and calculated (Draft EIR Section 4.13, Global Climate Change, pages 4.13-1 through 4.13-26). Feasible mitigation measures, including several identified in the list provided by the commenter, have been already included as mitigation for the project and are identified in the Draft EIR. In addition, the mitigation measures shown as "Incorporated" in the Table C have been added to the Final EIR (Section 3.0 Errata and Additions) as suggested by the commenter. The changes to the Draft EIR do not result in the identification of a new or more severe significant impact and has no material effect on the findings of the EIR. Table B below contains each of the greenhouse gas reduction measures suggested for inclusion by the commenter and if it is already included, if will be added mitigation as part of the Final EIR, or if will not be included and why.

The comment suggests that five (5) additional measures to reduce air quality and greenhouse gas emissions during project construction be included. The Draft EIR already incorporates or includes two of the measures and the remaining three measures are not included or are infeasible. An explanation of these measures including where they are already included or incorporated in the Draft EIR or why they are not included or are infeasible is provided in Table B as follows:

Table B: Comparison of Sierra Club Suggested Measures to Project EIR Mitigation Measures

Mitigation Related to Construction	
1. 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.	**Included.** A similar mitigation measure is already included in Section 4.13 Global Climate Change of the Draft EIR under **Mitigation Measure 4.13.6.1B** on page 4.13-20.
2. Minimize, reuse, and recycle construction-related waste.	**Not Included.** The project is required to comply with Policy 6.7.6 of the Chapter 9 of the City's General Plan: Require building construction to comply with the energy conservation requirements of Title 24 of the California Administrative Code. The applicant will attempt to divert at least 50% of construction waste, and would apply for LEED credit if they achieve that goal.
3. Minimize grading, earth-moving, and other energy-intensive construction practices.	**Infeasible.** The entire site must be graded to accommodate the building structures and parking lots.
4. Landscape to preserve natural vegetation and maintain watershed integrity.	**Infeasible.** The site contains very little natural/native vegetation, only associated with the Quincy Channel, which will be preserved onsite**.**
5. Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measures 4.3.6.2B** and **4.3.6.2J** on page 4.3-24.

Response to Comment 28. Many of these proposed measures appear to apply to a residential "planned community" rather than an industrial warehouse project, so it is assumed they were mistakenly excerpted from another document (e.g., shuttle service, car sharing service, encouraging residents to use low or zero emission vehicles, etc.).

Measure 4.3.6.5A requires ridesharing, and the project will provide a vehicle charging station (Measure 4.3.6.6A). In addition, the project will take advantage of transit when transit services are extended through the project along Eucalyptus Avenue by the RTA.

It should be noted that the commenter made very similar comments on the Vogel Industrial Project EIR recently processed by the City, and many of the mitigation measures incorporated into that project were incorporated into this project. However, Table C, below summarizes the measures recommended by the commenter compared to the actual measures provided in the Draft EIR and this Final EIR.

The comment suggests that six (6) additional measures to reduce air quality and greenhouse gas emissions from project vehicles be included. The Draft EIR already incorporates or includes two of the measures and the remaining four measures are not included or are infeasible. An explanation of these measures including where they are already included or incorporated in the Draft EIR or why they are not included or are infeasible is provided in Table C as follows:

Table C: Comparison of Sierra Club Suggested Measures to Project EIR Mitigation Measures

Transportation Mitigation Measures

1. Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles.	**Included.** Similar mitigation measures are already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5A** on pages 4.3-33 and **Mitigation Measure 4.3.6.6A** on page 4.3-36.
2. Create a car sharing program within the planned community;	**Not Included.** The suggested mitigation measure applies to a planned community and is therefore inappropriate. As noted in **Mitigation Measure 4.3.6.2J** (Draft EIR page 4.3-25), documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs. However, the applicant will provide a bulletin board that will facilitate posting of ridesharing information and requests by project workers.
3. Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.	**Not Included.** The suggested mitigation measure applies to a residential neighborhood and is therefore inappropriate. However, **Mitigation Measure 4.3.6.2J** on page 4.3-24 requires alternative fuel vehicles onsite.
4. 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.	**Included.** The mitigation measure the comment suggests refers to "residents", and this project proposes warehousing not a residential development. However, a similar mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6A** on page 4.3-36.
5. Provide a shuttle service to public transit within and beyond the planned community.	**Not required.** The RTA serves the general project area and may require bus stops to be installed as service is needed to the project or other nearby areas. Therefore, the site is serviced by the RTA and no further actions are necessary.
6. Incorporate bicycle lanes and routes into the planned community's street systems.	**Not required.** Bicycle access to and from the project would use Eucalyptus Avenue, and pedestrians would be able to access the site on the planned multi-purpose trail on the north side of Eucalyptus Avenue. It should be noted the proposed project is warehousing, not a planned community.

Response to Comment 29. The use of carbon offsets is infeasible because:

- The cited precedent is a negotiated settlement for a major oil refinery in Contra Costa County, rather than a warehouse development in Riverside County;
- The cited precedent was for the period prior to 2012;
- 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.

Using such carbon offsets to mitigate for cumulative impacts is fraught with uncertainty. 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. As noted above in the example

cited by the commenter, this initial offset of $7 million for the Rodeo refinery was later reduced to $4.4 million due to revised calculations of GHG emissions. The UN's Intergovernmental Panel on Climate Change found a margin of error of 10% with measuring emissions from making cement or fertilizer; 60% with the oil, gas and coal industries; and 100% with some agricultural processes.

Second, the provision of offsets requires 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 the concept 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.

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.

In conclusion, the City concludes that compliance to at least 10 percent less than current energy codes included in the Green Building Code, and the project mitigation measures as proposed in the Draft EIR and as modified in this Final EIR, are sufficient and reduce the energy use of this project to the greatest extent practical and feasible, as required under CEQA. There are no established laws or regulatory guidelines requiring contributions toward carbon offsets. In addition, 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. The analysis in the Draft EIR concludes that greenhouse gas emission impacts of the project will be less than significant with implementation of the recommended mitigation measures, despite protestations of the commenter and others to the contrary.

Response to Comment 30. The commenter is correct in stating that the EIR must contain a "*reasonable*" [emphasis added] range of alternatives to the proposed project that avoid or lessen the significant impacts to the proposed project (Pub. Res. Code §21002; CEQA Guidelines §§ 15002(a)(3), 15021(a)(2), 15126.6(d)). According to CEQA Guidelines §15126.6(a) "[A]n EIR need not consider every conceivable alternative to a project. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553 and Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 376)."

The Draft EIR does include an analysis of a reasonable range of alternatives to the proposed project (Draft EIR, Section 6.0 Alternatives, pages. 6-1 to 6-40) in compliance with CEQA. The Draft EIR discusses the No Project Alternative (Section 6.3.2.1) and an Off-Site Alternative (Section 6.3.2.4) as suggested by the commenter.

The EIR did look at a higher density mixed commercial residential development. As described on page 6-24 of the Draft EIR, the Mixed Commercial/Office/Residential Alternative (Alternative 4) would result in the development of commercial, office and residential uses on the project site resulting in development of 548 multiple-family residential units, 138 single-family residential units, 441,000 square feet of commercial uses, and 441,000 square feet of office uses.

As described on page 6-31 of the Draft EIR:

> *Under the Alternative 4, impacts related to short-term construction-related air quality would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality emissions would be increased in magnitude when compared to the project and would remain significant and unavoidable. Because of the increase in vehicle trips under this alternative, impacts to the operation of local roadways and intersections would be proportionally greater than what was identified for the proposed project. Long-term traffic impacts would remain significant and unavoidable. Traffic-related noise would be increased in magnitude but would be similarly mitigated like the proposed project and would remain less than significant.*
>
> *Because this alternative would also require a Zone Change and General Plan Amendment, land use impacts would be similar to the proposed project. This alternative would result in the development of office uses that would generate permanent jobs, which may require workers who are not current residents of the City. Combined with the residential component, the office use would increase the total number of people that would be added to the City's population. This alternative would have greater demands on public services and recreation. However, the payment of fees and dedication of parkland would reduce these impacts to a less than significant level. This alternative would increase the amount of water utilized and increase the amount of wastewater and solid waste that would be generated on site. Similar to the proposed project, adherence to*

wastewater and solid waste requirements would reduce these impacts to a less than significant level. In the event that water is not available for development envisioned under this alternative, impacts to water resources would be significant and avoidable. Under this alternative, some of the proposed project objectives would not be met as warehouse uses would not be built. However, development of this alternative would provide new employment opportunities for residents of Moreno Valley.

The Draft EIR does analyze the various alternatives impacts on greenhouse gas emissions (Table 6.F page 6-10) biological resources, water resources including water quality and water use (Table 6.C on page 6-9) and traffic (Table 6.B page 6-9). In addition, detailed analysis for each of the alternatives is included in Section 6 of the Draft EIR as it relates to the environmental issues listed by the commenter.

An agricultural alternative was not considered because the site has been planned by the City since 1987 for suburban intensity land uses. In addition the current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." Therefore, an agricultural use as a long-term alternative is not practical and does not require analysis as a separate alternative. However, it should be noted that Alternative 3 does incorporate 27 acres of land that would be used for agriculture to provide a less intense buffer in the southeastern portion of the site. No further analysis is necessary and the comment does not change the conclusion in the Draft EIR.

Response to Comment 31. The commentor is correct in stating that a large segment of the population of Moreno Valley is Hispanic or Latino. However, because a person is Hispanic or Latino does not automatically mean that they only speak Spanish. There is no legal requirement to translate the environmental documents or the notices into other languages. It is not the policy of the City to require project applicants to incur the added expense of having project environmental documents or public notices translated into Spanish. The City is also not required to incur the expense of providing a Spanish translator at public meetings. The commenter is free to provide a Spanish translator at its costs. In addition, neither the State CEQA Statutes nor the State CEQA Guidelines require or even suggest providing such notices.

Contrary to the assertion of the commenter, the City believes the Draft EIR does identify and analyze the potential direct, indirect, and cumulative impacts of the proposed warehouse project. The City believes the EIR, including the Draft EIR, Final EIR, and supporting appendices and materials, comply with the requirements of CEQA, and that the Final EIR has adequately addressed the various comments raised by this and other commenters on the EIR.

The Sierra Club, San Gorgonio Chapter, is already on the mailing list for this project, as previously requested.

LETTER D-3: JOHNSON & SEDLACK

Letter D-3

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September 4, 2012

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RE: Comments on Prologis Eucalyptus Industrial Park Draft Environmental Impact Report (SCH No. 2008021002)

Greetings:

On behalf of the Sierra Club, Moreno Valley Group, and Residents for a Livable Moreno Valley, I hereby submit these comments on the Prologis Eucalyptus Industrial Park Draft Environmental Impact Report (EIR). (SCH No. 2008021002)

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. 1

Unfortunately, the Draft EIR for this Project fails as an informational document. The Project Description in the EIR is inadequate, misleading, and internally inconsistent. CEQA requires that an EIR contain an accurate, complete, and consistent description of a proposed project so that decision-makers and the public can properly and fully assess the project's environmental 2

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consequences. (California Code of Regulations, Tit. 14 §15124; *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 192-193.) The Description here fails to divulge important information such as all adjacent land uses. (*See, e.g., Figure 3.2* identifying only a few Surrounding land uses; *also,* Section 3.0 of Draft EIR) The Description is also inconsistent with statements within the Description itself and elsewhere in the EIR. For example, the Executive Summary states that the amendment to the Master Plan of Trails will either relocate the trail "and/or" eliminate the planned trail segment, whereas the Project Description states that the both elimination and relocation will occur. The Project description also fails to depict all known future projects adjacent or near to the project site. By failing to provide an adequate Project Description, the EIR fails as an informational document. 2

The EIR misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The analysis and evaluation of project impacts within the EIR do not evince adequacy, completeness, or a good faith effort at full disclosure. (California Code of Regulations, Tit. 14 § 15003(i).) The conclusions and findings of the EIR are completely unsupported by substantial evidence within that document. 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. The EIR also fails to undertake and/or defers studies needed to determine the severity and extent of environmental effects, and whether or not such effects may be mitigated below a level of significance. Furthermore, the EIR is misleading by stating that the EIR evaluated the project as operating 24/7 where, in fact, the specific studies within the EIR evaluate operation in shorter time frames. 3

CEQA also requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation** must be adopted. (California Code of Regulations, Tit. 14 § 15091.) 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 impacts to agricultural resources. Additionally, while most of the project's environmental effects will be a result of its use as a distribution center and corresponding traffic and air quality impacts, no direct mitigation is required to reduce these impacts. With regards to air quality impacts from operational traffic, the EIR improperly concludes without evidence or reasoning that no mitigation in feasible. Regarding traffic effects, the EIR relies entirely 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 and fails to require any direct improvements without finding direct improvements to be infeasible. 4 5

Moreover, all mitigation measures required in the EIR must be fully enforceable, certain to occur, and not deferred. (Public Resources Code § 21081.6; Cal. Code of Regulations, Tit. 14 §§ 15074.1, 15097.) 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. The Project also defers mitigation extensively with regards to impacts to/from, for instance, biology, culture, hydrology/drainage, among others. 6

The choice of the environmentally superior alternative in the EIR is also not supported by substantial evidence in the record or the evaluation of those alternatives. The EIR concludes that Alternative 3, the Reduced Intensity Alternative, is the environmentally superior alternative where Alternative 5, the Off-Site Location Alternative, would ultimately result in fewer significant impacts. Nonetheless, the EIR does not find either Alternative 3 or Alternative 5 to be infeasible. As both of these alternatives satisfy most project objectives and significantly reduce project impacts, one of these environmentally superior alternatives must be implemented in lieu of the project if the project is approved. 7

For these and the reasons detailed below, the EIR fails to comply with CEQA and must be substantially supplemented, amended, and recirculated.

Project Summary:

The proposed development project would result in the construction and operation of approximately 2,244,638 square feet of distribution warehouse uses on 122.8 acre site. The project site is located adjacent to and south of SR-60, east of Moreno Valley Auto Mall, and adjacent to and west of the Quincy Channel in the eastern portion of Moreno Valley. The project will construct 6 buildings with a maximum height of 50 feet with 326 truck docks. The project will also construct 372 truck parking spaces and 1,110 auto parking spaces; 9 driveways; a bridge over Quincy Channel; a new "Eucalyptus Avenue" through the project site; a new roadway "B Street" between buildings 3 and 4; new storm drain, sewer, and water lines; and other related development. 8

Land uses of the project site presently consist of citrus groves and vacant land. There are also three natural drainage features onsite including two ephemeral channels to the southwest and Quincy Channel along the eastern portion of the property. Existing land uses adjacent to the project site are stated to include presently vacant land to the east and south, SR-60 to the north and residential uses north across that highway, Moreno Valley Auto Mall and Moreno Valley Fire Station No. 58 to the northwest, and single-family residential uses approximately 50 feet southeast of the project site. However, any of the surrounding lands are not mentioned or mapped in the EIR as having a use or, alternatively, being vacant or put to agricultural use. The Project description fails to adequately and accurately depict these adjacent land uses.

The Project will require the following discretionary entitlements, among others, from the City:

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General Plan Amendment to change the land use designation of 71.3 acres of the Project site from Residential (R15, R5, and R2) to Business Park.

General Plan Amendment to amend the Circulation Element to (1) eliminate the undeveloped Quincy Street from Eucalyptus Avenue to Encilia Avenue; (2) realign Encilia Avenue such that its western terminus is Moreno Beach Drive rather than its current terminus at Eucalyptus; and (3) classify the segment between Quincy Channel and Moreno Beach Drive as a Collector.

Zone Change of the entire site (122.8) acres from Business Park (BP), Business Park/Mixed Use (BPX), Residential 15 District (R15), Residential 5 District (R5) and Residential Agriculture 2 (RA-2) to Light Industrial (LI). The Zone Change will also redraw the boundary of the Primary Animal Keeping Overlay (PAKO) District which would remove 12.2-acres (part of the RA-2 Zone) from the City's PAKO-designated land.

Amendment to the City's Master Plan of Trails to eliminate the trail segment along the west side of the Quincy Channel north of the Future Eucalyptus from SR-60 to Fir Avenue; and/or relocate the Eucalyptus Avenue trail to the north side of Eucalyptus Avenue.[1]

8

The Project will require the following entitlements, among others, from other agencies:

Approval of Quincy Channel Improvements from the Riverside County Flood Control and Water Conservation District

A Section 404 permit from the US Army Corps of Engineers

A Section 401 Water Quality Certification from the Regional Water Quality Control Board

A Section 1602 Streambed Alteration Agreement from the California Department of Fish and Game.

The EIR finds that the Project will result in significant and unavoidable impacts to/from aesthetics, agriculture, air quality, land use/ planning, and traffic/transportation. All other potentially significant impacts are found to be mitigated below a level of significance.

Aesthetics

9

[1] Note: the description of this amendment changes in the EIR, resulting in an inconsistent project description.

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Within Table 1.C, Impact 4.1.6.1 states that, "A less than significant impact related to this issue would occur." This statement is incorrect, unsupported by the narrative, and unsupported by the third column finding that it is a "significant and unavoidable" impact. 9

The project would result in significant and unavoidable individual and cumulative impacts to existing visual character or quality of the site and its surroundings; scenic vistas of the Box Springs Mountains and Russell Range; and scenic resources and scenic highways. The project's impacts to scenic views and views from SR-60 also conflict with General Plan Policies and Objectives. (*See, e.g.* Objective 7.7, 7.7.4, 7.7.5) Despite these significant aesthetic impacts, no mitigation has been incorporated into the project to reduce or avoid these impacts such as substantially limiting the height of buildings; widely dispersing buildings; and/or creating wide setbacks and buildings screened from the roadway/residences. These mitigation measures are feasible and should be incorporated into the project. 10

At page 4.1-1, the EIR states that the closest residence to the project is 200 feet southeast of the project site. This statement conflicts with the Project Description and other parts of the EIR that place the closest residence at 50 ft. 11

At page 4.1-5, Objective 2.5 and Policy 2.5.1 do not pertain to aesthetics. The EIR lists these policies and then finds that the project is consistent with these policies. However, the EIR wrongly fails to evaluate the project's inconsistency with most other listed policies. (*See, p.4.1-9, compare, 4.1-21.)* 12

With regards to impact 4.1.5.1- Light and Glare, the EIR does not seem to consider additional light and glare from the *project's* additional traffic and presumed operation 24/7. Furthermore, the EIR does not consider impacts to nighttime views. Impacts to an from lighting are potentially significant and unmitigated.

With regards to lighting, the following should be required of the project:

Maximum wattage for light bulbs on the exterior of the project of 250 watts;
All lighting must be designed with full cutoffs to fully shield light fixtures.
A further reduction of permitted light trespass or spillover lighting onto adjacent properties to a maximum of 0.25 foot candle maintained lighting measured from within five (5) feet of any property line. The existing City standard is 0.50 foot candle.
The inclusion of lighting height limits of a maximum of 30 feet, except within 100 feet of a residential use, where lighting shall be reduced to a height of 20 feet and walkway/courtyard lighting to a maximum of 12 feet in height.
The addition of lighting curfews for outdoor lighting requiring all lighting to be reduced by 50 percent beginning at 10:00 p.m. until dawn. 13

Signage is not evaluated in the EIR even though the EIR implies that the project will have signage. (EIR p. 4.1-20-21) The EIR fails to evaluate all aesthetic impacts by failing to account for light/glare and view impacts from any signs installed for the project. 14

The project description states that the maximum height of the buildings will be 50 feet (Table 3.B); however the aesthetics section does not evaluate the impacts from the two out of six buildings with a maximum height of 50 feet. Instead, the aesthetics evaluation considers the average height of 39 feet and height at the corners of 43 feet. (*e.g.* p. 4.1-19) The aesthetics evaluation thereby fails to divulge the real aesthetic impacts of the project to views and the visual character and quality of the site and its surroundings. 15

The EIR states that there will be a 395 foot setback between the closest building and residences. However, this does not demonstrate at least a 250-ft buffer or setback between "industrial uses" and "residential uses," only the buildings themselves. 16

The EIR concludes that, "the project appears to be consistent with the various Municipal Code requirements for the proposed land uses outlined in Section 4.1.2 related to landscaping, setbacks parking, storage, etc." without in any way evaluating how or why the project is consistent with the requirements. 17

Agricultural Resources

Within Table 1.C (Environmental Summary), Impact 4.2.6.1 states that, "The proposed project would not conflict with an existing agricultural zone" and that "Impacts are less than significant." However the narrative does not support this finding, the Impact is listed under the title "Significant Impacts" and the level of significance after mitigation states that impacts will be significant and unavoidable. This discrepancy must be corrected to provide the public and decision-makers with an accurate depiction of project impacts. 18

Impacts to the PAKO are not mentioned in the Environmental Summary; rather only the RA-2 zone designation is mentioned. Removing 12 acres from the PAKO designated land in the City must be mentioned in the Summary. Furthermore, the finding that this conflict and conversion of land is less than significant is unsupported where the 12 acres represents .4% of the PAKO-designated land in the City. This impact may also be cumulatively considerable and yet was not considered within the discussion of cumulative impacts. 19

The project would convert 82.5 acres of "Prime Farmland" and 39.8 acres of "Farmland of local importance" to non-agricultural uses. Table 1.C Impact 4.2.6.2 also lists "(5.3 acres)" but fails to identify any designation for these 5.3 acres. The summary table also only states that the conversion of state designated Prime Farmland is significant; any impact to Farmland of Local Importance is disregarded. 20

The project would convert a site currently actively involved in agricultural operation. The project site also has a significant LESA score, further demonstrating its importance and the significant impact of this project to agriculture. However, this score is misstated throughout the EIR as 83 (Table 1.C Impact 4.2.6.3), 85.30 (Table 4.2.A), and 85.07 (p. 4.2-10). The project would also have a cumulatively considerable agricultural impact. 21

No mitigation is required to reduce the individually and cumulatively significant adverse impacts of this project to agriculture. While the EIR identifies many mitigation measures that may be implemented, it fails to require any mitigation. The fact that the General Plan EIR found 22

mitigation to be infeasible on a citywide scale does not mean that project level mitigation here is infeasible.

Mitigation measures identified by the Dept. of Conservation to reduce agricultural impacts include:

The purchase of agricultural conservation easements;
Transfer of development rights;
Acquisition of farmland by the city or county;
mitigation banking;
the establishment of "urban limits," greenbelts, and buffers;
the payment of in-lieu fees sufficient to a purchase and maintain farmland conservation easements;
and planning tools such as clustering development, use of density bonuses, and limiting "leapfrog" development.

22

The EIR refers to these as "tools" to mitigate the loss of agricultural land. The EIR does not find that it is infeasible to implement these mitigation measures.

While the measures regarding planning within the purview of the City may have been determined to be infeasible, ***the EIR does not provide evidence to support the finding of infeasibility with regard to project-level mitigation including the purchase or transfer of development rights, conservation easements, or donation of funds to assist in the preservation of agricultural lands.*** These measures must be required as mitigation. In particular, the purchase of a permanent agricultural conservation easements of land of at least 2:1 of equal quality is feasible and must be required to mitigate for impacts from the direct and growth inducing/cumulative loss of agricultural land. This may alternatively be accomplished by the donation of mitigation fees to a local, regional, or statewide organization that provides for acquisition and stewardship of agricultural conservation easements. Such mitigation is not found to be infeasible.

23

See, Attached Exhibit A, "Zero Sum Game: The Debate Over Off-Site Agricultural Mitigation Measures" by Joshua Safran, Vermont Journal of Environmental Law, Volume 6 2004-2005, explaining the benefits of mitigation and feasibility of such measures.

Air Quality

The EIR assumes that the Moreno Valley Unified School District has abandoned plans to locate several schools in close proximity to the project. However, Resolution No. 2007-08-81 did not abandon these sites but merely gave the superintendent the authority to do so and to enter into an agreement to that effect. There is no evidence in the EIR that any such abandonment of these sites actually occurred. As Resolution 2007-08-81 merely expressed an intention and did not formally abandon these school sites, the failure of the EIR to consider these potential sensitive receptors in the project vicinity with regards to air quality impacts and elsewhere in the EIR is unsupported.

24

The EIR fails to disclose all Moreno Valley General Plan Policies relevant to air pollutant emissions. Such omitted policies and objectives include:

> Ultimate Goal VII: achieve a community which "Emphasizes public health and safety…"
> Goal 6.1: "To achieve acceptable levels of protection from natural and man-made hazards to life, health, and property."
> Objective 7.5 "Encourage efficient use of energy resources."
> Policies 7.5.1; 7.5.2; 7.5.5 regarding energy efficiency.

25

Health Risks

The EIR finds, contrary to the evidence in the record, that the project's Health Risk impacts would be less than significant. Nevertheless, the project will result in significant cumulative health risks, discussed below, and mitigation must be incorporated to reduce such impacts.

26

With regards to operational emissions, the Health Risk Assessment[2] (HRA) modeled emissions as if all trucks and cars moving onsite were located only on Eucalyptus Avenue, not driving to or from the buildings elsewhere onsite. The HRA thereby minimizes impacts where vehicles will be driving onsite closer to receptors and residences. The HRA also assumed that the buildings would have a height of 65 feet where, in fact, the buildings will be of varying height up to 50 feet with an average height of 39 feet and height at the corners of 43 feet. While this assumption may be beneficial to determine any wake effect, it may be detrimental if the EIR assumes that some emissions are blocked by the buildings.

27

Further, the HRA assumes operation 350 days per year. This is not the 24/7 evaluation that the EIR claims occurred for all project impacts.

28

The Environmental Summary Table 1.C states that the project would increase cancer risks at existing sensitive receptors by no more than 1.1 in 1 million, and at future development by 3 in 1 million. This is contradicted by the Air Quality Analysis and Air Quality section of the EIR, which puts project-related health risks increases of at up to 4.33 cancers in 1 million at residences to the north; it is not apparent that the closest residences to the southeast were evaluated or what the impact to those residences would be. Again, the Environmental Summary and EIR fail to accurately depict project effects. Furthermore, this risk is measured at a distance further than actual existing sensitive receptors (25 meters versus 50 feet) so that the actual health risk may be higher than predicted.

29

Furthermore, according to the EIR, **this increase in cancer risk would add to an existing cancer risk of over 250 in 1 million (the rate for parts of Riverside County), well over the threshold of 10 in 1 million**. However**, the EIR fails to actually evaluate and quantify present or expected health risks at nearby sensitive receptors with the project.** The EIR fails as an informational document by failing to evaluate and quantify actual health risks with and without the project.

30

[2] The HRA refers to the Air Quality Analysis, EIR App. B, p. 43-47.

The health risk assessment also evaluates worker health with a standard work schedule. This should be clarified in the EIR, especially where the EIR states that it evaluates impacts as to operation 24/7. 31

With regards to operational emissions, the EIR and HRA use projected 2025 emissions as a "median point for emission rates." This again provides an emission estimate and health risk lower than that which would be seen with current emission rates. The EIR fails as an informational document by using the future emissions factors where health risks should be measured based on current emission. 32

With regards to construction health risks, the EIR evaluates construction as occurring 22 days per month for 4 months, where construction will actually occur for almost a year and may occur 7 days a week. The claim that this evaluation is "conservative" is unsupported by the record. 33

The health risks from this project will be a result of primarily diesel PM. In addition to cancer risks, 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. (*See,* Exhibit C*, 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>; Exhibit D*, 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>, Exhibit E, "Dirty Air Triggers More Heart Attacks than Cocaine," Kate Kelland, Reuters 2011, and "Air Pollution Worse than Cocaine for Triggering He art Attacks, says study," Press Association 2011.) 34

SCAQMD has stated with regards to the health effects from diesel PM:

> "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… 35
>
> 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.*) 35

Furthermore, infants, children, and the elderly are more susceptible to diesel PM and its associated health impacts. Given this project's potential close proximity to residential uses, this increased susceptibility is extremely relevant. 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*.) 36

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. (Exhibit F, *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>) 37

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 EIR, in evaluating health risks, failed weight potential cancer and non-cancer impacts from the project. Impacts to children and the elderly near the project may be elevated in comparison to the risks stated in the EIR.

See also, Attached Exhibit B, "Appendix G, Emissions Inventory Methodology and Results,"

California Air Resources Control Board. This study is a comprehensive re-evaluation of the heavy duty diesel truck emissions inventory for California and contains EMFAC modeling methodology to estimate vehicle emissions. 37

Exhibit G is also instructive. The "Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning: a Reference for Local Governments within the South Coast Air Quality Management District," May 6, 2005, details the harms of air pollution on health and public welfare and provides guidance on how harms may be measured and minimized. 38

The attached Exhibit H, "Good Neighbor Guidelines for Siting New and/or Modified Warehouse/Distribution Facilities," WRCOG Regional Air Quality Task Force, September 12, 2005, provides additional guidance for reducing impacts from diesel PM through the use of buffers and other methods that should be considered in re-evaluating project impacts and mitigation measures/alternatives to the proposed project. 39

Attached Exhibit I provides calculation methods for PM 2.5, "Final-Methodology to Calculate Particulate Matter (PM) 2.5 and PM 2.5 Significance Thresholds," October 2006. 40

Air Quality Management Plan Inconsistency

The EIR contemplates that "it is uncertain if [the project] is consistent with the AQMP." In fact, the project is *inconsistent* with the AQMP as it has not been considered in the General Plan. The statement that it is uncertain if the project is consistent is not supported by the facts in the EIR. 41

Construction

It is not clear whether the EIR considers construction emissions from all sources or merely construction equipment at 4.3.6.2. For instance, it is unclear whether the fugitive dust emissions or the importation of 200 cubic yards of soil during grading and 339,561 cubic yards of fill during excavation were considered in the construction air quality evaluation. If only construction equipment was considered, then the EIR is deficient for failing to consider emissions from all construction sources. 42

Additionally, the EIR does not disclose the actual peak daily emissions should construction phasing overlap. At least two construction phases (architectural coatings and paving) are expected to overlap. Also, no phasing of construction is required of the project. (*See,* App. B p. 23) Phasing as projected must be required and/or the EIR must disclose actual peak daily emissions with the overlap of construction phases. 43

With regards to exceedances of localized significance thresholds, the EIR separately considers emissions from different phases of construction. Again, any overlap must be considered and the phasing must be required so that further overlap of phasing, and associated additional pollutant emissions, do not occur. Furthermore, it does not appear that any phases other than grading and architectural coating were considered; impacts from site preparation, building construction, and paving are conspicuously absent. The EIR is again flawed as an informational document. 44

Diesel construction equipment is evaluated for use at a maximum 8 hours per day but as few as 6 hours per day. There is no requirement that this be the maximum operating time for equipment, 45

and this surely is not the evaluation of project effects at 24/7 operation that the EIR purports to examine. Furthermore, while mitigation for noise impacts allegedly limits construction-related activities that would result in "high noise levels" to occur between set hours, **this still permits construction for up to 14 hours per day; there is no such limit for non-high noise level activities; and written approval may be obtained to permit any construction 24/7.** (MM4.9.6.1D) The limitation of 8 hours per day for use of construction equipment is unreasonable and not supported by facts in the EIR. Construction equipment use 24/7 must be considered. 45

Similarly, the Air Quality Analysis considers a maximum daily disturbed acreage of 4 acres in order to evaluate construction LST impacts. This assumption is not supported by the potential to construct the project 24/7 until completion. The LST analysis also looks at 25 meters, rather than the 50 feet distance to the nearest sensitive receptors. (Air Quality Analysis p. 26) LST impacts are understated as a result of these discrepancies. 46

Odors are determined to be insignificant as a result of the fact that they would not occur after construction. (Air Quality Analysis p. 27)However, where construction would occur for almost a year, this assumption of only a short-term impact is erroneous. Odors from equipment during construction is a significant and unmitigated impact that is not disclosed in the EIR. 47

LSTs for project operation are also flawed as the evaluation considers a 5 acre site at 25 meters. Neither the Air Quality Analysis nor the EIR cite the source or reasoning for considering only 5 acres of the project site for evaluating LSTs during project operation. Impacts are understated. 48

With regards to mitigation measures for construction air quality impacts:

All construction equipment staging areas should be located at least 1000 feet from sensitive receptors. (Mitigation Measure ("MM") 4.3.6.2A.) 49

With regards to MM4.3.6.2B, "Power sources" is vague; as is "clean-fuel generators." If electric power poles or a certain type of generator is meant, those alternatives must be explicitly stated. 50

MM 4.3.6.2C does not go far enough by requiring only Tier II equipment and only during the rough/mass grading phase, and only inclusive of rubber-tired dozers and scrapers. It is feasible to require Tier III or higher equipment for all phases of construction and for all equipment where technologically available. 51

MM 4.3.6.2D is not a mitigation measure but California law. The public and decision-makers are deceived by the incorporation of this and other laws in the Mitigation Measure sections of the EIR so that it looks like much more mitigation is being required of the project that is actually occurring. 52

MM 4.3.6.2H is likewise not a mitigation measure. It is feasible to require, as mitigation, that the construction equipment be maintained in good condition and in proper tune, and that construction equipment always be prohibited from idling for 5 minutes or more. It is feasible to not limit this mitigation to "smog season." 53

MM 4.3.6.2I is not a mitigation measure but a CARB requirement. 54

MM 4.3.6.2J is uncertain and unenforceable, as it merely requires that documents have "notations", not that any mitigation occur. The bullet points are further uncertain and unenforceable where they require mitigation only where "feasible". 55

Regarding MM 4.3.6.2K, no mitigation is certain to occur without the addition of a time limit for responding to air quality issues. It is feasible to require response and resolution within 24 hours. 56

MM 4.3.6.2L merely requires the posting of signs, not that truck drivers turn off engines when not in use or that trucks not idle for more than 3 minutes. 57

At MM 4.3.6.3A, the word "should" must be changed to "shall" to ensure enforceability. As written, the measure is vague and unenforceable. 58

Operational Impacts

Operation of the project will have significant impacts to CO, ROG, NOX, PM10, and PM2.5. However not all feasible mitigation has been required of the project. Moreover, the EIR baselessly concludes that no feasible mitigation exists for impacts from mobile sources and fails to require any mitigation for this project's enormous mobile source emissions. For instance, mobile source emissions will account for 1,800 lbs/day of the project's total 1,801.1 lbs/day of CO, well over three times the 550 lbs/day threshold. Likewise, mobile source emissions will account for 2,000 lbs/day of the project's total 2,001.3 lbs/day of NOX, over thirty-six times the 55 lbs/day threshold. (*See,* Table 4.3.L at EIR p. 4.3-33) The EIR and Air Quality Analysis nevertheless conclude without reason what emissions from project related truck exhaust is "outside the control of this project" and therefore there is no mitigation available to reduce these air quality impacts. (*See, e.g.* Air Quality Analysis p. 1) To the contrary, feasible mitigation exists to reduce operational air quality impacts as detailed below and including, for example, requiring Smartway carriers for project operation. 59

With regards to Mitigation for Operational Air Quality impacts, MM4.3.6.5A and 4.3.6.5B are vague, uncertain, and unenforceable. While alternatives and performance standards are allowable, these measures do not demonstrate that any mitigation will be required of the project or that they will in any way require all feasible mitigation. It is feasible to require each of the alternatives listed as mitigation for the project. Accordingly, the following mitigation measures must be incorporated to reduce operational air quality impacts: 60

Preferential parking for employee vanpooling/carpooling
Bicycle parking facilities
Bus turnouts
Require construction of buildings to exceed Title 24 requirement by 20 + percent.
Install low-emissions water heaters
Install central water heating systems

Require use of energy-efficient appliances
Require increased insulation
Require use of automated controls for air conditioners
Require use of energy-efficient parking lot lighting.
Require use of lighting controls and energy –efficient lighting.
Require use of low-VOC interior and exterior coatings during any project repainting.
Require on-site improvements such as sidewalks or pedestrian walkways to promote pedestrian activity and reduce the number of vehicle trips.
Require installation of skylights and energy-efficient lighting that exceeds current California Title 24 standards where feasible, including electronic dimming ballasts and computer-controlled daylight sensors in the buildings.
Require planting of shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and building shall be planted at the proposed project site to minimize the heat island effect and thereby reduce the amount of air conditioning required.
Require installation of fans to assist natural ventilation,
Require installation of centralized water and space conditioning systems or, alternatively, high efficiency individual heating and cooling units
Require installation of automatic setback thermostats.
Require the incorporation of the following to reduce energy demand associated with potable water conveyance through the following methods:

- Require incorporation of drought-tolerant plants into the landscaping palette; and
- Require incorporation of water-efficient irrigation techniques.

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Require installation of energy-efficient low-pressure sodium parking lot lights or equivalent as determined by the City;
Require that buildings be oriented north-south;
Require implementation of an on-site circulation plan in parking lots to reduce vehicle queuing;
Require applicant to develop a trip reduction plan to achieve 1.5 average vehicle ridership (AVR) for businesses with fewer than 100 employees or multi-tenant worksites;
Require project to include bicycle parking facilities such as bicycle lockers and racks;
Require project to include showers for bicycling employees use;
Require construction of on-site pedestrian facility improvements including building access that is physically separated from street and parking lot traffic and walk paths.

Likewise, all alternatives listed at MM 4.3.6.6A are feasible and each must be incorporated into the project as below:

Buildings shall exceed current California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling.
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 shall be installed.
Install automatic devices to turn off lights when they are not needed.
Shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site.
Paint and surface color palette for the project shall emphasize light and off-white colors which reflect heat away from the buildings.
All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design, and shall incorporate renewable electricity systems.
The project shall implement a landscaping palette emphasizing drought tolerant plants.
The project shall implement use of water-efficient irrigation techniques.
The project shall implement EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
The project shall provide secure, weather protected, on-site bicycle storage/parking.
The project shall provide on-site showers (one for males and one for females).
Lockers for employees shall be provided.
The project shall establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.
The project shall provide preferential parking for carpools and vanpools. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the project site plan.
The project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the project building plans.
Lease/purchase documents shall require the implementation of the following mitigation measures by contract specification:

- Implement compressed workweek schedules.
- SmartWay partnership: Achieve at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long haul trips carried by SmartWay 1.0 or greater carriers.
- Achievement of at least 15 percent 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 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers.
- Require that all fleet vehicles conform to 2010 air quality standards or better.

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- Install of catalytic converters on all gasoline-powered equipment.
- Include to the greatest extent feasible electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.
- Establish and encourage use of carpool/vanpool programs through methods such as vouchers.
- Require a charge for parking fees for single-occupancy vehicles.
- Provide preferential parking for EV and CNG vehicles consisting of at least 15% of parking stalls.
- Require use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance where technologically feasible.
- Require use of only electric (instead of diesel or gasoline-powered) yard trucks.
- Require that all trucks within the fleet be SmartWay rated 1.25.

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Also, the Air Quality Analysis fails to list all thresholds of significance, specifically threshold 3(c): whether the project would result in any cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard. (Air Quality Analysis, App.B, p. 19.)

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Cumulative Impacts

As discussed above**, the EIR failed to substantively evaluate the potential cumulative health risk impacts to sensitive receptors near the project, instead citing a CARB Map identifying a carcinogenic risk of over 250 in 1 million in the Riverside area. It is entirely possible that the risk is substantially higher in the project vicinity**. Without actual analysis of this matter, the public and decision-makers are denied disclosure of the project's cumulative health risk impacts, and the EIR fails as an informational document.

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Likewise, the EIR fails to substantively and quantitatively evaluate cumulative impacts from project construction and operation. While the EIR concedes that such impacts will be substantial and unmitigated, the EIR omits any discussion or divulgence of the severity of such effects.

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Biological Resources

Mitigation Measure 4.4.6.1A will reduce impacts to migratory bird species, however these impacts are only minimally discussed in the EIR. The Environmental Summary likewise fails to mention impacts to migratory birds or passerine birds. Furthermore, the Environmental Summary states that this mitigation measure will reduce impacts to burrowing owls, not migratory birds. It should be clarified that MM4.4.6.1A will reduce potentially significant impacts to migratory nesting birds, not burrowing owls.

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The distance maintained from burrowing owl dens of 160 feet during the non-breeding season and 250 during the breeding season is not sufficient. A recent "Staff Report on Burrowing Owl Mitigation" by the Department of Fish and Game found that the following distances from nesting sites are required for low, medium, and high disturbance activities. ("Staff Report on Burrowing

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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>, p.9-10)

Time of Year	Low Disturbance	Medium Disturbance	High Disturbance
April 1-Aug 15	200 meters	500 meters	500 meters
August 16-Oct 15	200 meters	200 meters	500 meters
Oct 16- Mar 31	50 meters	100 meters	500 meters

The DFG staff report also provides updated guidance on passive relocation of burrowing owls which must be reviewed and incorporated into any mitigation. (*Id.* at p.10-11) The Staff report also found that if lesser buffers are permitted, a "broad-scale, long-term, scientifically-rigorous monitoring program" must be implemented to ensure that burrowing owls are not detrimentally affected by alternative approaches. (*Id.* at p. 10) Here, lesser buffers are required without implementing any rigorous monitoring to ensure that significant impacts do not occur. There is also no consideration of potential impacts from construction to burrowing owls on neighboring sites where disturbance may occur within 500 meters of burrows. Mitigation may be needed for potential impacts to burrowing owls on neighboring sites. 65

The EIR's relied upon "Burrowing Owl Survey Protocol and Mitigation Guidelines", California Burrowing Owl Consortium from 1993 is outdated given the guidance documents presently available for mitigating for impacts to the burrowing owl. The EIR and mitigation measures must be updated to account for these recent studies and guidance for mitigating impacts to the Burrowing Owl.

The following recommended mitigation measures must be implemented to reduce impacts to Burrowing Owls:

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 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.

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The project will also have significant impacts to riparian/riverine habitat which is not adequately mitigated through the uncertain and deferred mitigation measures at MM 4.4.6.2A and 4.4.6.2B. Mitigation Measure 4.4.6.2A alleges to require the offsite replacement of habitat at a 2:1 ratio; however, the measure only requires contribution of in lieu fees to the SAWA and does not ensure that the fees will be used for the acquisition of equivalent habitat. The required mitigation is uncertain to occur.

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Mitigation Measure 4.4.6.2B improperly defers mitigation by requiring the preparation and implementation of a Habitat Mitigation and Monitoring Plan to oversee restoration of temporarily effected areas to pre-construction contours and vegetation. Deferred mitigation is only permissible where, for practical reasons, it is not feasible to prescribe specific mitigation measures in the EIR. (*Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 94.) The EIR does not demonstrate that it is infeasible to presently prepare this plan. Moreover, this Plan is not subject to any performance standards or alternatives. MM4.4.6.2B thereby improperly defers mitigation, and impacts to riparian/riverine habitat are significant and unmitigated.

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The proposed project also will permanently impact federally protected wetlands and jurisdictional waters. Again, this impact is inadequately and uncertainly mitigated through the uncertain mitigation measures at MM 4.4.6.3A. Mitigation Measure 4.4.6.3A alleges to require mitigation at a 2:1 ratio. However, the measure only requires contribution of in lieu fees to the SAWA and does not ensure that the fees will be used for the acquisition of equivalent wetlands. This mitigation is uncertain and inadequate. 68

The Cumulative Impact analysis with regards to biological impacts fails to consider impacts deemed to be individually significant, instead focusing on impacts offset by the MSHCP. Specifically, the EIR fails to evaluate the cumulative impacts to burrowing owls and migratory nesting birds; riparian and riverine habitat; and protected wetlands/waters. The EIR fails as an informational document by failing to consider the project's cumulative effects in these areas. 69

The Determination of Biologically Equivalent or Superior Preservation Report (EIR App. C) suggests mitigation measures for edge treatments including lighting and noise, but fails to discuss or evaluate these potential impacts from lighting and noise on biology. (p. 4-6) 70

Cultural Resources

With regards to archaeological resources, the project is located within the Moreno Hills Complex, an area of archaeological sites. Sixty-five archaeological sites and 22 historic buildings have been documented within a one mile radius of the project. The EIR gives short shrift to the potential archaeological impacts of the project given its high likelihood of containing archaeological and native American resources. It is not apparent that the Luiseno or Cahuilla Indians were consulted with regards to potential onsite resources as part of the cultural resource research for the project. 71

Mitigation measures for prehistoric cultural/archaeological resources are insufficient and uncertain to mitigate for impacts. MM 4.5.6.1A provides only for temporarily redirecting ground disturbance, not for halting any disturbance in the event that such a halt is necessary. Further, the archaeological monitor should be one determined to be qualified by the city, not merely one selected by the applicant. At MM 4.5.6.1B and 4.5.6.1C, no authority is given to the Native American monitor beyond aiding and recommending to the archaeologist. These measures must require consensus between the Native American monitor and archaeologist in order to ensure that impacts to Native American archeology is adequately mitigated below a level of significance. At MM 4.5.6.1D, it is unclear what will become of artifacts after any temporary curation, and vague who "stakeholders" refers to. 72

With regards to paleontological impacts, the project site has been identified as having a high potential to contain significant paleontological resources. Mitigation for paleontological impacts is improperly deferred, requiring the preparation of a Paleontological Resource Impact Mitigation Program in the future rather than divulging the details of the mitigation measure in 73

the EIR. The EIR states no reason why this program cannot be presently prepared for review by the public and decisionmakers. The remaining mitigation measures for paleontological impacts allow for only the rapid salvage of fossils/bone, not for the halting of excavation while proper recovery is conducted. It is uncertain who selects the qualified paleontological monitor; such monitor should be independently selected by the City. It is uncertain that there is a museum repository available for permanent curation and storage of any paleontological resources. Overall, the mitigation for paleontological impacts is uncertain and deferred. Impacts to paleontological resources remain potentially significant. 73

The EIR selects a too small area to evaluate cumulative impacts to cultural resources, evaluating on impacts within the City of Moreno Valley. There is no explanation of why the City boundaries were chosen for this cumulative impact analysis. The cumulative impact section fails entirely to evaluate and analyze impacts, instead concluding without reasons that any such impacts will be less than significant. This conclusion is unsupported by evidence in the EIR. 74

Hydrology and Water Quality

The Project would result in storm water flows over double the existing cubic feet per second and at a substantially increased volume. Despite this acknowledgement, the EIR improperly defers preparation of the Final Hydrology Study with supporting engineering calculations without reason.(*Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 94.) There is insufficient evidence without this study to conclude that impacts may be reduced below a level of significance. 75

Likewise, the cumulative impact analysis relies on the capability to mitigate project effects below a level of significance, where this ability has not been demonstrated as a result of deferred study. Additionally, the cumulative impact analysis limits consideration of cumulative impacts to the City of Moreno Valley where there is no support for limiting within this area. To the contrary, as the site is located in the Santa Ana River Basin, cumulative impacts to these area watersheds must be considered. 76

Hazards/Hazardous Materials

Appendix F demonstrates that the last soil sampling was conducted in 2003-2004. Any findings with regards to the presence of hazards or hazardous materials onsite is therefore outdated. The site has persisted in agricultural use and may since have been exposed to additional pesticides or other hazardous materials. Additional study concerning whether such materials exist onsite must be undertaken. 77

Land Use/Planning

The project will result in significant impacts to land use/ planning for a myriad of reasons. Nonetheless, the evaluation of impacts to/from land use and planning omit consideration and 78

divulgence of several project effects. For instance, discussion of the RTP fails to mention any potential effect from moving or omitting the trail segment, or from the fact that the only mitigation provided for traffic impacts consists of the payment of in lieu fees. The discussion of the RTP also fails to discuss conflicts with the "improve air quality and promote energy efficiency" section of the RTP. Rather, the EIR references other sections and states that the project is consistent with the RTP. This conclusion is not supported by the EIR or narrative reasoning therein. Hence, while the EIR is right to conclude that the project will result in significant impacts to land use/ planning, the EIR fails to provide adequate information concerning such effects. 78

With regards to cumulative impacts, the EIR acknowledges that the Project may create an over-supply of warehousing space in the city cumulative with only WestRidge. It is not clear whether this assessment also accounts for the other planned or proposed industrial warehousing in the City. Nevertheless, the addition of potentially unneeded warehousing space and loss of up to 584 multi-family residential units which may have contributed to the affordable housing supply is significant and supports project denial. (See also, for instance, *"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>) 79

Noise

The noise impact section of the EIR is fatally flawed and causes the EIR to fail as an informational document. The EIR fails to measure noise impacts against the actual thresholds of significance and with regards to all project noise sources. 80

The EIR notes that the nearest proposed residential uses are 25 feet to the south of the project site, but states that trucks will operate approximately 280 feet from those proposed residences at loading/unloading areas. There is no evidence in the EIR that this distance of 280 feet is required or evidence that the distance of the ***loading areas*** is equal to the distance of ***truck operation***. To the contrary, the EIR states that the nearest internal driveways are approximately 5 ft. from the southern boundary of the project, and about 30 feet from future residences. The EIR nevertheless utilizes a 280 foot distance from sensitive receptors. This distance is contradicted in the EIR. (*See, p.* 4.9-23, 4.9-4). 81

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 in the EIR. 82

The EIR also wrongly measures noise at the nearest sensitive receptors instead of at the property 83

line. The property line is the proper locale for measuring the project's noise impact and increases in ambient noise levels. 83

The EIR wrongly concludes that the project will not result in a substantial increase in ambient noise levels in the project vicinity above levels existing without the project with regards to long term traffic noise. The project will, in fact, result in noise increases of **up to 13.6 dBA compared to existing levels (Table 4.9.G) and up to 13.3 dBA in 2012**.[3] **These increases are significant.** The conclusion that these increases are less than significant is not based on the threshold of significance, the data of the EIR, or any other facts or evidence. The EIR therefore wrongly concludes that traffic noise impacts will be less than significant. 84

Moreover, the EIR separates out operational noise into three sections where such noise and impacts would all occur during operation: Traffic Noise, Long-Term Operational Noise, and Noise Impacts to Adjacent Future Development. In so doing, the EIR fails to evaluate Operational Noise as a whole from all sources; and fails to evaluate all operational noise based upon the **two unique thresholds of significance**. The EIR fails to consider the potential exposure of persons to, or generation of, noise levels in excess of standards established in the General Plan, Municipal Code, or other standards, from traffic or to future residents. The EIR also fails to evaluate the total noise increases from project operation above existing levels. The EIR fails as an informational document by failing to consider these potentially significant effects. 85

In Section 4.9.5.5, in addition to failing to consider impacts from project traffic in consideration of whether the project exposes people to or generated noise above applicable noise standards, the EIR relies heavily on noise attenuation and shielding from the buildings. This attenuation is not certain, however, especially where noise is considered only at the ground level and, again, only at the nearest off-site residential uses rather than the property line. This section also utilizes 75dBA Lmax and 65 dBA without discussion of the General Plan's acceptable residential exterior noise of 65 and interior noise of 45 dBA CNEL. 86

Section 4.9.5.6 does not evaluate noise level increases in the project vicinity above existing levels as alleged. Instead, almost each subsection looks to noise standards, a separate threshold of significance. The project may increase ambient noise with or without exceeding noise standards. This EIR again fails to act as an accurate or adequate informational document. 87

The EIR finds that short-term construction noise impacts will be potentially significant but mitigated below a level of significance through compliance with permitted hours (MM 4.9.6.1D). This conclusion is not supported by the EIR where the project will result in a substantial temporary increase in ambient noise in the project vicinity, and compliance with project hours 88

[3] Note: there is a discrepancy throughout the EIR concerning what year constitutes "Opening Year". For example, the Noise Study has Opening Year at 2012, while the Traffic Study puts Opening Year at 2016 where both concern traffic and daily trips. The EIR is internally inconsistent and provides decision-makers and the public with erroneous information by failing to accurately and consistently evaluate project effects.

will not reduce any increases in ambient noise. Moreover, though the EIR does not state the level of existing noise onsite and in the project vicinity (another flaw of the EIR), the EIR concludes that construction of the project will significantly increase noise to 91 dBA Lmax. There is no evidence that any of the other mitigation measures listed will reduce this noise below a level of significance. 88

Furthermore, the EIR does not at all evaluate construction noise impacts/ temporary impacts with regards to the potential exposure of persons to, or generation of, noise levels in excess of standards established in the General Plan, Municipal Code, or other standards. 89

MM 4.9.6.1D is also uncertain as written approval may be obtained to completely override any such requirement. This does not demonstrate that the City if committed to mitigation. 90

Not all feasible mitigation has been required of the project. The following additional mitigation must be incorporated into project construction: 91

1. Temporary noise barriers must be installed during project construction.
2. Where technically feasible, utilize only electrical construction equipment
3. During construction, the developer shall require that all contractors turn off all construction equipment and delivery vehicles when not in use and prohibit idling in excess of 3 minutes.
4. Require the use of rubberized asphalt for construction of all roadways and parking areas.
5. Maintain quality pavement conditions that are free of bumps, pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc.
6. Ban heavy trucks near vibration and noise sensitive uses.

Lastly, cumulative noise impacts were found to be less than significant based on the above-detailed uncertain mitigation measures and incomplete evaluation of noise impacts. Cumulative noise impacts should be considered significant up to and until such a time that complete and accurate analysis of the project's individual noise impacts as completed and mitigation is demonstrated to be certain, enforceable, and able to reduce impacts below a level of significance. 92

Exhibits J-N provide guidance on calculating noise effects, the potential health risks from noise, and methods for minimizing and mitigating for noise impacts. 93

Transportation/Traffic

Project trip generation estimates are based on the ITE rates for buildings under 200k sq. ft. and Moreno Valley rates for buildings over 200k sq. ft. The EIR does not state why a single trip generation rate calculation method was not used. 94

Additionally, this section of the EIR, in addition to others, attempts to minimize project effects by comparing the proposed project's impacts to those which would potentially be caused by build-out onsite in the manner proposed by the General Plan, rather than assessing the impact of 95

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the proposed project on the environment compared to *existing physical conditions onsite*. (Guidelines § 15126.2(a); *See, e.g. EIR Table 4.11.E*) By comparing the proposed project to a potential land use on site instead of the existing use which has minimal, if any, traffic generation, the EIR fails as an informational document. 95

Also, as with the remainder of the EIR, the Transportation/Traffic section fails to evaluate impacts in relation to the actual thresholds of significance. For example, the first threshold: whether the project would cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system; is evaluated only with regards to whether the project would exceed an LOS standard. (*See, p.* 4.11-15 - 4.11-16.) Whether there may be a substantial increase in vehicle trips or volume to capacity ratio on roads is never considered. 96

It is not clear that the design features or incompatible uses evaluation accounted for future residences near the project site. Likewise, the dismissal of potential impacts to schools is flawed for the reasons detailed above. Impacts from a great number to trucks sharing the roadway with passenger vehicles also does not appear to have been considered as a potentially incompatible use where such vehicles would doubtless share access to at least SR-60 in addition to other roadways. 97

Also, there is minimal discussion of conflicts with adopted plans/ policies supporting alternative transportation, such as those listed at pages 4.11-11 through 4.11-13. Moreover, the conclusion that the project will have a less than significant impact with regards to conflicts with adopted plans/ policies supporting alternative transportation is unsupported given the project's proposal to eliminate the planned trail segment on Quincy Ave from SR-60 to Fir Ave. 98

Page 4.11-18 states that the City Trails Commission has accepted the amendment to the Master Plan of Trails to relocate the Eucalyptus Avenue Trail to the north side of Eucalyptus and/or eliminate the planned trail segment on Quincy Ave from SR-60 to Fir Ave. This is inconsistent with the remainder of the EIR which states that such an amendment will need to be approved as part of the project. Moreover, it unclear if only relocation of the trail, only elimination of the plan trail segment, or both portions of the proposed amendment were accepted by the City Trails Commission. 99

The tables delineating The Project's LOS impacts make no attempt at quantifying delay once it exceeds 100 seconds. (Tables 4.11.F, 4.11.G, 4.11.H, 4.11.I, 4.11.J) While acknowledged as LOS F, the Tables fail to divulge how extensive these delays may be.

The Project will result in unacceptable LOS as stated in the EIR as follows: 100

Impact	Number of Unsatisfactory Intersections	Number of Unsatisfactory Freeway Segments	Number of Unsatisfactory Freeway Ramps

Existing (2011) with Project	2	3	0
Opening Year (2016) With Project	3	4	0
Opening Year (2016) Cumulative With Project	8	6	0
Future Year (2035) With Project	12	9	9
General Plan Buildout With Project	13	Not Evaluated	Not Evaluated

Despite these impacts, the project does not require any additional mitigation at these intersections or roadways beyond contribution to the DIF and TUMF.

The EIR finds that impacts to intersections and roadway segments within the DIF and TUMF programs will be reduced below a level of significance despite the fact that many of these improvements are not yet funded and will likely not be funded or constructed for some time. Nonetheless, the EIR finds that impacts will be mitigated to less than significant at all significantly impacted roadway segments and intersections other than the SR-60 segments and ramps. The fact that an improvement is part of the DIF or TUMF program does not ensure that it will soon be planned or funded, and surely does not ensure that it will be planned, funded, and built by project opening or other future years evaluated in order to reduce impacts to less than significant. Mitigation is therefore uncertain, and the reasoning that "impacts would remain significant and unavoidable until such improvements are constructed" used elsewhere in the EIR's reasoning applies. 100

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 is less than significant after mitigation is simply not supported by evidence and the realities of these fair share programs. 100

With regards to DIF funding, the EIR does not demonstrate that all impacts to city streets will reduced below a level of significance or that adequate funding exists or will exist for needed improvements. 101

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. 102

Additionally**, the 2016 Opening Year Baseline is inco nsistent with the opening year found elsewhere in the EIR**. For example, the Noise section of the EIR relied on a opening year of 2012. This discrepancy must be resolved. 103

Utilities and Service Systems

The EIR states that the Badlands landfill has a closure date of 2024 in some places and ***2016*** in other places, yet concludes under either assumption that there will be adequate capacity. (*Compare, e.g.,* p. 4.12-1 and p. 4.12-5) This assumption is not based on evidence in the record, particularly if the project has an opening year of 2016 and the landfill has a closing year of 2016, in which case a finding of adequate capacity is entirely contradicted by the EIR. The project will thus have a significant and unmitigated impact to solid waste disposal which is not disclosed in the EIR. 104

With regards to water supply, the EIR spends a great deal of time evaluating water demand compared to general plan build-out, but gives only a short mention of demand compared to *existing site condition*, as required by CEQA. The EIR is misleading with regards to the project's water supply impacts. 105

GHGs

The EIR concludes that the project would not significantly conflict with applicable plans, policies, or regulations for reducing GHGs. However, many of the "consistency" determinations are unsupported by the project and the record. For instance, the EIR finds that the project is consistent with the City's encouragement to install solar power, yet the project will not install any solar panels. Similarly, the EIR finds that the project is consistent with the aim to construct zero net energy buildings where this project will not be zero net energy. Other applicable policies are not discussed beyond stated conclusions. This portion of the EIR is highly conclusory and not supported by reasoning or evidence. 106

The EIR states that the project will have a LEED score of 20 out of 69. Table 4.13.D demonstrates that 55 out of 69 points are not infeasible. At least these potentially feasible measures must be implemented to mitigate for this project's enormous air quality and GHG impacts. 107

Compliance with GHG emission reduction strategies is not demonstrated as the mitigation measures for GHG impacts are uncertain and deferred. For instance, MM 4.13.6.1A merely requires compliance with state law required by Title 24. 108

MM 4.13.6.1B does not require all feasible mitigation and is vague. There is no amount stated by which the project must exceed Title 24; it is feasible to require that the project exceed Title 24 standards by at least 30%. 109

MM 4.13.6.1C does not ensure that water use efficiency will be met, as it merely requires that some water conservation strategy be implemented. 110

The project will nevertheless have a significant impact **that the EIR wrongly finds to be individually insignificant after mitigation. The project will emit 79,000 mtpy CO2e, far above and beyond SCAQMD's 10,000tpy CO2e threshold.** Despite finding such emissions to be significant, the EIR concludes that GHG emissions will be less than significant individually because the project's impacts alone would not cause or significantly contribute to climate change or have a substantial effect on consumption of fuels. The EIR wrongly evaluates GHG emissions on a global scale, where SCAQMD's quantitative threshold demonstrates the project exceeds that threshold of significance and the EIR does not demonstrate that the project complies with, at least, regional GHG reduction planning. Individual GHG impacts should be deemed significant and unmitigated. 111

Likewise, the EIR concludes on no factual basis that the project will not have a cumulatively significant impact on GHGs, despite finding exceedence of the SCAQMD threshold. The EIR's evaluation on a global scale is again improper. 112

Alternatives

The EIR concludes that Alternative 3, the Reduced Intensity Alternative, is the Environmentally Superior Alternative. Alternative 3 would, according to the EIR, have significant impacts to Aesthetics, Agriculture, Land Use, Air Quality, and Transportation. On the other hand, Alternative 5- the Off-site Location alternative, would only result in significant impacts to Agriculture, Air Quality, and Transportation; impacts to Aesthetics and Land Use would be eliminated or reduced below a level of significance. Hence, while both of these alternatives would reduce subsets of these project effects, the Off-site alternative is environmentally superior to the reduced intensity alternative. 113

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 114

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)] Here, both Alternative 3 and Alternative 5 will meet most project objectives and significantly reduce or eliminate environmental impacts. If the project is approved, one of these alternatives must be adopted in lieu of the project as proposed. 114

Conclusion

Thank you for your consideration of these comments and the attached and/or referenced material.

Sincerely,

Raymond W. Johnson
JOHNSON & SEDLACK

RESPONSE TO LETTER D-3

JOHNSON & SEDLACK

Response to Comment 1. The commenter provided some brief information about the purposes of CEQA. No response is necessary.

Response to Comment 2. The commenter's opinions on the quality of the environmental assessment that was done will be forwarded to the decision-makers for their consideration. The City disagrees with the commenter's generalized assertions regarding the adequacy of the Draft EIR. The comment that the conclusions in the EIR are not based in fact is erroneous. The Draft EIR is based on the findings of technical studies that were prepared for the project that were included in their entirety in the appendices to the Draft EIR. Those studies are all listed in Section 2.2.4, *Technical Reports*, of the Draft EIR, and listed separately in the appropriate impact assessment sub-section of Draft EIR Section 4, Impact Analysis (Sections 4.1 through 4.13). The project description and subsequent analysis in the EIR explain that the trail segment north of the realignment of Eucalyptus Avenue will be eliminated because it does not go anywhere, as it was planned when an undercrossing of the SR-60 was envisioned, but which has been eliminated from the General Plan and supporting planning documents and maps. Rather, the proposed trail will follow Eucalyptus Avenue with a leg south of Eucalyptus along the Quincy Channel, which will connect the trail to existing trails to the west and south. This information is not inconsistent in the EIR document.

In addition, the commenter is incorrect, Table 3.C and Figure 3-4 (in Section 3.8, *Cumulative Projects*) in the Project Description do accurately describe and show the locations of cumulative projects being evaluated in the EIR.

The EIR has provided accurate information about the proposed project and cumulative projects and therefore does not fail as an informational document.

Response to Comment 3. The City disagrees with the opinions of the commenter – The City believes the findings of the EIR are supported by substantial evidence and the EIR is an adequate informational document upon which the decision-makers can base their decisions. The responses below document the ways the EIR provides substantial evidence and complies with the requirements of CEQA.

Regarding the evaluation of environmental impacts, the Initial Study prepared for the proposed project was comprehensive and determined that impacts on forest resources, geology and soils, mineral resources, public services, and recreation would be less than significant with the implementation of mitigation requiring further analysis in an EIR. Those specific mitigation measures are identified in the Initial Study, Section 2.0 of the EIR and are also included in the Mitigation Monitoring and Reporting Plan (MMRP) attached to the Final EIR. The City formally initiated the environmental process with circulation of an NOP along with the Initial Study, which it sent to responsible agencies and interested individuals for a 30-day review period from February 4 to March 6, 2008. At the close of the public review period, the City had received 22 letters on the NOP. The NOP disclosed that an EIR would be prepared and the issues that would be addressed included: aesthetics (views and lighting), agricultural resources, air quality, biological resources, cultural and paleontological resources, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, traffic and circulation, utilities and service systems, and global climate change (i.e., Sections 4.1 through 4.13 in the Draft EIR). The commenter is in error that the Draft EIR did not address some of these topics. All of these potential impacts were addressed in appropriate sections of the DEIR.

In addition, the technical studies prepared in support of the DEIR analyses that address temporal-related impacts did allow for 24/7 operation. For example, the traffic study was based on peak-hour impacts assuming worst case conditions (i.e., not 24-hour operation), so 24/7 operation would actually lower peak hour traffic impacts. The project traffic data is the basis for the noise assessment, likewise allow for 24/7 operation. Similarly, page 13 of the project noise assessment states…

> "*These noise levels represent the worst-case scenario, which assumes that no shielding is provided between the traffic and the location where the noise contours are drawn. The specific assumptions used in developing these noise levels and model printouts are provided in Appendix A. Tables F, H, J, and L show that project-related traffic noise level increases would be 2.6 dBA or less along most roadway segments analyzed, except along Eucalyptus Avenue between Auto Mall Drive and Redlands Boulevard. This range of noise level changes is small and is not perceptible by the human ear. The portion of Eucalyptus Avenue with traffic noise increases greater than 3 dBA has no noise-sensitive uses (auto mall, commercial use, and vacant land only) directly adjacent to it."*

Response to Comment 4. DEIR pages 4.2-8 and 4.2-9 clearly explain why mitigation for loss of agricultural land is not feasible on a local or regional basis, based on historical and current economic conditions related to agricultural crops in this portion of Riverside County. This conclusion is supported by the project-specific analysis provided in Appendix E of the DEIR.

Response to Comment 5. The commenter is incorrect – there are a number of measures recommended to offset anticipated traffic and air quality impacts of the project. These are described in their appropriate impact assessment sections (4.3 and 4.13, respectively) and summarized in Table 1.C of the Executive Summary. As outlined in Section 4.4.6, it is infeasible and ineffective to implement operational mitigation on future warehouse users that do not have specific tenants or end-users identified (Draft EIR, page 4.3-37), but Mitigation Measure 4.3.6.6A did address trucking and other activities on the site to the extent practical. In addition, the City has specifically identified the TUMF and DIF programs as the legally established method of mitigating respective regional and local traffic (i.e., road and intersection) impacts. In addition, the project traffic report specifically identifies a number of roadway and intersection improvements that will not be improved through the TUMF or DIF programs for which the proposed project would be responsible, as outlined in Mitigation Measures 4.11.6.4D, 4.11.6.4E, and 4.11.6.4F.

Response to Comment 6. The commenter's opinion that the mitigation measures in the EIR are vague, uncertain, unenforceable, and/or deferred is not based in fact, nor does the commenter provide any examples to support this contention. As detailed in the following responses, appropriate and enforceable mitigation of the project's significant individual and cumulative impacts have been identified in the Draft EIR. The City believes the mitigation measures recommended in the Draft EIR are appropriate based on the identified impacts of the project. However, certain measures or portions of measures suggested by the commenter (such as for air quality) have been incorporated in the Final EIR to clarify their implementation or help further reduce potential impacts. However, these changes or additions do not change the conclusions or overall analysis in the Draft EIR, as outlined in Final EIR Section 3.0, *Errata and Additions*. All mitigation measures that are in the Draft EIR, and mitigation language changed as a result of responses to comments by this commenter as well as the Sierra Club, have been included in the MMRP (Section 4.0 of the Final EIR) to ensure that they are being implemented.

Response to Comment 7. The City believes the alternatives analysis (Section 6.0 of the Draft EIR) is in compliance with *CEQA Guidelines* Section 15126.6(a), because the Draft EIR describes "a range of reasonable alternatives to the project, or to the location of the project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project." The EIR need not consider every conceivable alternative; rather it must consider a reasonable range of potentially feasible alternatives to the project, or to the location

of the project, which would avoid or substantially lessen significant effects of the project, even if "these alternatives would impede to some degree the attainment of the project objectives, or would be more costly" (*CEQA Guidelines* Section 15126.6(b)). The discussion of project alternatives must "include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project." The alternatives are to "substantially lessen the significant effects of the project", not to satisfy the actual mitigation required.

The comment notes that the Draft EIR identifies Alternative 3, the Reduced Intensity Alternative, as the environmentally superior alternative but that Alternative 5, the Off-Site Location Alternative, would result in fewer significant impacts than Alternative 3 and therefore should have been identified as the environmentally superior alternative. It should be noted that Table 6.M contains a typographical error by omitting a "Significant" indication ("S") under Alternative 5 relative to consistency with the AQMP. The text analysis of this issue in Section 6.3.5.3 (DEIR page 6-32) indicates air quality impacts of the project on another location would still be significant as it would still be inconsistent with the AQMP. This error has been corrected in Section 3, *EIR Errata and Additions*, of this document.

As detailed in the Draft EIR Tables 6.K, page 3-39, Alternative 3 reduces the severity of project-related air quality impacts and is the only alternative that eliminates the significant agricultural impacts. However, reduced, long-term air quality impacts would remain significant after mitigation for this alternative in the same way as the project. Alternative 5 would produce the same level of air pollution as the proposed project. Alternative 3 would reduce the volume of daily traffic trips when compared to the proposed project; however, such impacts would remain significant and unavoidable until roadway improvements are completed. Alternative 5 would generate the same level of traffic trips as the proposed project. Alternative 5 would eliminate impacts associated with land use and planning as this alternative would not require a Zone Change or General Plan Amendment. Alternative 5 would also eliminate the significant population/housing impacts and the significant aesthetic impacts; however, it would likely not reduce the significant agricultural impacts of the project compared to Alternative 3.

The remaining environmental issues would ultimately be similar to the proposed project through adherence to existing standards and mitigation measures. Though the Off-Site Location Alternative is located in a different part of the City, the amount of development under this alternative would remain the same as the proposed project, and it would satisfy all of the identified project objectives. In addition, the potential offsite location is not under the control of the project applicant, so it is problematic if development of the project could actually occur on an alternative site. Based on a review of all the potential impacts, the Draft EIR concluded that the Reduced Intensity Alternative appears to be the environmentally superior alternative for the project site (see Draft EIR page 6-39).

Under the environmentally superior alternative, the proposed project objectives are met but less square footage of warehouse uses would be built. However, Alternative 3 is the only alternative that would reduce the significant impacts to agricultural resources compared to the proposed project and therefore it results in a substantive environmental benefit in comparison to the proposed project. The environmentally superior alternative (reduced density) will result in reduced air pollution and greenhouse gas (GHG) emissions but the significance of these impacts remain significant and unavoidable for air quality, global climate change, and traffic in the same manner as the proposed project. The significant and unavoidable project impacts associated with GHG emissions and traffic cannot be reduced to less than significant though reduction in the size of the project. The significant and unavoidable project impacts associated with air quality can be eliminated if the project is reduced to approximately 90,000 square feet (based on a linear reduction in the project's 990 pounds per day of operational NO_x emissions to below the 55 pounds per day threshold).

Under Alternative 5, all of the project objectives are met and it reduces two impacts to less than significant that were determined to be significant and unavoidable for the proposed project (consistency with the General Plan and Aesthetics), (see Draft EIR Section 6.5 Comparison of Project

Alternatives, Table 6.M, pages 6-39 and 6-40.) The DEIR does correctly conclude that Alternative 5 is also environmentally superior to the proposed project (i.e., fewer significant impacts than the proposed project), however, the commenter incorrectly concludes that, because Alternative 5 meets most project objectives, it must be approved instead of the proposed project. Alternative 3 also reduces significant impacts of the proposed project, and is the only alternative that will reduce impacts to agricultural resources. The commenter claims that this information requires recirculation of the DEIR to identify Alternative 5 as the Environmentally Superior Alternative, but that is not correct - Alternative 3 is the Environmentally Superior Alternative.

Response to Comment 8. The commenter states that the EIR must be substantially supplemented, amended, and recirculated. The responses provided to the various comments submitted on the Draft EIR, including those of this commenter, indicate the information in the EIR is adequate and the EIR does not need to be recirculated. he rest of this comment summarizes characteristics of the project and related project approvals, so no response is necessary. One of the comments is regarding the status of vacant land around the project site. It does not appear any of the land surrounding the project site is presently being utilized for agriculture, although the area in general has been used for dry farming in the past. The current onsite and offsite land uses are described in detail in Section 4.8, *Land Use and Planning*.

Response to Comment 9. The commenter is correct, the conclusion of the paragraph will be corrected as follows to reflect the determination that impacts to views are significant:

> ***Impact 4.1.6.1 Existing Visual Character or Quality of Site and Its Surroundings:*** *Implementation of the proposed project would replace the undeveloped character of the project site with an urban setting containing warehouse uses. Therefore, the change in the character of the site would be recognizable and would constitute a permanent alteration of the existing visual character of the project site. Although the visual characteristic of the project site would change, the proposed project would replace the existing vacant parcel with an attractive, well designed development through the use of architectural elements, landscaping, and design of the project site. In addition, the proposed project would be designed and constructed per applicable City Municipal Code and General Plan standards. Despite these requirements, a ~~less than~~ significant impact related to this issue would occur.*

This will be corrected in Final EIR, Section 3.0, *EIR Errata and Additions,* but this modification does not change the overall conclusion of the EIR that this impact is significant.

Response to Comment 10. The EIR did conclude that the project would fundamentally change views of the project area, but the line-of-sight analyses of each building (Draft EIR, Figure 3.7A through 3.7F) demonstrate that the proposed buildings, including Building 2, will not completely block views of the Mt. Russell Range or Box Springs Mountain due to their planned heights and setbacks from the freeway (Building 2) and nearby residences (Building 6). The Conservation Element objectives and policies referred to by the commenter encourage the following:

Objective 7.7	Where practicable, preserve significant visual features significant views and vistas.
Policy 7.7.4	Gilman Springs Road, Moreno Beach Drive, and State Route 60 shall be designated as local scenic roads.
Policy 7.7.5	Require development along scenic roadways to be visually attractive and to allow for scenic views of the surrounding mountains and Mystic Lake.

Overall views of the upper slopes of the Mt. Russell Range, views of the Box Springs Mountains, the Badlands will be maintained from the SR-60 and surrounding residential areas, although some views of Mt. Russell and Box Springs Mountain may be partially obscured by the proposed development.

Views from Gilman Springs Road and Moreno Beach will not be adversely affected by the project due to the distances involved of project buildings from these roadways. The Project Description and supporting materials demonstrate that the proposed buildings will be attractive and not eliminate important views in the surrounding areas. Therefore, the project does not significantly conflict with this General Plan objective or policies.

Mitigating the project by substantially changing the size, location, and/or heights of the buildings would prevent the project from providing logistics-type warehousing uses on this site. Lowering the heights of the buildings would render them unable to accommodate high cube warehouse users, and making smaller, more spread out buildings would eliminate a major reason for proposing a logistics-type warehousing project on this site (i.e., large buildings with ready freeway access). Interior heights of 30-40 feet are needed for these types of uses, which result in a maximum building height of approximately 50 feet. Note that only two of the buildings (#2 and #3) will be 50 feet in height, the other buildings will have a maximum height of 44 feet. For these reasons, these types of mitigation are not feasible for this type of project. The Project Description (Section 3.0 in the DEIR) indicates that the southern-most building will be almost 400 feet from the closest existing residences to the southeast (i.e., separated by several detention basins), and will be visually screened by landscaping. These project design features will help buffer the residences from the proposed warehouses.

It is at the discretion of the City to approve or disapprove this requested General Plan Amendment. If the City approves the project, it will have to adopt a Statement of Overriding Considerations and demonstrate that the various benefits of the project (e.g., economic, employment) outweigh or override its significant environmental impacts.

Response to Comment 11. The Project Description does state that…"*Existing single-family residential uses are located approximately 50 feet southeast of the southeastern corner of the project site.*" (Draft EIR page 3-1). However, the commenter is incorrect regarding project distances and conclusions drawn from those errors. That reference is to the property boundary only, and not to buildings or truck-use areas proposed for the project. The reference of 200 feet on page 4.1-1 of the Draft EIR should actually be 50 feet to the property boundary, as outlined below, and will be corrected in Final EIR, Section 3.0, *EIR Errata and Additions*.

The Draft EIR clearly states that…"*The nearest existing sensitive land uses are single-family residences located approximately 50 feet southeast of the southern boundary of the project site, approximately 395 feet southeast of the proposed warehouse buildings, and approximately 664 feet southeast of the loading docks*." (Draft EIR page 4.3-17, 4th paragraph). The commenter may be confused by the terms used to characterize the spatial relationship of the project to the existing residences. The residences are 50 feet from the project's property line, but Figure 1.2 and the Project Description (page 3-7) indicated there will be several large detention basins in the southern portion of the site that will act as a buffer and separate truck activities of the project from the residences to the southeast. As stated in the DEIR and demonstrated on the project site plan, the residences would be 395 feet from the closest proposed warehouse building, and 664 feet from the closest proposed loading dock. We hope this clarification resolves the commenter's concern in this regard.

Response to Comment 12. The commenter is correct, General Plan Objective 2.5 and its polices do not directly relate to community aesthetics, but the analysis in Section 4.1.6 clearly focuses on the other objectives and policies that are more directly related to aesthetics.

Response to Comment 13. The commenter is incorrect, the Draft EIR does address potential lighting impacts (Draft EIR, Section 4.1.5.1, *Light and Glare)*, but determines that the impacts will be less than significant with implementation of the project as proposed, and with implementation of the City's Municipal Code relative to industrial lighting. Night time views are discussed, since that is when nighttime lighting would be visible. The main reason these impacts will be less than significant is that the actual buildings of the project will be almost 400 feet away from the closest residence (to the

southeast). The project plans show walls around the southwest corner and along the southern boundary of the project, which will block lights from vehicles in these areas adjacent to Buildings 5 and 6. Security lighting for the building would be on during all nighttime hours (i.e. overnight) but would also be shielded by walls and compliance with the City's Municipal Code requirements for night lighting of non-residential buildings (see below). With the proposed setback, walls, landscaping, and potential lighting impacts will be less than significant, as indicated in the Draft EIR.

All development in the City, which includes light generated from warehouse buildings and parking lots, is required to adhere to lighting requirements contained in the City's Municipal Code (Section 9.08.100 Lighting), which states that any outdoor lighting associated with nonresidential uses shall be shielded and directed away from the surrounding residential uses. Such lighting shall not exceed one-half foot-candle at all property lines and shall not blink, flash, oscillate, or be of unusually high intensity or brightness. Lighting in parking areas and drive aisles must be at least 1.0 foot-candle and cannot exceed a maximum of 8 foot-candles. Adherence to the City's Zoning Code would ensure that any building or parking lighting would not significantly impact adjacent uses. Therefore, impacts associated with this issue are less than significant, and no mitigation is required, so the additional measures recommended by the commenter are not needed.

Response to Comment 14. Page 4.1-20 of the Draft EIR clearly states…"*The City's Municipal Code (Section 19.05 and Table 9.05.040-8) establishes the number, location, height, and style of signage permitted within industrial zones. The submittal and approval of signs are required for all development in the City; therefore, it is reasonable to conclude that all on-site signs are internally compatible and consistent with the City's current signage standards. Adherence to City requirements would result in a less than significant visual impact in this regard. The existing General Plan and zoning designations for the site show low density residential*." Therefore, the commenter's statement about the EIR not evaluating impacts of signage is not correct.

Response to Comment 15. Yes, the commenter is correct that Table 3.B indicates a maximum building height of 50 feet for buildings 2 and 3, but the commenter fails to note that the line-of-sight analyses and renderings for these buildings (Building 2 = Figures 3.7B, 3.8B, and 3.8C, Building 3 = Figures 3.7C and 3.8D) clearly show these buildings would have a maximum height of 50 feet. The line-of-sight analyses show that the proposed Building 2 may impact views from the freeway of the lower slopes of Mt. Russell, but would not eliminate views of the upper slopes and open land to the southeast. Similarly, Building 3, and to some degree Building 6, may limit views from the nearby residential areas (to the southeast) toward Box Springs Mountain, but views of Mt. Russell, the Badlands, and open land to the east would remain. It should be noted that the EIR concluded that loss of views and other visual impacts would be significant.

Response to Comment 16. The reader should refer to Response to Comment D-3, No. 11 above regarding distances from the project and nearby residences.

Response to Comment 17. The commenter suggests that evaluation of the project's consistency with land use development requirements was not addressed and therefore the statement "the project appears to be consistent with the various Municipal Code requirements for the proposed land uses outlined in Section 4.1.2 related to landscaping, setbacks parking, storage, etc." is not supported. The quote from the Draft EIR was making the simple factual conclusion that the proposed project will be required to adhere to all applicable development standards contained in the City's Municipal Code, similar to any project in any municipality.

Response to Comment 18. The commenter is correct, the text of the paragraph will be corrected to reflect the determination in the environmental analysis in Section 4.2.5.1 under No Impact/Less than Significant Impacts, but the conclusions shown in the table reflect the correct conclusions (i.e., this agricultural impact is less than significant).

This has been corrected in Final EIR, Section 3.0, *EIR Errata and Additions,* but this minor editorial correction does not change the overall conclusion of the EIR that this impact is significant.

Response to Comment 19. The commenter is correct, and Response to Comment D-3, No. 18 above shows how the text in Table 1.C of the Executive Summary will be modified to account for this loss. This will be corrected in Final EIR, Section 3.0, *EIR Errata and Additions,* but this modification does not change the overall conclusion of the EIR that this impact is significant.

The loss of 0.4 percent of the PAKO as a result of this project is a minimal amount of change and does not constitute a significant impact, as indicated in the DEIR, Section 4.2.5.1 Conflict with Existing Zoning or a Williamson Act Contract, page 4.2-6.

Response to Comment 20. The commenter is correct, Farmland of Local Importance will be added to the text in Table 1.C, as shown below. In addition, the "(5.3 acres)" reference is a fragment should have been removed from the text because it does not refer to a formal agricultural designation.

> ***Impact 4.2.6.2 Conversion of State Designated Farmland:*** *The project site is designated as 67 percent Prime Farmland (82.5 acres) and 12 percent (39.8 acres) as Farmland of Local Importance ~~(5.3 acres)~~. While farmland conservation measures have been implemented in other areas of the State, neither the City of Moreno Valley nor Riverside County maintains a program that developers and property owners can participate in to offset agricultural resource impacts; therefore, the conversion of State designated Prime Farmland is a significant impact.*

This will be corrected in Final EIR, Section 3.0, *EIR Errata and Additions,* but this modification does not change the overall conclusion of the EIR that this impact is significant. The significance conclusion for each type of farmland is included in DEIR Section 4.2.6.1 Conversion of State Designated Farmland, pages 4.2-6 through 4.2-10.

Response to Comment 21. The commenter is correct, the correct LESA score for the project site is 85.3, as shown in Table 4.2.A – the other references will be corrected in Final EIR, Section 3.0, *EIR Errata and Additions,* however, these corrections do not change the overall conclusion of the EIR that this impact is significant. It should be noted that all of these scores represent a significant impact.

The Draft EIR already recognizes that the project would contribute to a cumulative impact on agricultural resources and concludes the following:

> *"The cumulative effect of development in the region will continue to result in the conversion of agricultural lands to non-agricultural uses. Because agricultural land, including Prime Farmland, is a finite resource, the conversion of 122.8 acres of farmland to industrial uses, combined with planned and future development in the City and region, represents a cumulative impact to agricultural operations and resources, and the proposed project's contribution to this cumulative impact through the conversion of 122.8 acres of farmland is cumulatively considerable."* (Draft EIR page 4.2-11)

Response to Comment 22. The potential mitigation measures identified in this comment are not considered to be feasible by the City of Moreno Valley as determined in the City's General Plan EIR. As identified in the Draft EIR (Section 4.1.6.1 Conversion of State Designated Farmland, page 4.1-13), "*Williamson Act contracts are entered into voluntarily by property owners and the City cannot force owners to participate in this program. The City does have the ability to encourage property owners to participate in Williamson Act programs; however, this is expected to result only in temporary preservation of agricultural land since property owners have the option of non-renewal of these contracts at any time after the ten-year contract period ends. The land would then be available to be developed with urban uses.*

Providing protection for ongoing agricultural activities from new developments, such as requiring buffers between agricultural operation and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent properties will not permanently protect agricultural land.

The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. Moreno Valley has determined that these measures are economically infeasible based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. Furthermore, these measures are contrary to the City's vision (as stated in its General Plan) for the project site; therefore, they are not feasible and alternative mitigation has not been identified." Table B below contains the suggested mitigation measures by the commenter. The responses determine whether the Draft EIR contains the mitigation measure, if the mitigation will be added mitigation as part of the Final EIR, or if it will not be included and why.

Table B: Evaluation of Potential Agricultural Mitigation

Suggested Mitigation Measure	Response
1. The purchase of agricultural conservation easements	**Not Feasible.** Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. The site has been planned for developed uses since 1987, the City has recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth and the current General Plan does not include any agricultural designations; therefore mitigation for the loss of agricultural land is not required. An easement does not compensate for the impact by replacing or providing substitute resources or environments (i.e., the easement would not create any new farmland where no farmland presently exists). See Fourth District Court of Appeal, *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316 (*Cherry Valley*)
2. Transfer of development rights	**Not Feasible.** Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable.
3. Acquisition of farmland by the city or county	**Not Feasible.** Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable No mechanism for the mitigation of impacts to State-designated Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations.
4. Mitigation banking	**Not Feasible.** Neither the City of Moreno Valley nor the County have a mechanism in place for mitigation banking. The site has been planned for developed uses since 1987, the City has recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of

Suggested Mitigation Measure	Response
	current and future growth and the current General Plan does not include any agricultural designations; therefore mitigation for the loss of is not required. In addition, there is not any agricultural zoned land in the City for the City or County to purchase.
5. The establishment of "urban limits," greenbelts, and buffers	**Not Feasible.** Will not result in permanent protection of agricultural lands. There is no mechanism for the mitigation of impacts to State-designated Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations. Section 4.2.6.1 of the DEIR also outlines why local or regional mitigation in this regard is infeasible.
6. The payment of in-lieu fees sufficient to a purchase and maintain farmland conservation easements	**Not Feasible.** Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. An easement does not compensate for the impact by replacing or providing substitute resources or environments (i.e., the easement would not create any new farmland where no farmland presently exists). See (Fourth District Court of Appeal, *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316 (*Cherry Valley*) In addition, there is not any agricultural zoned land in the City for the City or County to purchase and there is no existing fee program for farmland in the City.
7. Planning tools such as clustering development, use of density bonuses, and limiting "leapfrog" development	**Not Feasible.** Based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. In addition the project is an industrial project on a site that has been planned for developed uses in the City's General Plan since 1987. This is not a residential project; therefore, clustering of development is not a feasible option on an industrial project. The proposed mitigation is not applicable. The project won't promote "leapfrog" development since the area surrounding the project site is developed.

Comment No. 3 in the letter from the Sierra Club (D-2) stated that…"*a developer recently donated $100,000.00 to the Riverside Land Conservancy to help mitigate for the loss of agricultural lands but fails to appropriately cite the information and identify the basis for determining the amount of agricultural lands lost in relation to this monetary amount."*. In discussion with Gail Egenes, Executive Director of the Riverside Land Conservancy, the agency does not have any established program to purchase agricultural easements or lands. Also, in consultation with the National Conservation Easement Database, Riverside County does not have any established agricultural easements.[1]

Contributions to Riverside County Land Conservancy or the San Jacinto Basin Resource Conservation District by private land owners are laudable but are not required as part of a City or regional mitigation plan for loss of agricultural land. Therefore, the decision whether to make any contributions in this regard would be at the discretion of the developer in consultation with the City.

The Fourth District Court of Appeal, *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316 (*Cherry Valley*) addressed a challenge to an EIR for a project that would convert agricultural land to residential uses. Though recognizing the potential for mitigation in the

[1] http://nced.conservationregistry.org/browse/map, accessed October 4, 2012.

form of agricultural "*conservation easements, Williamson Act preserve status, or temporary protection or conservation plans*," the EIR noted the long-term trend in agricultural land conversion in the region and concluded that mitigation was not feasible, and the court upheld the City's determination regarding the feasibility of mitigation. The court also examined the City and County General Plans, which acknowledged that development pressures were constraining the continued viability of agriculture and included the expansion of housing, commercial and industrial land uses. The court then determined that the project was compatible with these planning documents. The court concluded that given the particular circumstances surrounding the project, such mitigation was infeasible and therefore was not required to be adopted. The project the site for the project addressed in the ProLogis EIR has been planned for developed uses since 1987, and the City has recognized in the General Plan that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth and the current General Plan does not include any agricultural designations; therefore mitigation for the loss of is not feasible and the EIR concludes that impacts are significant and unavoidable.

The trend of the reduction in agriculture in the Inland Empire is discussed in *Assessing the Economic and Market Trends Affecting Agriculture in the Western Inland Empire* prepared by Justin L. Adams, Ph.D. of Chang & Adams Consulting, September 2011 and *Economic Viability of Agriculture in the East Inland Empire* report prepared by CBRE Consulting, March 18, 2009. Both reports are provided in Appendices B and C to the Final EIR. This reduction in "farming" is due to pressures of the growth in the demand for housing and development and the transportation and warehousing sector; increased restrictions on water deliveries for agricultural uses after several consecutive drought seasons; higher wages in other industries in the region; strong agricultural competition from the southern Central Valley for dairies; increased regulatory pressures from air quality and local jurisdictions regarding particulate matter emissions and land use adjacency issues; and the trend in Riverside and San Bernardino Counties is for agricultural operations to continue to shift to places like Kern County regardless independent of land use policy due to the economic issues.

As stated in the Draft EIR, mitigation measures must be feasible and fully enforceable through permit conditions, agreements, or other legally binding considerations. To be feasible, mitigation must be capable of being accomplished in a successful manner within a reasonable period of time, taking into account the economic, environmental, legal, social, and technological factors. Identification as to the infeasibility of mitigation measures suggested by the commenter has been provided in the Draft EIR. No mechanism for the mitigation of impacts to State-designated Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." The proposed project is a continued extension of development in the surrounding area to the east and west (industrial/commercial/business park). The proposed project does not interfere with the ability of other adjacent properties to be used for agricultural production should the property owner wish to do so.

The potential mitigation measures identified by the City in its General Plan EIR and California Department of Conservation (CDC), which are listed in the Draft EIR (Section 4.1.6.1 Conversion of State Designated Farmland, pages 4.2-7 through 4.2-9), are not considered to be feasible by the City of Moreno Valley as determined in the City's General Plan EIR. Providing protection for ongoing agricultural activities from new developments, such as requiring buffers between agricultural operation and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent properties will not permanently protect agricultural land. As identified in the Draft EIR, the City supports agriculture as an interim use within the City and no land is dedicated or designated for agricultural use or agricultural preservation within the City's jurisdiction. Land in the

project area is classified as containing prime agricultural soils, but the City's General Plan does not designate these lands, including the project site, for preservation through the establishment of urban limits, greenbelts, and buffers that might result in permanent protection of agricultural land as none exists within the City. Areas where agriculture land use designations may exist that are outside of the City limits cannot be preserved by the City of Moreno Valley as they are outside of the City's jurisdiction. The City's General Plan has acknowledged the analysis and conclusions of the County General Plan that mitigation for the loss of agricultural land is economically and practically infeasible due to ongoing costs to maintain agriculture in this area (see Appendix E in the Draft EIR).

As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. The City of Moreno Valley has determined that these measures are economically infeasible based on the higher costs associated with land, water and labor, increased environmental regulation, and competition from neighboring regions where agricultural operations are less costly; thus, resulting in an inability to make farming profitable. Furthermore, these measures are contrary to the City's vision (as stated in its General Plan) for the project site; therefore, they are not feasible and alternative mitigation has not been identified.

Response to Comment 23. Response to Comment D-3, No. 22 outlines the City's position regarding the infeasibility of mitigation for loss of agricultural land. The City has repeatedly concluded that development projects within the City that remove agricultural land, even if that land carries a "significant" designation for farmland, cannot be mitigated at the local level and all the recommended measures would render the project financially infeasible, therefore the measures are infeasible. The assessment in Appendix E of the Draft EIR provides additional documentation why continued agriculture is not feasible in the Moreno Valley area.

It should also be noted that the research referred to by the commenter was conducted in the state of Vermont, so its information is not directly applicable to the California economy or local conditions affecting the viability of agriculture within a particular region. Nor does it take into account currently poor economic conditions in California

Response to Comment 24. According to Sergio San Martin of Facilities Planning for MVUSD, the Eucalyptus and Redlands sites have been abandoned.[1] The other two sites at Nason and Ironwood and Ironwood and Quincy have not yet been officially abandoned but are no longer being actively considered for the construction of new schools. It is at the School Board's discretion as to whether these two sites are abandoned, however; MVUSD staff has been directed to explore other potential sites. Therefore, it is no longer reasonably foreseeable that these two sites will be developed as future schools.

Response to Comment 25. The commenter referred to the following General Plan Policies allegedly relevant to air pollutant emissions. The following assesses the consistency of the project with those stated policies:

General Plan Goals, Objectives, and Policies	Project Consistency
Ultimate Goal VII: achieve a community which "Emphasizes public health and safety, including, but not limited to, police, fire, emergency and animal services and protection from floods and other hazards…."	The comment erroneously quotes an ultimate goal contained in the General Plan that addresses public safety issues such as police, fire, emergency and animal services and protection from natural hazards such as flooding. This goal is not associated with air

[1] *Resolution No. 2007-08-81*, Moreno Valley Unified School District Board of Education, approved April 15, 2008.

	quality. However, Sections 4.6 (Hazards) of the DEIR and the Initial Study for the project (Public Services) demonstrate that the proposed project will not result in any significant impacts to public health or safety as outlined in this goal.
Goal 6.1: To achieve acceptable levels of protection from natural and man-made hazards to life, health, and property.	The comment erroneously quotes a goal that addresses the Safety Element of the General Plan. This goal is not associated with air quality; however, various sections of the DEIR demonstrate that the proposed project will not result in any significant impacts to public health or safety from natural or man-made hazards, as outlined in this goal.
Objective 7.5: Encourage efficient use of energy resources.	The comment cites three policies within General Plan Objective 7.5. Consistency and/or applicability of these polices is as follows:
Policy 7.5.1: Encourage building, site design, and landscaping techniques that provide passive heating and cooling to reduce energy demand.	General Plan Policy 7.5.1 will be applied to the project through implementation of Mitigation Measures **4.3.6.5B** page 4.3-33 and 4.3-34, **4.3.6.6A** page 4.3-35, **4.13.6.1B** page 4.13-20, and **4.13.6.1C** page 4.13-21.
Policy 7.5.2: Encourage energy efficient modes of transportation and fixed facilities, including transit, bicycle, equestrian, and pedestrian transportation. Emphasize fuel efficiency in the acquisition and use of City-owned vehicles.	General Plan Policy 7.5.2 is related to alternative modes of transportation. The City considers this policy to be beyond the scope of this project-level EIR, because this is a citywide issue for the City to address and not this development project. The project has no control over the fuels used in City-owned vehicles.
Policy 7.5.5 Encourage the use of solar power and other renewable energy systems.	General Plan Policy 7.5.5 will be applied to the project through implementation of Mitigation Measure **4.3.6.6A** page 4.3-35.

The analysis demonstrates that the project is consistent with the two applicable General Plan goals, objectives, and policies cited in the comment. The three other goals, objectives, and policies cited in the comment are not applicable to the project and this project-level EIR; however, the project is consistent with Ultimate Goal VII and Goal 6.1 as outlined above. This analysis does not raise significant new issues, nor does it change the conclusions of the EIR regarding significant impacts.

Response to Comment 26. It is not clear what "record" the commenter is referring to. Perhaps the commenter is referring to the various Multiple Air Toxics Exposure Studies (MATES) performed by the SCAQMD over the last two decades? If so, these only document that the air quality is unhealthful in the majority of the South Coast Air Basin, they say nothing about any particular project's contribution to the level of toxic air contaminants in a region. The HRA included in the EIR examines the potential affect the project could have on the level of toxic air contaminants in the region of the project site and the resulting change in health risk levels and, as shown in the DEIR, Table 4.3.F on page 4.3-17in the DEIR, shows them to be all less than significant.

Response to Comment 27. The HRA modeled emissions from vehicles idling at all the project buildings and traveling along the roadways thru the project site and into the surrounding area as described on Page 4.3-17 of the DEIR. While the modeling does not include dedicated emissions sources for the short distances from the loading docks along the building and the driveways onto Eucalyptus Avenue, the emissions sources that were included in the modeling for the truck movements include all emissions from vehicles as they travel. Thus, the HRA does not minimize any impact from project operations. The model incorporates building structures into the atmospheric propagation simulation only to determine changes to the propagation pattern due to disturbances in

the flow from passing over buildings. The principal effect is that pollutant concentrations are higher from the building wake affect than they would be if the building was ignored. Changing the building height from 65 to 39 feet would only change the pollutant concentrations within 50 feet of so downwind of each building. There would be no change at the distance of any of the residences. Therefore, the analysis in the DEIR is conservative and protective of human health.

Response to Comment 28. The standard assumption for all HRAs, per the OEHHA, is that the 70-year lifetime risk assessment assumes that individuals would be away from the location of interest for 15 days out of the year, even though the on-site operations would occur over 365 days per year. The 350 days per year the comment refers to applies to the people living nearby, not to the project operations. This is what is meant by a full lifetime exposure in any HRA.

Response to Comment 29. The Environmental Summary Table 1.C was not updated properly and now is consistent with the results described in Section 4.3 Air Quality (refer to the Final EIR Errata). This update has no effect on any significance conclusions in the DEIR (refer to the Final EIR Errata). Both the Air Quality Analysis and Air Quality section of the EIR describe the health risks to existing and future residents separately and clearly. The peak cancer risk to existing residents to the north is identified in Table R of the Air Quality Analysis and in Table 4.3.F of the Air Quality section of the Draft EIR as 4.33 in 1 million. Section 4.3.5.4 of the EIR shows the peak cancer risk to future residents of a project proposed on the southern project boundary as 4.3 in 1 million. The threshold is 10 in one million so the 4.3 in 1 million does not exceed the threshold of significance.

The Draft EIR clearly identifies that …"*The nearest existing sensitive land uses are single-family residences located approximately 50 feet southeast of the southern boundary of the project site, approximately 395 feet southeast of the proposed warehouse buildings, and approximately 664 feet southeast of the proposed loading docks."* (Draft EIR page 4.3-17, 4th paragraph). The commenter may be confused by the terms used to characterize the spatial relationship of the project to the existing residences. The residences are 50 feet from the project's property line, but the Project Description (e.g., Figure 1.2) clearly shows there are several large detention basins in the southern portion of the site that will act as a buffer and separate truck activities of the project from the residences. As stated in the EIR and demonstrated on the project site plan, the residences would be 395 feet from the closest proposed warehouse building, and 664 feet from the closest proposed loading dock. We hope this clarification resolves the commenter's concern in this regard.

Additionally, the HRA was conducted using a grid of receptors covering about a mile in all directions from the center of the project site, as described on page 4.3-17 of the DEIR. Therefore, the project effects on health risk levels were determined at all locations throughout the region including the existing residence with the maximum health risk level and the proposed residence with the maximum health risk level, either of which may or may not be the closest to the project site.

Response to Comment 30. The EIR is tasked with determining the impact of the project on the environment, thus the HRA does this also. The ambient cancer risk is quite high for all of southern California, but this is independent of the project's operations. The HRA in the EIR identifies how the project's operational emissions will affect the health risk levels by the project's contribution to the ambient health risk. The following limits for maximum individual cancer risk (MICR), cancer burden and non-cancer acute and chronic hazard indices (HI) from project emissions of TACs have been established for the Basin:

- **MICR and Cancer Burden.** MICR is the estimated probability of a potential maximally exposed individual contracting cancer as a result of exposure to TACs over a period of 70 years for residential and 40 years for worker receptor locations. The MICR calculations include multipathway consideration, when applicable. Cancer burden is the estimated increase in the occurrence of cancer cases in a population subject to a MICR of greater than or equal to one in one million (1.0×10^{-6}) resulting from exposure to TACs.

The total increase in MICR that is the sum of the calculated MICR values for all TACs emitted from the project will not result in any of the following:

(A) An increased MICR greater than 10 in 1 million (1.0×10^{-5}) at any receptor location (assumes the project will be constructed with T-BACT); or

(B) A cancer burden greater than 0.5.

- **Chronic HI.** This is the ratio of the estimated long-term level of exposure to a TAC for a potential maximally exposed individual to its chronic reference exposure level. The chronic HI calculations include multipathway consideration, when applicable.

  The cumulative increase in total chronic HI for any target organ system due to total emissions from the project will not exceed 1.0 at any receptor location.

- **Acute HI.** This is the ratio of the estimated maximum one-hour concentration of a TAC for a potential maximally exposed individual to its acute reference exposure level.

  The cumulative increase in total acute HI for any target organ system due to total emissions from the project will not exceed 1.0 at any receptor location.

The DEIR concludes that the project contribution to the existing TAC conditions will be less than significant, as described on page 4.3-17 and shown in Table 4.3.F.

Response to Comment 31. The HRA includes an assessment of the health risks to workers using standard OEHHA assumptions, including an 8 hour workday and a 40 year work career for workers, which likely results in an over-estimate of cancer risk. Thus, the assumptions in the analysis are conservative and err on the side of overestimating impacts.

See also Response No. 13 in the letter D-2 from the Sierra Club.

Response to Comment 32. The HRA modeling only allows for one emission rate for the diesel engines to represent the entire 70-year period from opening year (2013) until 2083. The available emissions factors model (EMFAC) only has factors thru 2040. Thus, there is no information available about how the diesel emissions will change from 2040 until 2083. It is pure guesswork to predict how the diesel emissions will change over this period. To assume that the emissions during this 43-year period will not change at all is a very conservative assumption – there is a real possibility that all diesel engines will have been replaced by an alternative power source before 2083 resulting in zero diesel particulate emissions. Selecting the best year between 2083 and 2013 to represent the average is somewhat arbitrary – the median is 2048, outside the range of available factors. EMFAC incorporates many of the regulations some expectations of technological improvements that result in lower emissions over the period from the 1990s thru 2040, however it does not include everything – for instance it does not include the law just passed in August 2012 that sets the average mileage of cars and light trucks to 54.5 miles per gallon by 2025. While this does not include the heavy-duty trucks the HRA is focused on, it is an indication that there will be aggressive regulations in the future reducing these diesel emissions below what is in the EMFAC model. While using the emissions factors for 2040 as an average is not optimal due to the higher existing emissions, using 2013 factors as an average is unreasonably conservative also. In our best engineering judgment, 2025 is the best set of emissions factors to represent this complicated issue.

Response to Comment 33. While the project construction may continue for longer than 4 months, the ultra-conservative screening HRA included in the EIR focuses on the emissions from the very large diesel-powered equipment involved in the project construction. As shown in Table E of the Air Quality Analysis, the Site Preparation phase is expected to continue for 18 days and the Grading phase for 44 days, totaling about 3 months. The use of the very large diesel-powered equipment will be intense for these two phases and then drop off dramatically during the remainder of the construction process. Thus, assuming that the use of these very large diesel-powered equipment will

occur continuously for 4 months is a conservative representation of the total construction process and appropriate for this screening-type of HRA.

Response to Comment 34. The staffs of the Air Resources Board (ARB) and the Office of Environmental Health Hazard Assessment (OEHHA) have been evaluating diesel exhaust since 1989 under California's air toxics program, for potential identification as a toxic air contaminant (TAC). Diesel exhaust entered the AB 1807 process in October 1989 and has undergone an extensive evaluation. Diesel exhaust was entered into the process because it has potential cancer and non-cancer health effects and widespread exposure in California. The International Agency for Research on Cancer (IARC) had listed diesel exhaust as a "probable" human carcinogen and the U.S. Environmental Protection Agency (U.S. EPA) had begun an evaluation of both the cancer and non-cancer health effects. The ARB and the OEHHA gave priority to the evaluation of diesel exhaust because it met the TAC program criteria related to potential risk of harm to public health, amount of emissions, exposure and use, and persistence in the atmosphere.[1] All HRAs that include diesel PM as a TAC of concern consider all recognized health impacts.

Response to Comment 35. See Response to Comment D-3, No. 34 above.

Response to Comment 36. The HRA included the concept from the OEHHA indicating that both the prenatal and postnatal life stages can be, but are not always, much more susceptible to developing cancer than the adult life stage. The HRA included age sensitivity factors (ASFs) for these age windows that vary by chemical, gender and species, thus the analysis accounted for impacts to the entire population, children and adults. ASFs for prenatal, postnatal, and juvenile exposures are complicated by the limited database of chemicals and studies available for analysis, and the broad distribution of results for different chemicals. The EPA and OEHHA have proposed to apply a default ASF of 10 for the third trimester to age 2 years, and a factor of 3 for ages 2 through 15 years to account for potential increased sensitivity to carcinogens during childhood (adults 16 and older need no adjustment factor), and applied these to all carcinogens, regardless of the theorized mode of action. Thus, for the 70-year cancer assessment in the Draft EIR, the cancer risk adjustment factor (CRAF) used was 1.7 [(10*2.25/70)+(3*14/70)+54/70 = 1.7].

Response to Comment 37. See Response to Comment D-3, No. 36 above. The Air Quality Analysis described the inclusion of the cancer risk adjustment factor as prescribed by the ARB and OEHHA.

Response to Comment 38. The HRA in the EIR overview in Section 4.3 Air Quality, details in the Air Quality technical report in Appendix B, followed all current guidance from the EPA, ARB, OEHHA and other state agencies to insure that the health of all residents and other sensitive receptors affected by construction and operational emissions from the project are protected. Source: EPA, *Air Toxics Strategy*, July 1999; ARB, *AB 2588 Air Toxics "Hot Spots" Emission Inventory Criteria and Guidelines Regulation*, August 27, 2007; OEHHA, *Air Toxics Hot Spots Program Risk Assessment Guidelines*, August 2003; SCAQMD, *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*, August 2003.

Response to Comment 39. As the EIR found that all impacts from project-related diesel PM are less than significant without the use of "buffers and other methods"; none of these are necessary to protect the health of all residents and other sensitive receptors affected by construction and operational emissions from the project.

Response to Comment 40. Comment noted. The exhibit cited is the SCAQMD guidance document *Final-Methodology to Calculate Particulate Matter (PM) 2.5 and PM 2.5 Significance Thresholds*, which is provided for the Localized Significance Threshold (LST) portion of the air quality analysis.

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[1] CARB, 1998, *Proposed Identification Of Diesel Exhaust As A Toxic Air Contaminant.*

The air quality analysis in the DEIR cited this resource and complied with it.

Response to Comment 41. The EIR discusses consistency in detail. It says "*the proposed project would require a General Plan Amendment that would change the General Plan designations for a portion of the project site from Residential to Business Park/Light Industrial. The project also proposes an amendment to the Circulation Element of the General Plan." and "Implementation of the proposed project would require a zone change from Business Park (BP), Business Park Mixed Use (BPX), Multi-Family Residential (R-15), Suburban Residential (R-5), and Residential Agriculture (RA-2) to Light Industrial for the entire 122.8 acres.*" "*Because the project site is located in a nonattainment air basin for ozone, PM10 and PM2.5, the proposed project's emission of ozone precursors (CO, ROG, and NOX), PM10 and PM2.5 would contribute to the existing nonattainment status in the Basin. Thus, according to the SCAQMD Consistency Criterion No. 1, the proposed project in not consistent with the AQMP*."

Response to Comment 42. Table 4.3.I of the Draft EIR has a note stating "includes both fugitive and exhaust sources" and the conceptual grading plan for the project indicates that the earthwork will be largely balanced on site and only 200 cubic yards of soil importation is expected. This small amount of soil import will require minimal truck trips which are included in the general construction vehicle calculations.

Response to Comment 43. While no phasing of construction is required of the project, normal construction operations are conducted in phases – grading cannot begin until site preparation is completed, building construction cannot begin until grading is completed, etc. As shown in Table E of the Air Quality Technical Report in Appendix B, the construction analysis conservatively assumed that the building construction, architectural coating and paving phases could all overlap. The peak daily emissions shown in Table 4.3.I of the DEIR reflect this conservative assumption. Note that the DEIR concluded that construction air quality impacts remained significant and unavoidable with mitigation."

Response to Comment 44. Section 5.1.4 of the air quality technical study (Draft EIR Appendix B) clearly explains that guidance provided by SCAQMD was followed in which all construction phases were considered in the LST analysis. See the Response to Comment 43 concerning construction phasing. As described in the Air Quality Technical Report in the DEIR Appendix B, Section 5.1.4, the grading phase was determined to be the construction phase of concern for the LST analysis by following the SCAQMD guidance on applying CalEEMod modeling results to LST analyses; *Fact Sheet for Applying CalEEMod to Localized Significance Thresholds*, available at www.aqmd.gov/ceqa/handbook/lst/CalEEModguidance.pdf.

Response to Comment 45. While the DEIR analyzes project operational emissions assuming that the project could operate 24 hours per day, 7 days per week, the construction of the project will not occur 24 hours per day. As pointed out by the commenter, noise regulations alone restrict construction operations to 14 hours per day. Current project plans are to build the project following a typical daily construction schedule, which is what is built into the CalEEMod model and was used in the air quality analysis."

Response to Comment 46. See Response to Comment D-3, No. 44 above.

Response to Comment 47. SCAQMD Rule 402 regarding nuisances states: "A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property." Construction operations do not typically result in Rule 402 violations, due to the subjective nature of odor and the need for such odor to 'cause injury, detriment, nuisance, or annoyance to any considerable number of persons'. There is nothing about the proposed project construction that is

expected to result in any odor other than those associated with typical construction operations.

Response to Comment 48. LST screening analyses use SCAQMD provided tables for significance determination. The tables provided include data for 1, 2 and 5 acre project sites. The LST emissions thresholds grow larger with larger site areas; using an LST threshold for an area smaller than the actual area (5 acres verses 121 acres) results in lower emissions thresholds than would occur if the entire site was considered. In other words, a 5-acre project is allowed to emit up to 270 lbs/day of NO_x. A 121 acres project would be allowed a much higher daily NO_x emission rate. Thus, using the 5 acre threshold for the proposed project site is conservative.

Response to Comment 49. Based on the results of the air quality study for the project, the mitigation measure as written in the DEIR specifies *"…contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors."* Presumably the commenter is suggesting that this distance should be increased to 1,000 feet. The 200-foot distance was selected after analysis in the project air study determined that construction impacts could be reduced to less than significant levels through imposition of this setback. The commenter has provided no evidence or substantiation why this distance should be increased to 1,000 feet.

Response to Comment 50. The mitigation measure states "…*power sources (e.g., power poles)".* Clean fuel is a standard phrase used to describe fuels that release fewer emissions when used in internal combustion engines compared to standard fuels. A "clean-fuel generator" is a generator configured to burn a clean fuel, thus releasing fewer emissions than a generator burning standard fuels.

Response to Comment 51. Mitigation Measure 4.3.6.2C has been updated to specify Tier III equipment for all phases of construction and for all equipment where technologically available.

Response to Comment 52. The text of the mitigation measure states that it is "per SCAQMD guidelines", showing that this is a requirement for all projects. It is included for completeness and for monitoring purposes.

Response to Comment 53. The commenter first states that Mitigation Measure 4.3.6.2H is not a mitigation measure then allows that the bulk of the measure is a proper mitigation measure. However, the measure has been amended as follows:

4.3.6.2H *The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and ~~during smog season (May through October)~~ ~~by~~ shall not* allow~~ing~~ *construction equipment to be left idling for more than five minutes (per California law).*

Response to Comment 54. The text of the mitigation measure states that it is "as required by the California Air Resources Board (CARB)", showing that this is a requirement for all projects. It is included for completeness and monitoring purposes.

Response to Comment 55. Notations to construction documents are how a specified change to the normal construction methods and procedures are documented and to support enforcement. Without notations, no one onsite during construction knows what action or procedure should be enforced. However, in Mitigation Measure 4.3.6.2J has been amended to take out "notations and "where feasible" has been changed to "if available" or "where available" because it is not certain at the time the mitigation is implemented whether the types of fuels and/or construction equipment specified will be available.

4.3.6.2J *Grading plans, construction specifications and bid documents shall also include the following ~~notations~~ requirements:*

- *Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;*
- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*
- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High-pressure injectors shall be provided on diesel construction equipment ~~where feasible~~ if available;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where ~~feasible~~ gasoline powered equipment is available;*
- *Use electric construction equipment where ~~feasible~~ it is practical to use such equipment;*
- *Install catalytic converters on gasoline-powered equipment where ~~feasible~~ this type of equipment is available;*
- *Ride-sharing program for the construction crew ~~shall be encouraged and~~ shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch vendor services shall be ~~provided~~ allowed on site during construction to minimize the need for off-site vehicle trips; and*
- *All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.*

Response to Comment 56. Mitigation Measure 4.3.6.2K has been revised to include a response time.

4.3.6.2K *Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues within 24 hours.*

Response to Comment 57. Mitigation Measure 4.3.6.2H requires construction equipment to limit idling, Measure 4.3.6.2L only requires signs be posted so that equipment operators are aware of the limit.

Response to Comment 58. The word "should" has been removed and replaced with "shall" in Mitigation Measure 4.3.6.3A.

4.3.6.3A *Prior to the issuance of grading permits, the project applicant shall require by contract specifications that all trucks hauling dirt, sand, soil, or other loose materials are to be covered or ~~should~~ shall maintain at least 2 feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and top of the trailer).*

Response to Comment 59. The project has no ability to affect the control of emissions from mobile sources as these are entirely under the control of State and federal authorities. The only means available to the project to affect mobile source emissions is to reduce their use, either by reducing numbers of vehicles or the distance they drive. The project does discuss these options but concludes that due to the magnitude of the calculated emissions, neither of these means that are available would reduce mobile emissions sufficiently to even approach the emissions thresholds. Thus, while mitigation is proposed (Mitigation Measures 4.3.6.5A and 4.3.6.5B) to reduce the numbers of vehicles and the distance they drive no quantification of the emissions reductions was attempted.

Specific air quality mitigation suggestions provided by the commenter are addressed in Response to Comment 60, below.

Response to Comment 60. See also Response to Comment D-3, No. 59 above. In addition, a number of activities requested by the SCAQMD have been incorporated into the mitigation measures for air quality (see Final EIR, Section 3.0, *EIR Errata and Additions)*.

Feasible mitigation measures, including several identified in the list provided by the commentor, have been already included as mitigation for the project and are identified in the Draft EIR. The Table below contains each of the mitigation measures suggested for inclusion by the commentor and if it is already included in the Draft EIR, if will be added mitigation as part of the Final EIR, or if will not be included and why. Mitigation Measures 4.3.6.5B and 4.3.6.6A are intended to be suggestions for the developer to choose from to reduce energy consumption by 10% above Title 24 standards (refer to Response to Comment D-3, No. 109, below).

Table A: Comparison of Suggested Mitigation Measures to Project Mitigation

Suggested Mitigation Measure	Response
1. Preferential parking for employee vanpooling/ carpooling	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6A** on page 4.3-36.
2. Bicycle parking facilities	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-33 and **Mitigation Measure 4.3.6.6A** on page 4.3-36.
3. Bus turnouts	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5A** on page 4.3-33.
4. Install low-emissions water heaters	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-33.
5. Require construction of buildings to exceed Title 24 by 20+ percent	**Not Included.** The EIR indicates the project will exceed Title 14 energy standards by 10 percent which is considered adequate for this type of building and based on the most recent changes to the State Green Building

Suggested Mitigation Measure	Response
	Code, including Title 24. This mitigation is discussed in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6A** on page 4.3-36.
6. Install central water heating systems	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-33.
7. Require use of energy-efficient appliances	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-33.
8. Require increased insulation	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-33.
9. Require use of automated controls for air conditioners	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-33.
10. Require use of energy-efficient parking lot lighting.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-33.
11. Require use of lighting controls and energy – efficient lighting.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-33.
12. Require use of low-VOC interior and exterior coatings during any project repainting.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-33 and **Mitigation Measure 4.3.6.4A** on page 4.3-31.
13. Require on-site improvements such as sidewalks or pedestrian walkways to promote pedestrian activity and reduce the number of vehicle trips.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-33.
14. Require installation of skylights and energy-efficient lighting that exceeds current California Title 24 standards where feasible, including electronic dimming ballasts and computer-controlled daylight sensors in the buildings.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-33.
15. Require installation of fans to assist natural ventilation.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-33.
16. Require planting of shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and building shall be planted at the proposed project site to minimize the heat island effect and thereby reduce the amount of air conditioning required.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6A** on page 4.3-36.
17. Install central water heating systems	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-33.
18. Require use of energy-efficient appliances	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-33.
19. Install low-emissions water heaters	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-33.
20. Require planting of shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and building	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-33 and

Suggested Mitigation Measure	Response
shall be planted at the proposed project site to minimize the heat island effect and thereby reduce the amount of air conditioning required.	**Mitigation Measure 4.3.6.6A** on page 4.3-35.
21. Require installation of centralized water and space conditioning systems or, alternatively, high efficiency individual heating and cooling units.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-33.
22. Require installation of automatic setback thermostats.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-33.
23. Require the incorporation of the following to reduce energy demand associated with potable water conveyance through the following methods: • Require incorporation of drought-tolerant plants into the landscaping palette; and • Require incorporation of water-efficient irrigation techniques.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6A** on page 4.3-36.
24. Require installation of energy-efficient low-pressure sodium parking lot lights or equivalent as determined by the City;	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-34.
25. Increase in insulation such that heat transfer and thermal bridging is minimized.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6A** on page 4.3-35
26. Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6A** on page 4.3-35
27. Incorporate dual-paned or other energy-efficient windows.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6A** on page 4.3-35
28. Incorporate energy-efficient space heating and cooling equipment.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6A** on page 4.3-35
29. Interior and exterior energy-efficient lighting which exceeds the California Title 24	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6A** on page 4.3-35.
30. Energy Efficiency performance standards shall be installed.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6A** on page 4.3-35 for water heating and space heating.
31. Install automatic devices to turn off lights when they are not needed.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6A** on page 4.3-35.
32. Shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-33 and **Mitigation Measure 4.3.6.6A** on page 4.3-35.
33. Paint and surface color palette for the project shall emphasize light and off-white colors	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6A** on page 4.3-35.

Suggested Mitigation Measure	Response
which reflect heat away from the buildings.	
34. All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design, and shall incorporate renewable electricity systems.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6A** on page 4.3-35.
35. The project shall implement a landscaping palette emphasizing drought tolerant plants.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-34 and **Mitigation Measure 4.3.6.6A** on page 4.3-36.
36. The project shall implement use of water-efficient irrigation techniques.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5B** on page 4.3-34 and **Mitigation Measure 4.3.6.6A** on page 4.3-36.
37. The project shall implement EPA Certified WaterSense labeled for equivalent faucets and high-efficiency toilets (HETs).	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6A** on page 4.3-36.
38. The project shall establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6A** on page 4.3-36.
39. The project shall provide preferential parking for carpools and vanpools. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the project site plan.	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6A** on page 4.3-36.
40. Lease/purchase documents shall require the implementation of the following mitigation measures by contract specification: • SmartWay partnership: Achieve at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long haul trips carried by SmartWay carriers. • Achievement of at least 15 percent 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	**Included.** This suggested mitigation measure is already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.6A** on page 4.3-36. Note that because the end user is not known at this time, the developer can only commit to language in the lease/purchase documents.

Suggested Mitigation Measure	Response
minimum of 85 percent of all consolidator trips carried by SmartWay carriers. • Install of catalytic converters on all gasoline-powered equipment. • Include to the greatest extent feasible electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets. • Establish and encourage use of carpool/vanpool programs through methods such as vouchers. • Require a charge for parking fees for single-occupancy vehicles. • Provide preferential parking for EV and CNG vehicles consisting of at least 15% of parking stalls. • Require use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance where technologically feasible. • Require use of only electric (instead of diesel or gasoline-powered) yard trucks. • Require that all trucks within the fleet be SmartWay rated.	

Response to Comment 61. Threshold 3(c) is discussed in Section 4.3.6.2 of the Air Quality section (page 4.3-22).

Response to Comment 62. Threshold 3(c) is discussed in Section 4.3.6.2 of the Air Quality section (page 4.3-22).

Response to Comment 63. The analysis was done in compliance with SCAQMD methodology (SCAQMD California Environmental Quality Act (CEQA) Air Quality Handbook [SCAQMD 1993]). The SCAQMD thresholds have been developed in recognition of air district ambient conditions. EIR Section 4.3.7 discusses the cumulative air quality impacts of project construction and operations in detail. Other than the Moreno Valley Auto Mall and the Wal-Mart center to the west of the project site, the project site region is currently residential, farmland or undeveloped. The majority of the land uses that would go into a cumulative analysis are not sufficiently documented to allow a comprehensive quantitative evaluation of cumulative impacts. The project traffic study includes what data is available for these proposed projects when projecting future cumulative traffic impacts and this data is included in the air quality analysis of CO Hotspots, thus to the extent possible, the EIR does quantitatively assess cumulative impacts.

Response to Comment 64. The commenter is incorrect; the potential impacts to birds are discussed at length in Section 4.4.6.1 (Biological Resources) of the Draft EIR. Loss of the project site will incrementally impact migratory and passerine birds, but the EIR clearly indicates a lack of resources on the project site to support birds (i.e., no onsite standing water sources, no trees sufficient for perching or nesting, regular disturbance by human activity, and disking for weed abatement).

Migratory birds and passerine birds are not considered significant biological resources on this site, so they were not mentioned in the Executive Summary. Development of this site would incrementally reduce foraging opportunities on this site for raptors, passerine, and migratory bird species. However, there are thousands of acres of dry farm agricultural land, Mystic Lake, and the San Jacinto Wildlife Area east of the project site that would provide significant foraging resources for birds compared to the project site.

Regarding Mitigation Measure 4.4.6.1A, the introduction to the "Mitigation Measures" section clearly states the following measures have been identified to reduce the significance of potential impacts to migratory bird species and the burrowing owl. Mitigation Measure 4.4.6.1A clearly addresses nesting (migratory) birds, which measures 4.4.6.1B and 4.4.6.1C clearly address impacts to burrowing owls.

Response to Comment 65. The CDFG's 2012 "Staff Report on Burrowing Owl Mitigation" supersedes its 1995 Staff Report, not the Burrowing Owl Consortium's "Burrowing Owl Survey Protocol and Mitigation Guidelines," which has been commonly followed for burrowing owl surveys and mitigation since released in 1993. The CDFG continues to list the Burrowing Owl Consortium's 1993 guidelines on its internet page of "Survey and Monitoring Protocols and Guidelines" (http://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html). The CDFG's 2012 Staff Report indicates that its recommended setback buffers are "general guidelines" and "should be adjusted to address site-specific conditions." Mitigation measure 4.4.6.1C follows the Burrowing Owl Consortium's recommendation of a 160-foot buffer during the non-breeding season and a 250-foot buffer during the breeding season. The CDFG's comments on the Draft EIR regarding burrowing owl (letter from Jeff Brandt, CDFG, to Jeff Bradshaw, City of Moreno Valley, August 28, 2012) do not indicate concern or disagreement with these buffer distances. In addition the site is subject to the provisions of the Western Riverside County MSHCP, in which burrowing owl relocation requires project-specific approval from CDFG. If burrowing owls are found on the site, they will be moved only with CDFG approval. Mitigation measure 4.4.6.1C indicates that if burrowing owls are found on "the project site or immediate vicinity," the avoidance measures of 4.4.6.1C, including the buffers, will be taken. This will ensure that burrowing owls that may be found adjacent to the project site are not harmed by project-related activities. Impacts to burrowing owl habitat are covered under the MSHCP providing that the project follows MSHCP requirements. For burrowing owl, these requirements include conducting burrowing owl surveys and relocating burrowing owls found within impact areas. Mitigation for impacts to burrowing owl habitat is required only if the project site is within the MSHCP Criteria Area or if the project site and adjacent habitat support three or more pairs of burrowing owls. The project site is not within the MSHCP Criteria Area. A focused burrowing owl survey was conducted and the site was not found to support any burrowing owls. Burrowing owl mitigation is therefore focused on avoiding take of individual burrowing owls that may move onto the site rather than on burrowing owl habitat preservation or restoration.

Response to Comment 66. The commenter is incorrect, Sections 4.4.6.2 and 4.4.6.3 of the Draft EIR clearly identifies the potential impacts of development on the 3 onsite drainage features, including the Quincy Channel. The mitigation measures do not defer mitigation, but rather specify who, when, and how the implementation of the measures will occur, as required by CEQA.

Regarding SAWA, the commenter is being argumentative. SAWA is a separate governmental unit from the City of Moreno Valley, so the City cannot "force" SAWA to use impact fees for specific purposes. However, it is the express goal of SAWA to use in lieu fee contributions for drainage impacts to acquire/maintain riparian/riverine habitat within the Santa Ana River basin. In fact, they are the most appropriate organization to collect and administer use of these fees, since they were formed specifically to help improve water quality and riparian/riverine habitat along the Santa Ana River and its tributaries. It should also be noted the offsite mitigation language relative to SAWA has been modified to reflect the most current implementation measures of the project DBESP report.

Response to Comment 67. The commenter is incorrect, Section 4.4.6.2 of the Draft EIR clearly identifies the impacts of development on the 3 onsite drainage features, including the Quincy Channel, and also specified the onsite protection of the Quincy Channel and the minimum amount of offsite mitigation required to offset the loss of the other two erosional drainage features.

Mitigation Measure 4.4.6.2B only provides more specific guidance of implementing Mitigation Measure 4.4.6.2A and for subsequent permitting of these actions. These measures do not defer mitigation, but rather specify when and how the implementation of the measures will occur, as required by CEQA.

Response to Comment 68. The commenter is incorrect. The project does not impact federal wetlands, as clearly demonstrated by Table 4.4.D in Section 4.4.6.3 of the Draft EIR. The table shows that the project will have minimal impacts on non-wetland land under the jurisdiction of the Army Corps or Regional Water Quality Control Board (0.054 acre temporary and 0.051 acre permanent), and also relatively small impacts to land under the jurisdiction of the State Department of Fish and Game (0.35 acre temporary, 0.36 acre permanent). Mitigation Measure 4.4.6.3A requires the project to obtain the appropriate federal and/or state permits for these impacts, subject to subsequent permitting approval processes by these agencies. As previously discussed in Responses to Comments D-3, Nos. 66 and 67 above, the proposed mitigation in the EIR will make sure impacts on these drainage features are less than significant. The commenter has provided no data or material supporting his opinion to the contrary. To reflect the most current implementation measures of the project DBESP, Mitigation Measures 4.5.6.2A, 4.5.6.2B, and 4.5.6.3A were modified based on comments by CDFG.

Response to Comment 69. Section 4.4 of the Draft EIR concluded that all potential impacts of the project on biological resources were either less than significant, or could be reduced to less than significant levels by implementing the recommended mitigation measures. The commenter provided no data or support to his opinion as to why the less than significant impacts of the project would contribute to significant cumulative impacts. This conclusion is incorrect, especially in light of the regional protection for biological resources provided by the MSHCP.

Response to Comment 70. The design of the proposed project is consistent with the edge treatment measures identified in the DBESP document (see Draft EIR Appendix E). This conclusion is supported by the analysis of indirect impacts in the MSHCP consistency analysis report (also in Draft EIR Appendix E). Based on these analyses, lighting and noise will not have significant impacts on any biological resources, and the commenter has not provided any empirical data or evidence to support his opinion in this regard.

"The MSHCP was conceived, developed, and is being implemented specifically to address the direct, indirect, cumulative, and growth-related effects on covered species resulting from build out of planned land use and infrastructure, including the proposed project." (DEIR page 4.4-9). In addition, page 4.4-32 of the DEIR states that…"Project construction will contribute to the incremental loss of mule fat scrub and non-native grassland in the region, including potential habitat for some special status species. Cumulative impacts potentially include habitat fragmentation, increased edge effects, reduced habitat quality, and increased wildlife mortality. The MSHCP provides a comprehensive approach to the regional conservation of these habitats and, as a regional plan, serves to provide mitigation for cumulative impacts to covered species. Project compliance and consistency with the MSHCP ensures that any cumulative impacts to covered species are effectively mitigated. Special status species that are not covered by the MSHCP also benefit from the surveys, conservation, and other measures of the MSHCP because they occupy many of the same habitats. Therefore, the proposed project will not make a significant contribution to any cumulatively considerable impacts to biological resources." The EIR does examine these impacts, and determines that compliance with the MSHCP will be sufficient to mitigate any potential impacts in this regard. The EIR clearly demonstrates that, other than the Quincy Channel, there are no important biological resources in the

immediate vicinity of the project site, so potential indirect impacts are negligible. In addition, the EIR concluded that the design of the project, implementation of project mitigation, and payment of MSHCP mitigation fees, would be sufficient to reduce potential biological impacts of the project to less than significant levels.

Response to Comment 71. Moreno Hills Complex is not an accepted term according to the Office of State Historic Preservation. "District" is the most appropriate term; however, no such District has been formally established. What is being suggested in the comment is commonly referred to as the "landscape approach" but lacking the designation of a District no landscape considerations can be applied (although the Pechanga increasingly apply the landscape approach in their dealings with cities and developers).

Response to Comment 72. Most municipalities require that archaeologists meet either County of Riverside or Secretary of the Interior qualifications. Letter A-4 (Response to Comment 2) from the Pechangua Band of Luiseno Indians clarifies the procedures to be taken under Mitigation Measures 4.5.6.1A through 4.5.6.1E. This letter also repeated the City's position that while it encourages developers to work with the tribes, it does not require developers to hire Native American monitors. Since the status of Native American monitors cannot be clarified at this point, their level of authority is undefined. This letter also clarifies the curation procedures that will be carried out as artifacts are recovered and leaves with the tribes the decision regarding whether or not to curate or re-bury on the project. Mitigation Measures 4.5.6.1A has been revised requiring the monitor meet Secretary of Interior standards. Mitigation Measure 4.5.6.1B has been revised to require that work cease in that area if a resource is found.

Again, note that the wording of Mitigation Measures 4.5.6.1A through 4.5.6.1E have been modified as shown in Response 3 in Letter A-4 from the Pechanga Band to address concerns of both Native American groups regarding archaeological mitigation.

Response to Comment 73. The mitigation for paleontological resources is not deferred and is commonly used as standard mitigation when there are potential paleontological resources onsite that may be uncovered during excavation activities. The City of Moreno Valley requires that the paleontologists meet the standards of Riverside County and the Society for Vertebrate Paleontology. The San Bernardino County Museum in Redlands is well equipped to accept and curate paleontological specimens.

Response to Comment 74. Without an accepted, defined District using a landscape approach does not work either since there are no accepted boundaries for determining a cumulative area. Based on ethnographic studies we could use a 800 sq. km area or greater, but a more realistic cumulative boundary might be what is inside the 1-mile diameter of the record search area. The cumulative "universe" or boundary assumed for potential cumulative impacts for cultural resources is the City limits, as this is the largest area under control of the lead agency, and this area is supported as appropriate for a cumulative analysis in the City's General Plan EIR as well. Regardless, the EIR clearly concludes, the proposed project will not have a significant impact on cultural resources and will not have a cumulative impact on cultural resources whether the cumulative area is the City limits or the entire ethnographic region.

Response to Comment 75. The commenter is incorrect – the project hydrology study clearly shows that post-development flows will be equal or less than pre-development conditions with construction and maintenance of the proposed detention basins. Each building area will have its own basin, and the four basins across the southern boundary of the site will help assure that offsite flows will not exceed existing runoff volumes. The Final Hydrology Study is required by the City development review process to more accurately characterize drainage conditions based on the final building and property development plans. However, the final plans must be consistent and are based on the draft

hydrology plan included in Appendix G-1 of the Draft EIR. Therefore, potential flooding impacts will be less than significant, as indicated in Sections 4.7.5.2 and 4.7.5.3 of the Draft EIR.

Response to Comment 76. As demonstrated in Response to Comment D-3, No. 75 above, the commenter is incorrect - the project will not cause significant drainage or flooding impacts. The project hydrological analysis clearly shows that offsite runoff in the post-development condition will not exceed pre-development conditions for downstream land uses. Therefore, the project is not expected to make any contributions to cumulatively considerable flooding impacts in this area.

The analysis in Section 4.7, *Hydrology and Water Quality*, of the DEIR also determined that the project would not result in significant water quality impacts either onsite or for downstream properties, so the project is also not expected to make any contributions to cumulatively considerable water quality impacts in this area.

Response to Comment 77. While it is correct that soil sampling last occurred in 2004, the commenter is incorrect that this requires additional soil testing. The site has lain fallow since that time, and the only farming that has occurred in the non-citrus portions of the site have been dry farming which does not require the application of pesticides or other agricultural chemicals. In fact, the site has not even been dry farmed for several years, and the onsite ruderal vegetation has only been managed for weed abatement purposes. In addition, the citrus trees have not been commercially harvested, nor have they been irrigated or maintained as a commercial activity (i.e., no pesticides or other agricultural chemicals applied). The commenter has provided no evidence why the 2004 soil samples need to be updated. For the purposes of CEQA review, the City considers the information provided in the Draft EIR to be accurate.

Response to Comment 78. The commenter is incorrect; the Draft EIR does address removing the trail segment along the Quincy Channel north of Eucalyptus Avenue. When this trail segment was first proposed, there was an under-crossing of the SR-60 planned that would allow a trail connection to be constructed along the Quincy Channel north of the freeway. Since that time, the City has eliminated that potential under-crossing, which means the segment of the trail along the channel north of Eucalyptus Avenue would not connect to any other trail. Therefore, the ProLogis project is proposing the trail follow the north side of Eucalyptus Avenue when it is realigned through the proposed project. There would then be a continuous trail up the Quincy Channel from the south to Eucalyptus Avenue, then the trail would go east and west along the north side of Eucalyptus Avenue. A similar trail improvement was required of the Westridge project approved just east of the proposed project. The EIR discusses potential conflicts with the “improve air quality and promote energy efficiency” section of the RTP in Section 4.8.7 of the Land Use and Planning chapter, page 4.8-18.

Response to Comment 79. It is true the project will remove some amount of potential affordable housing, and it will add more warehousing in this portion of the City. The project would also contribute to more warehousing City-wide (i.e., the southern portion of the City has an industrial specific plan). However, the comments regarding the significance of the impact are the opinion of the commenter and will have to be decided by the City Council. If the City decides to approve this project, it would have to adopt a Statement of Overriding Considerations to document that the benefits of the project (e.g., employment, revenues) outweigh the significant impacts of the project, as required by CEQA.

Table 3.C clearly identifies 6.65 million square feet of industrial projects in eight locations within the City (Sites 5, 6, 8-13). This list does include the WestRidge and Highland Fairview Corporate Park (“Skechers”) projects, but does not include World Logistics Center project of 41.6 million square feet of industrial space because that project was not proposed when the Notice of Preparation for this ProLogis project was prepared in 2008, which is the baseline time at which cumulative projects are established for an EIR analysis.

Response to Comment 80. The noise impact study was conducted based on applicable City noise standards, including those identified in the City's Municipal Code and General Plan Noise Element indicated on pages 4.9-5 through 4.9-9 in the DEIR, and provided disclosure of potential noise impact areas. Specific comments on the noise study are addressed in Responses 81-93.

Response to Comment 81. The dominant on-site noise generating activity is the truck maneuvering during the loading/unloading operations at the loading docks. These noise-generating activities include trucks moving in the loading dock, idling, unloading or loading, moving out of the loading dock, and leave the site. The noise impact analysis was based on the site plan and land use assumptions for the proposed LADP development to determine that the closest distance between the loading/unloading area and the future residences to the south. This distance is approximately 280 feet. Other activities associated with the trucks on-site would be traveling at slow speed (15 mph) to get in and out of the site or to move to the designated parking area. This activity generates much lower noise level and last much shorter time when compared to the activities occurring within the loading dock area. Therefore, evaluating the potential truck-related noise within the loading dock area represents the worst case scenario.

It should be noted that noise from on-site operations, including loading/unloading and onsite maneuvering, have been adequately evaluated at the nearest noise-sensitive land uses and no significant noise impacts were identified. Similarly, even though individual truck noise from trucks driving on public streets is not regulated by the local governments (city or county), project-related traffic noise level increases along roadway segments in the project vicinity were shown to be less than 3 dBA and would not be perceptible by the human ear.

Response to Comment 82. The 3 dBA increase was not identified in the noise impact analysis as a threshold on page 4.9-2 in the DEIR. Rather, it was stated that "audible impacts that refer to increases in noise levels noticeable to humans generally refer to a change of 3 dB or greater, since this level has been found to be barely perceptible in exterior environment. It should be noted that, every doubling of the sound energy from the source would result in a 3 dBA increase in sound level. This would mean that, given everything else remains the same, the traffic volume needs to be doubled to cause an increase of 3 dBA in traffic noise. For noise level changes that are not perceptible by the human ear, they would not cause any audible change and would therefore not result in any significant noise impacts. The City's noise thresholds were identified in DEIR Section 4.9.2, Existing Policies and Regulations (pages 4.9-5 to 4.9-8), where an exterior noise level of 60 to 65 dBA CNEL/Ldn and an interior noise level of 45 dBA CNEL/Ldn were identified for residential uses, as well as a maximum source land use noise level for residential uses is 60 dBA during daytime hours (7 a.m. to 10 p.m.) and 55 dBA during the nighttime hours (10 p.m. to 7 a.m.). For commercial source land uses, the maximum noise level is 65 dBA during daytime hours and 60 dBA during nighttime hours. (Source: Chapter 11.80.030, Table 11.80.030-2, City of Moreno Valley Municipal Code, City of Moreno Valley).

Response to Comment 83. The City's Municipal Code, Table 11.80.030-2, Maximum Sound Levels for Source Land Uses states that, "…restricts noise levels above 55 dBA at night and 60 dBA during the day in residential areas, when measured at a distance of 200 feet or more from the real property line of the source of the sound if the sound occurs on privately owned property, …" Therefore, it is clear that the City's Municipal Code specifically indicates that measurement of the source noise levels would be "at a distance of 200 feet or more from the real property line of the source of the sound". For this project, the nearest residences are at a distance of 664 feet or more from the project (sound source) site. Evaluating the noise level at the nearest residential uses meets the City's definition specified in the Municipal Code.

Response to Comment 84. The City's noise thresholds for transportation sources were identified in the DEIR Section 4.9.2, Existing Policies and Regulations (pages 4.9-5 to 4.9-8), where an exterior noise level of 60 to 65 dBA CNEL/Ldn and an interior noise level of 45 dBA CNEL/Ldn were identified

for residential uses, For industrial land uses, the City identifies 70 dBA CNEL as the acceptable exterior noise threshold. Most of the roadway segments in the project vicinity would have up to 2.0 dBA increase in traffic noise as a result of the project-related traffic. This range of traffic noise level increases would not be perceptible by the human ear in an outdoor environment. The only exception is along Eucalyptus Avenue between Moreno Beach Drive and Redlands Boulevard, where the project-related traffic noise level increases would be from 2.5 to 13.6 dBA under the Existing With Project Conditions and from 4.5 to 13.3 dBA under the 2012 With Project Conditions. Since this segment of the road goes or will go through industrial land uses and vacant land, the City's noise standard for industrial land uses of 70 dBA CNEL was used. The 70 dBA CNEL noise contour would be confined to within the roadway right-of-way, therefore, there would be no significant traffic noise impact on land uses along the road.

Response to Comment 85. The City has separate noise standards regulating mobile (traffic) and stationary (on-site operational activity) noise sources in its General Plan Noise Element and Municipal Code. Therefore, noise from different sources is analyzed based on the noise regulations applicable to the activity generating it. The City's noise standards regulating traffic noise are those from the General Plan Noise Element in terms of the 24-hour weighted community noise equivalent level (CNEL) to protect residents during the more sensitive evening and nighttime hours from noise exposure. The CNEL noise metric is averaged and weighted over a 24-hour period, so it is not practical or feasible to combine the CNEL with the short-term, intermittent noise events associated with stationary sources such as truck loading/unloading activities or activity in the parking lot. Chapter 9.03.040 of the City's Planning and Zoning Code states that in all residential districts, air conditioners, heating, cooling, and ventilating equipment and all other mechanical lighting or electrical devices shall be operated so that noise levels do not exceed 60 dBA (L_{dn}) at the property line. The City's Municipal Code, Section 9.10.140, specifies that all commercial and industrial uses shall be operated so that noise created by any loudspeaker, bells, gongs, buzzers, or other noise attenuation or attracting devices shall not exceed 55 dBA at any one time beyond the boundaries of the property. Chapter 11.80.030, Table 11.80.030-2, City of Moreno Valley Municipal Code, sets a maximum source land use noise level for residential uses as 60 dBA during daytime hours (7 a.m. to 10 p.m.) and 55 dBA during the nighttime hours (10 p.m. to 7 a.m.). For commercial source land uses, the maximum noise level is 65 dBA during daytime hours and 60 dBA during nighttime hours. The City does not have noise standards regulating stationary sources such as on-site loading/unloading activities, therefore, the percentile exceedance levels (Ln) recommended in the State's Modal Community Noise Ordinance, which represent the noise levels that were exceeded for N percent of the time during the one-hour analysis period, are used in the analysis (DEIR, page 4.9-21 under Long-term Operational Noise Impacts for Truck Loading/Unloading Operations) Because the adjacent future development had no final plans available at the time the noise impact study was conducted, the future potential noise impact from on-site operations was evaluated separately using the best assumptions available at the time the noise impact analysis was conducted. The closest possible loading/unloading area was used for on-site operations adjacent to the future planned residential uses.

Response to Comment 86. Please refer to Responses to Comments D-3, Nos. 84 and 85 above for traffic noise impact analysis. Also, please refer Response to Comment D-3, No. 85 on the use of separate noise standards from different noise sources. Please refer to the Response to Comment D-3, No. 83 on the noise level analyzed at the nearest residential property line, rather than the project's own property line. The proposed on-site building would function as a noise barrier for receivers on the opposite side of the noise source. As a rule-of-thumb, a noise barrier that blocks the line-of-sight between the noise source and the receiver would provide at least a 5 dBA in noise reduction (Based on Caltrans Technical Noise Supplement (TeNS, Caltrans, November 2009), for every 2 feet increase in barrier height, an additional 1 dBA noise reduction would be achieved). Since the building would be at least 10 feet above ground and is much higher than the barrier height that barely blocks the line-of-sight, it would provide noise attenuation higher than 5 dBA.

Response to Comment 87. The noise impact analysis evaluated existing and future ambient noise level increases by the project-related traffic on roadway segments in the project vicinity, and determined that no significant noise impacts would occur, partly since the majority of the roadway segments would not have noise level increases that are audible in the outdoor environment and partly since there are no sensitive land uses along the roadway segments with relatively large project-related traffic and the projected noise levels would not exceed the exterior noise standards for the land uses along these segments (industrial uses and vacant land). The City's noise thresholds for transportation sources were identified in 4.9.2, Existing Policies and Regulations (Pages 4.9-5 to 4.9-8), where an exterior noise level of 60 to 65 dBA CNEL/Ldn and an interior noise level of 45 dBA CNEL/Ldn were identified for residential uses, For industrial land uses, the City identifies 70 dBA CNEL as the acceptable exterior noise threshold. Most of the roadway segments in the project vicinity would have up to 2.0 dBA increase in traffic noise as a result of the project-related traffic. This range of traffic noise level increases would not be perceptible by the human ear in an outdoor environment. The only exception is along Eucalyptus Avenue between Moreno Beach Drive and Redlands Boulevard, where the project-related traffic noise level increases would be from 2.5 to 13.6 dBA under the Existing With Project Conditions and from 4.5 to 13.3 dBA under the 2012 With Project Conditions. Since this segment of the road goes or will go through industrial land uses and vacant land, and the noise standard for industrial land uses, the 70 dBA CNEL noise contour would be confined to within the roadway right-of-way and would not impact these industrial land uses, there would be no significant noise impact on land uses along the road. Therefore, no significant traffic noise impacts would occur. Similarly, for on-site operational noise sources, even though the ambient noise level would increase as a result of the project operations, no noise-sensitive land uses would be exposed to noise levels that exceed the City's noise standards for such uses.

Response to Comment 88. Please refer to the response for Response to Comment D-3, No. 87 for the existing noise levels in the project vicinity. The City's General Plan Noise Element (or any other Element) does not have noise level restrictions specified for construction activity. The City's Municipal Code, Chapter 11.80.030, prohibits grading activities between the hours of 8:00 p.m. and 7:00 a.m. and prohibits construction activities from 8:00 p.m. to 6:00 a.m. during the week and between 8:00 p.m. and 7:00 a.m. on weekends and holidays. However, it does not specify any upper noise limits for construction activity. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures 4.9.6.1A through 4.9.6.1D have been identified to reduce the noise levels that would expose nearby sensitive receptors to high construction noise.
It should be noted that the noise levels obtained from the 1987 edition of Noise Control for Buildings and Manufacturing Plants (Bolt, Beranek & Newman, 1987) represent a conservative analysis for construction equipment. Because of technology advancement, most current day construction equipment emits lower noise levels compared to the 1987 version.

Response to Comment 89. The City's General Plan Noise Element (or any other Element) does not have noise level restrictions specified for construction activity. Policy 6.5.2 only states that construction activities shall be operated in a manner that limits noise impacts on surrounding uses. The City's Municipal Code, Chapter 11.80.030, prohibits grading activities between the hours of 8:00 p.m. and 7:00 a.m. and prohibits construction activities from 8:00 p.m. to 6:00 a.m. during the week and between 8:00 p.m. and 7:00 a.m. on weekends and holidays. However, it does not specify any upper noise limits for construction activity. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, Mitigation Measures 4.9.6.1A through 4.9.6.1D have been identified to reduce the noise levels that would expose nearby sensitive receptors to high construction noise.

Response to Comment 90. Please refer to Response to Comment D-3, No. 89 above on construction activity meeting the City's requirements identified in its Municipal Code and to limit noise closest to the existing residences. Mitigation Measure 4.9.6.1D has been amended as follows:

4.9.6.1D. *During ~~all~~ project site construction activities at Building 6 (i.e., closest to existing residences), the construction contractor shall limit all construction-related activities ~~that would result in high noise levels~~ to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer for specific construction activities that must be conducted outside of the permitted time periods.*

For activities that would be conducted inside the building/structure and would not result in any noise annoyance to off-site land uses, they can occur outside of the hours specified in the Municipal Code.

Response to Comment 91. According to the project noise assessment, none of these measures would be required for noise mitigation purposes.

No significant construction noise impacts would occur if construction of the proposed project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on weekends and federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code. Mitigation Measures 4.9.6.1A – 4.9.6.1D were identified in the Draft EIR to ensure that the City's City's noise standards are implemented.

As indicated in the noise impact study, no noise barriers would be required during project construction (DEIR, page 4.9-26 under Construction Noise Impact nor are they required during operation of the proposed project (DEIR, page 4.9-24 under Combined Noise Levels from On-site Stationary Sources). The proposed project will comply with all mitigation measures identified and comply with applicable federal, State, and City guidelines.

Response to Comment 92. The noise impact analysis has evaluated the project's cumulative impacts from both mobile and stationary sources. For example, based on all available information and provided future projected traffic noise along roadway segments in the project vicinity under the Project Buildout (2035) and General Plan Buildout conditions. As shown in Tables 4.9.J through 4.9.M on pages 4.9-15 to 4.9-20 of the DEIR, project-related traffic noise level increases under these two scenarios would be 1.3 dBA or less and the proposed land uses would not be significantly impacted by the future traffic noise in the project vicinity. Furthermore, on DEIR pages 4.9-20 through 4.9-24, with a worst-case scenario of all on-site stationary noise sources occurring at the same time with their maximum noise level, the maximum noise level measured at 200 feet from the project's southern boundary would be 55 dBA L_{max}. Although this "combined" noise level is not likely to occur due to the intermittent nature of theses noise events, if it occurs, it would still not exceed the City's 55 dBA L_{max} nighttime standard for residential uses. Therefore, no significant cumulative noise impacts were identified, either from mobile or from stationary noise sources.

Response to Comment 93. After review, the LSA Noise Assessment Group determined that none of these references provide additional relevant information to determine the project's noise impacts in a more accurate or appropriate manner. All project-related mobile and stationary noise sources have been evaluated and compared to noise standards applicable to these different noise sources. No additional or overlapping noise analysis is required to confirm the findings in the noise impact analysis.

Response to Comment 94. The City of Moreno Valley uses a more restrictive, higher truck generating rate for high cube warehouses (buildings over 200 KSF). The total trip generation of the project used in the analysis is higher than that if the analysis was purely based on ITE rates.

Response to Comment 95. The commenter is incorrect - the analysis does not use a plan to plan comparison and uses the trips from the proposed project in the analysis. The "Without Project" analyses for all scenarios are based on conditions where the proposed site is vacant. Therefore, the comparison between without and with project conditions is comparing no development on site with the proposed project. An existing plus project analysis has also been included which evaluates the impacts of the project on existing physical conditions.

Response to Comment 96. LOS is a metric used by traffic engineers throughout the state to evaluate traffic conditions. LOS is based on delay and is a function of traffic volumes and capacity at intersections. Section 4.11.1.3 of the DEIR explains the concept of LOS. In addition, the Traffic Study also includes v/c ratios as requested by the commenter.

Response to Comment 97. In terms of traffic, most of the trips are using the SR-60 freeway. The routes from the project to the SR-60 freeway do not pass through existing and future residential areas or schools with the proposed change to the Circulation Element. An examination of school locations in the area did not show any schools with direct access to the freeway. The entire traffic analysis is based on the concept of Passenger Car Equivalents (PCE) which converts trucks to an equivalent number of passenger cars to correctly evaluate impacts of trucks which can be larger and slower than passenger cars. The traffic impacts of trucks sharing the road with passenger vehicles have been adequately analyzed.

Response to Comment 98. The following table provides an analysis of the project's consistency with, or the inapplicability of, the various transportation-related policies cited on pages 4.11-11 to 4.11-14 of the Draft EIR. Please note that this additional information does not result in identification of new or severe impacts.

City General Plan Policies/Objectives	Project Consistency
Community Development Element	
Policy 2.2.17: Discourage nonresidential uses on local residential streets that generate traffic, noise, or other characteristics that would adversely affect nearby residents.	As identified on page 4.11-37 in the Draft EIR, the project proposes to eliminate the planned Quincy Street connection to the north of proposed Eucalyptus Avenue. Elimination of the Quincy Street connection creates a physical barrier between the proposed project's industrial uses and the nearby residential uses, and will help to segregate and prevent truck traffic from entering future residential streets.
Circulation Element	
Objective 5.1: Create a safe, efficient, and neighborhood-friendly street system.	The project is an industrial development and as such does not fall under a "neighborhood" as used in the General Plan. The project will construct roadways along its frontage to City standards. See response to Policy 2.2.17.
Policy 5.1.1: Plan access and circulation of each development project to accommodate vehicles (including emergency vehicles and trash trucks), pedestrians, and bicycles.	Access and circulation for the project will accommodate vehicles (including emergency vehicles and trash trucks), pedestrians, and bicycles.
Policy 5.1.2: Plan the circulation system to reduce conflicts between vehicular, pedestrian, and bicycle traffic.	The project will construct roadways and sidewalks to City Standards. The City Standards are developed to create safe conditions.

City General Plan Policies/Objectives	Project Consistency
Policy 5.1.3: Require adequate off-street parking for all developments.	The project provides off street parking based on City standards.
Policy 5.1.4: Driveway placement shall be designed for safety and to enhance circulation wherever possible.	The project will construct driveways to City Standards. The City Standards are developed to create safe conditions.
Policy 5.1.5: Incorporate Americans with Disabilities Act (ADA) and Title 24 requirements in roadway improvements as appropriate.	City Standards include both ADA and Title 24 requirements
Policy 5.1.6: Design new developments to provide opportunity for access and circulation to future adjacent developments.	Adjacent vacant land will be provided access.
Objective 5.2: Implement access management policies.	Roadways will be constructed per City Standards that incorporate various access management policies.
Policy 5.2.1: Locate residential units with access from local streets. Minimize direct residential access from collectors. Prohibit direct single-family driveway access on arterials and higher classification roadways.	See the response above for Objective 5.2. This policy is inapplicable to the proposed industrial project.
Policy 5.2.2: Feed short local streets into collectors.	See the response above for Objective 5.2. This policy is inapplicable to the proposed industrial project.
Policy 5.2.3: Encourage the incorporation of traffic-calming design into local and collector streets to promote safe vehicle speeds.	See the response above for Objective 5.2. This policy is inapplicable to the proposed industrial project.
Objective 5.3: Maintain LOS C on roadway links, wherever possible, and LOS D in the vicinity of SR-60 and high employment centers.	As identified on page 4.11-5 in the Draft EIR, the traffic study prepared for the project utilized a level of service standard of LOS D for all City intersections and roadways analyzed in the traffic study, with the exception of Moreno Beach Drive/Cottonwood Avenue, at which the level of service standard of LOS C was used. For all signalized ramp terminus intersections on SR-60, the level of service standard of between LOS C and LOS D was used. As identified on pages 4.11-31, 4.11-32, 4.11-33, 4.11-35, and 4.11-37 in the Draft EIR, all impacts to City intersections are mitigated to less than significant levels with mitigation.
Policy 5.3.1: Obtain right-of-way and construct roadways in accordance with the designation shown on the General Plan Circulation Element Map and the City street improvement standards.	The project will be required to construct adjacent half street sections in accordance with City street improvement standards. Although the project will not construct Encilia Avenue, the project will preserve right-of-way along the south project boundary to allow Encilia Avenue to be constructed in the future in accordance with the designation shown on the General Plan Circulation Element Map and the City street improvement standards.
Policy 5.3.5: Ensure that new development pays a fair-share cost to provide local and regional transportation improvements and to mitigate cumulative traffic impacts. For this purpose, require new developments to participate in Transportation Uniform Mitigation Fee (TUMF), the Development Impact Fee Program (DIF), and any other applicable transportation fee programs and benefit assessment districts.	As identified on pages 4.11-31, 4.11-32, 4.11-33, and 4.11-35 in the Draft EIR, the project applicant shall implement transportation improvements, either through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program, or through a fair-share contribution to the City of Moreno Valley.
Policy 5.3.6: Where new developments would increase traffic	See response to Objective 5.3. All impacts to

City General Plan Policies/Objectives	Project Consistency
flows beyond the 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.	City intersections are mitigated to less than significant levels with mitigation.
Policy 5.3.7: Provide consideration to projects that have overriding regional or local benefits that would be desirable even though the LOS standards cannot be met. These projects would be required to analyze traffic impacts and mitigate such impacts to the extent that it is deemed feasible.	See response to Objective 5.3. All impacts to City intersections are mitigated to less than significant levels with mitigation. Impacts to freeway ramps and freeway segments cannot be mitigated and would remain significant and unavoidable until such time that improvements are constructed. Caltrans does not have a mechanism for development projects to contribute to improvements on State Highways and the City has no control over when and how regional freeway improvements will be constructed.
Objective 5.4: Maximize efficiency of the regional circulation system through close coordination with State and regional agencies and implementation of regional transportation policies.	As identified on page 4.11-30 in the Draft EIR, the traffic study includes analysis of regional transportation facilities. These facilities are funded by the Transportation Uniform Mitigation Fee (TUMF), which establishes jurisdictional fair-share contributions for regional transportation facilities (e.g., freeway interchanges, regional arterials, and railroad grade separations) in western Riverside County. The following improvements within the project area are included in the TUMF program: • SR-60/Moreno Beach Drive Interchange reconstruction • SR-60/Redlands Boulevard Interchange reconstruction
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.	See response to Objective 5.4~~.1~~.
Policy 5.4.2: Coordinate with Caltrans and the RCTC regarding the integration of Intelligent Transportation Systems (ITS) consistent with the principles and recommendations of the Inland Empire Regional ITS Architecture Project.	See response to Objective 5.4~~.1~~.
Objective 5.5: Maximize efficiency of the local circulation system by using appropriate policies and standards to design, locate, and size roadways.	Roadways for the project have been sized per the City's General Plan Circulation Element. A General Plan Amendment is being processed to address the location of Encilia Avenue.
Policy 5.5.3: Prohibit points of access from conflicting with other existing or planned access points. Require points of access to roadways to be separated sufficiently to maintain capacity, efficiency, and safety of the traffic flow.	Project driveways are spaced to provide sufficient sight distances to maintain the capacity, efficiency and safety of traffic flow.
Policy 5.5.4: Wherever possible, minimize the frequency of	The project consolidates driveways wherever

City General Plan Policies/Objectives	Project Consistency
access points along streets by the consolidation of access points between adjacent properties on all circulation element streets, excluding collectors.	possible.
Policy 5.5.5: Design streets and intersections in accordance with the Moreno Valley Municipal Code.	The project will be required to construct adjacent half street sections in accordance with City street improvement standards.
Policy 5.5.8: Whenever possible, require private and public land developments to provide on-site and off-site improvements necessary to mitigate any development-generated circulation impacts. A review of each proposed land development project shall be undertaken to identify project impacts to the circulation system. The City may require developers to provide traffic impact studies prepared by qualified professionals to identify the impacts of a development.	See response to Objective 5.3 and Policy 5.3.6.
Policy 5.5.9: Design curves and grades to permit safe movement of vehicular traffic per applicable Caltrans and Moreno Valley standards.	The project will be required to construct adjacent half street sections in accordance with City street improvement standards, including appropriate curve radii standards.
Policy 5.5.10: Provide adequate sight distances for safe vehicular movement at all intersections and driveways.	The project will be required to construct adjacent half street sections in accordance with City street improvement standards, including appropriate site distance provisions.
Objective 5.8: Encourage development of an efficient public transportation system for the entire community.	This objective is inapplicable to the proposed industrial project, because this is an objective oriented to an efficient public transportation system within the City, and is larger than a project level initiative. The project will provide bus bays in the area where RTA requests them.
Policy 5.8.1: Support the development of high-speed transit linkages, or express routes, that would benefit the citizens and employers of Moreno Valley.	See the response above for Objective 5.8. This policy is inapplicable to the proposed industrial project.
Policy 5.8.4: Ensure that all new developments make adequate provision for bus stops and turnout areas for both public transit and school bus service.	The project will provide bus bays in the area where RTA requests them.
Objective 5.10: Encourage bicycling as an alternative to single occupant vehicle travel for the purpose of reducing fuel consumption, traffic congestion, and air pollution.	This objective is inapplicable to the proposed industrial project, because this is an objective oriented to promoting bicycling within the City and is larger than a project level initiative. However, the project will provide bike lanes on Eucalyptus Avenue and also provides bike parking to facilitate alternative transportation should employees desire to bike to work.
Policy 5.10.1: Bikeways shall link residential neighborhood areas with parks, employment centers, civic and commercial areas, and schools.	The project provides bike parking to facilitate alternative transportation should employees desire to bike to work.
Objective 5.11: Eliminate obstructions that impede safe movement of vehicles, bicyclists, and pedestrians.	The project will construct roadways based on City standards, which consider all modes of travel and their safety.

City General Plan Policies/Objectives	Project Consistency
Policy 5.11.2: Driveways shall be designed to avoid conflicts with pedestrian and bicycle travel.	The project will construct driveways to City Standards. The City Standards are developed to create safe conditions.
Program 5-1: Periodically review current traffic volumes, traffic collision data, and the pattern of urban development to coordinate, program, and as necessary revise the planning and prioritization of road improvements.	This program is inapplicable to the proposed industrial project, because this is a program for the City to review traffic data for the purposes of revising the transportation plan and for prioritizing roadway improvements within the City.
Program 5-2: Periodically reassess the goals, objectives and policies statements of the Circulation Element and propose amendments, as necessary.	This program is inapplicable to the proposed industrial project, because this is a program for the City to reassess the Circulation Element as necessary.
Program 5-3: Develop a comprehensive strategy to ensure full funding of the circulation system. The strategy will include the DIF, TUMF, and other funding sources that may be available to the City. In addition, the creation of benefit assessment districts, and road and bridge fee districts may be considered where appropriate.	This program is inapplicable to the proposed industrial project, because this is a program for the City to develop a comprehensive strategy to ensure full funding of the circulation system using the DIF, TUMF, other funding sources, benefit assessment districts, and road and bridge fee districts.
Program 5-4: Develop a multi-year transportation infrastructure improvement program that, to the extent feasible, phases the construction of new projects in advance of new development.	This program is inapplicable to the proposed industrial project, because this is a program for the City to develop a multi-year transportation infrastructure improvement program.
Program 5-5: The above-referenced program will prioritize circulation improvement projects to be funded from DIF, TUMF and other sources. Prioritization to consider the following factors: (a) Traffic safety; (b) Congestion relief; (c) Access to new development; and (d) Equitable benefit.	This program is inapplicable to the proposed industrial project, because this is a program for the City to develop a multi-year transportation infrastructure improvement program with prioritized circulation improvements.
Program 5-6: Conduct studies of specified arterial segments to determine if any additional improvements will be needed to maintain an acceptable LOS at General Plan build-out. Generally, these segments will be studied as new developments are proposed in their vicinity. Measures will be identified that are consistent with the Circulation Element designation of these roadway segments, such as additional turn lanes at intersections, signal optimization by coordination and enhanced phasing, and travel demand management measures. The study of specified arterial segments will be required to identify measures to maintain an acceptable LOS at General Plan build-out for at least one of the reasons discussed below: (a) Segments will need improvement, but their ultimate volumes slightly exceed design capabilities. (b) Segments will need improvements but require inter-jurisdictional coordination. (c) Segments would require significant encroachment on existing adjacent development if built out to their Circulation Element designations.	This program is inapplicable to the proposed industrial project, because this is a program for the City to conduct studies of specified arterial segments to determine if any additional improvements will be needed to maintain an acceptable level of service at General Plan build-out.
Program 5-7: Establish traffic study guidelines to deal with development projects in a consistent manner. The traffic study guidelines shall include criteria for projects that propose changes it the approved General Plan land uses.	This program is inapplicable to the proposed industrial project, because this is a program for the City to establish traffic study guidelines. The City has traffic study guidelines and the analysis was conducted in accordance to these guidelines.

City General Plan Policies/Objectives	Project Consistency
Program 5-13: Implement Transportation Demand Management (TDM) strategies that reduce congestion in the peak travel hours. Examples include carpooling, telecommuting, and flexible work hours.	Similar mitigation measures are already included in Section 4.3 Air Quality of the Draft EIR under **Mitigation Measure 4.3.6.5A** on page 4.3-33, **Mitigation Measure 4.3.6.5B** on page 4.3-34, and **Mitigation Measure 4.3.6.6A** on 4.3-36.

Response to Comment D-3, No. 78 above explains why the project is proposing to remove the Quincy Channel trail link north of Eucalyptus Avenue (it does not connect to any trail to the north). The trail is proposed to be realigned through both the ProLogis and the WestRidge (located to the east of ProLogis project) projects to follow the north side of Eucalyptus Avenue, and then connect up to the Quincy Channel trail south of Eucalyptus Avenue. There would then be a continuous trail along the Quincy Channel from the south to Eucalyptus Avenue, then the trail would go east and west along the north side of Eucalyptus Avenue. A similar trail improvement was required of the Westridge project.

Response to Comment 99. It is correct that the Trails Commission has accepted the amendment to the Master Plan of Trails. However, the Trails Commission is not an approval body, and approval from the City Council will be required because the Master Plan of Trails is part of the General Plan.

Response to Comment 100. Beyond a delay of 100 seconds, the HCM analysis methodologies fail to accurately reflect increased delays. For future conditions, background traffic growth will lead to congestion and cumulative impacts. As development occurs, fees will be collected to improve the circulation system to accommodate growth in traffic. The project generates fewer trips than the current land use designation for the site. Therefore, the planned improvements included in the DIF and TUMF should be sufficient to mitigate cumulative impacts from this project, as other cumulative development occurs. As stated in Section 4.11.6.4, the project will mitigate its impacts to the existing plus project conditions, per CEQA.

Response to Comment 101. The City's DIF includes the General Plan Roadway system. Since the project generates less trips than those anticipated in the General Plan, the ultimate General Plan Roadway system will be sufficient to accommodate project traffic. As new development occurs, fees will be collected to improve the circulation system to accommodate growth in traffic. As stated in Section 4.11.6.4, direct project impacts will be mitigated by the project.

Response to Comment 102. As stated in Section 4.11.6.4, of the DEIR, the project will mitigate its direct impacts to intersections based on the Existing Plus Project analysis. Cumulative impacts will be mitigated by payment of TUMF, DIF and fair-share contributions.

Response to Comment 103. Potential project-related traffic noise impacts are determined based on the worst-case scenario, which is typically the build-out year that has the highest traffic volumes. Traffic noise impacts for the opening year are presented to show interim year project-related increases, which were found to be small and less than significant. Since overall traffic volumes would be higher in 2016 when compared to the overall traffic volumes in 2012, project-related contribution would be even smaller in 2016 compared to 2012. Therefore, the use of 2012 as the opening year would not affect the findings in the noise impact analysis since project-related traffic noise level increases in 2016 would be smaller than those identified in 2012. Noise impacts associated with on-site stationary sources, such as loading/unloading operations, would not be affected by the difference in opening year because they are analyzed with project buildout conditions for the worst case scenario on potential noise impacts on adjacent land uses. Therefore, no significant effect would occur for the difference in opening year in the noise impact analysis.

Response to Comment 104. The latest information from the County is that the Badlands landfill will close in 2024 not 2016, so the references to 2016 will be changed (see below). Therefore, the project

will not have a significant impact on solid waste disposal services because the landfill will have adequate capacity to accommodate the proposed project's waste stream.

4.12.1.7 Cumulative Impacts to Solid Waste Services (Draft EIR p.4.12-5)

AB 939 mandates the reduction of solid waste disposal in landfills. While the Badlands Sanitary Landfill has an estimated closure date of ~~2016~~ 2024, as previously identified, the City's waste hauler will also use other County landfills in the area (e.g., Lamb Canyon Landfill and El Sobrante Landfill). The estimated closure date of the Lamb Canyon Landfill is 2023 and the estimated closure date of the El Sobrante Landfill is 2030. With planned expansion activities of landfills in the project vicinity and projected growth rates contained within the City's General Plan EIR, sufficient landfill capacity would exist to accommodate future disposal needs through City build out in 2030. Therefore, build out of the City General Plan would not create demands for solid waste services that would exceed the capabilities of the County's waste management system. Consequently, cumulative impacts associated with solid waste within the City would be considered less than significant.

Response to Comment 105. The commenter is incorrect. A comprehensive Water Supply Assessment was prepared for this project, which was extensively discussed in Section 4.12.2.6.2 of the Draft EIR. That analysis evaluated available water supplies compared to current and future projected conditions under a variety of scenarios (i.e., various drought conditions). That analysis determined there were sufficient supplies of water available to serve the project over a 20-year time frame.

Response to Comment 106. The project will install infrastructure to support solar power, which is all the City is encouraging, thus the consistency statement. The applicant has agreed to obtain LEED Certified status meaning that the buildings will be much closer to zero net energy (which includes both operational energy consumption and the life cycle of building materials) than were buildings constructed in the past, thus they are consistent with the aim of zero net energy. The Draft EIR discusses the existing greenhouse gas/climate change setting including the main gases of concern; current emissions inventory at the global, US, and State levels; a detailed description of what global warming is and the effects that result, all of which could be considered the "threat of greenhouse gas pollution and global warming." The EIR attempts to present a non-sensational, balanced description based on the best information available. Section 4.13.2 describes the entire regulatory setting, including all applicable federal, State and City of Moreno Valley regulations and policies.

Response to Comment 107. The process of LEED certification is a demanding one that includes not only aspects of the building construction but also is greatly affected by tenant operations. As the EIR is only covering aspects under the control of the applicant and not the future tenant, achieving the LEED status can only be discussed in general terms. The feasibility of suggested GHG-related mitigation measures have been discussed in other responses, see the Responses to Comments 60, 108, 112 in this letter (D-3, Johnson & Sedlack) and Responses to Comments 1 and 27 in Letter D-2 (Sierra Club).

Response to Comment 108. Mitigation Measure 4.13.6.1A lists select features from Title 24 of the California Code of Regulations to emphasize these important features are included in the project construction. The measure states that the features are required by Title 24 of the California Code of Regulations. Since the measures are required by Code, they are feasible. Mitigation measures which require compliance with environmental regulations have been found by the California courts to be common and reasonable mitigation measures (*Sundstrom v. County of Mendocino* (11988) 202 Cal. App.3d)

Response to Comment 109. A clerical error was made in the Draft EIR regarding energy conservation and project mitigation. Section 4.3, *Air Quality*, contains two mitigation measures that refer to a 20 percent reduction in project energy use beyond or below Title 24. First, the "20 percent reduction" phrase refers to older California Building Code requirements – these older codes were

much less stringent than the current California "Green" Building Code, which includes the latest Title 24 requirements. In addition, one measure just refers to "Title 24" while the other refers to "2008 California Title 24, Part 6 Energy Efficiency Standards". These references are inconsistent, and the measures have been modified to reflect the most current regulatory requirements for energy conservation. The most current California Green Building Code was adopted in 2010, but incorporates the most current Title 24, Part 6 Energy Efficiency Standards which are from 2008, not 2010. Projects that would have been able to achieve a 20 percent reduction in building energy use from previous California Building Codes would most likely not be able to achieve a 20 percent reduction from the current code because it is much more stringent than previous versions.

It should be noted that the state has already approved new energy standards effective January 1, 2014 that would require industrial buildings to achieve 20 percent or more savings above the 2008 Title 24 standard. Until that time, the project is required to achieve a 10 percent reduction from the 2008 Title 24 standards.

Response to Comment 110. The implementation of any water conservation strategy insures that water use efficiency will be improved compared to the situation of no water conservation strategy. The Mitigation Monitoring Plan states that the various activities outlined in this measure will be implemented to the satisfaction of the Planning Division prior to issuance of an occupancy permit, so construction must include some or all of these measures or no permit can be issued.

Response to Comment 111. The EIR acknowledges that the expected project GHG emissions will exceed the interim, proposed SCAQMD Tier 1, 2 and 3 thresholds, none of which have been adopted as thresholds of significance. Also, as described in Section 4.13.2, page 4.13-6, no applicable agency, including the federal, California, and City of Moreno Valley governments, have adopted a greenhouse gas emissions threshold of significance. It is in this absence of regulatory guidance that this EIR is attempting to assess the significance of project emissions of greenhouse gases. The CEQA Guidelines do include two qualitative thresholds, which the DEIR used as the basis for significance, as discussed in Sections 4.13.5 and 4.13.6. The DEIR concludes that the project would have a less than significant impact for the first CEQA threshold: *Would the proposed project conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?* The DEIR concludes that the project would have a significant impact for the second CEQA threshold: *Would the proposed project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?* and includes Mitigation Measures 4.13.6.1A thru 4.16.6.1C to reduce this impact.

Response to Comment 112. See also Response to Comment D-3, No. 111 above. The EIR complies with OPR guidance related to GHG/Climate change analyses and all other guidance applicable to the region. With implementation of the strategies and programs described in the EIR, it was concluded that the project is consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05. Based on the threshold of the project's consistency with these measures, the project has a less than significant impact as it complies with these measures. Because the project's impacts alone would not cause or significantly contribute to global climate change, project-related CO_2e emissions and their contribution to global climate change impacts in the State of California would not make a significant contribution to cumulatively considerable GHG emission impacts.

Response to Comment 113. As discussed in Section 6.3.3 of the Draft EIR, Alternative 3 does reduce several of the significant impacts of the project, and it is feasible because the applicant controls the proposed project site. While Alternative 5 does reduce some significant impacts of the project (including land use since it would not require a GPA or ZC), the applicant does not own or control that or any other potential offsite location for this project. Therefore, Alternative 5 is not feasible compared to Alternative 3. In addition, Alternative 3 is the only one that eliminates significant

impacts to agricultural resources, so it was selected as the Environmentally Superior Alternative. For additional discussion, see Response 7 earlier in this section.

Response to Comment 114. As explained in Response to Comment D-3, No. 113 above, Alternative 5 is not feasible compared to Alternative 3 as the applicant does not own or control any offsite properties that would accommodate the proposed project. In addition, almost all of the significant impacts of the project would also be present at an alternative site, based on the proposed land uses and air pollutant emissions. Alternative 3 does reduce some of the significant impacts of the proposed project, and it will be up to the discretion of the City Council whether to approve the proposed project, or adopt one of the project alternatives. If the City Council approves the proposed project, it would have to adopt a Statement of Overriding Considerations that demonstrates the benefits of the project (e.g., employment, revenues) outweigh the significant impacts of the project.

LETTER D-4A: LOZEAU DRURY, LLP, RICHARD DRURY

LETTER D-4A

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August 31, 2012

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RE: Comment on Draft Environmental Impact Report for ProLogis Eucalyptus Industrial Park (State Clearinghouse No. 2008021002)

Dear Mr. Bradshaw:

I am writing on behalf of Laborers International Union of North America, Local Union No. 1184 and its members living in Riverside County (collectively "LIUNA Local Union No. 1184" or "LIUNA" or "Commenters") regarding the Draft Environmental Impact Report ("DEIR") prepared for the ProLogis Eucalyptus Industrial Park, State Clearinghouse No. 2008021002 ("Project").

We have reviewed the DEIR with the assistance of:

1. Atmospheric Scientist, Dr. James Clark, Ph.D.
2. Hydrogeologist, Matthew Hagemann, C.Hg., MS.

These experts have prepared written comments that are attached hereto, and which are incorporated in their entirety. The City of Moreno Valley ("City") should respond to the expert comments separately. These experts and our own independent review demonstrate that the DEIR is woefully inadequate and that a new supplemental EIR is required to be prepared and recirculated for public comment. In particular, the EIR suffers from the following significant errors and omissions, among others:

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- SEGMENTATION OF PROJECT: The DEIR improperly segments the Project by failing to include the infrastructure (e.g., roads, water, and sewer) as part of the Project.

- LOSS OF FARMLAND: The DEIR acknowledges that the Project's conversion of Prime Farmland is a significant impact, but the DEIR fails to adequately mitigate for the loss of farmland. The conclusion that mitigation measures are infeasible is unsupported.

- HAZARDOUS MATERIALS: The baseline of the physical environmental conditions in the vicinity of the Project is erroneous because the DEIR does not provide any details on the types of pesticides used on the Project site, relies on two outdated Phase I Environmental Site Assessments ("ESAs") that do not cover the entire Project site, and fails to disclose the status of an underground storage tank.

- GREENHOUSE GAS: The DEIR fails to provide support for the conclusion that greenhouse gas emissions after mitigation will be less than significant.

- AIR QUALITY: The DEIR fails to adequately analyze impacts to air quality because: (1) the DEIR underestimates the potential particulate emissions for the construction phase of the Project, (2) fails to accurately compare construction emissions to daily construction significance thresholds, (3) fails to consider health risks from contaminated dust, (4) fails to properly identify and address the Project's operational air quality impacts, (5) fails to disclose impacts to offsite receptors, and (6) fails to adequately analyze cumulative impacts.

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Commenters urge the City to revise the EIR to adequately describe, analyze, and mitigate the Project and its impacts.[1] The revised EIR should be recirculated to allow public review and comment.

I. PROJECT DESCRIPTION

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The Project site encompasses 122.8 acres of land located within the City of Moreno Valley, south of and adjacent to SR-60, east of Moreno Valley Auto Mall, and adjacent to and west of the Quincy Channel in Riverside County. (DEIR, p. 3-1). Single-family residential uses are located approximately 50 feet southeast of the southeastern corner of the Project site. (DEIR, p. 3-1). The Assessor's Parcel Numbers ("APNs") for this site are 488-330-011, 488-330-012, 488-330-013, 488-330-017, 488-330-018, 488-330-019, 488-330-022, 488-330-023, 488-330-024, and 488-330-025. (DEIR, p. 3-1).

[1] We reserve the right to supplement these comments at later hearings and proceedings for this Project. See, *Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109.

The Project would include the construction of a warehouse facility comprising six buildings consisting of a total of approximately 2,244,638 square feet. (DEIR, p. 3-2). The Project site is divided into 2 areas: (1) the northern area (north of future Eucalyptus Avenue) would contain approximately 1,030,377 square feet of warehouse uses divided between two buildings and (2) the southern area (south of the future Eucalyptus Avenue) would consist of approximately 1,214,261 square feet of warehouse uses divided among four separate buildings. (DEIR, p. 3-2). The specific uses/users are not known at this time. (DEIR, p. 3-11).

The Project site currently consists of 57 acres used to grow grapefruit, 36 acres used for hay and alfalfa production, as well as portions that are vacant. (DEIR p. 4.2-1). Approximately 82.5 acres of the Project site is designated as Prime Farmland. (DEIR, p. 4.2-6).

The Project would require significant changes to the General Plan and local zoning ordinances including:

- General Plan Amendment. The proposed project includes an amendment to the Land Use Element to change the General Plan designations for a portion of the project site from Residential 15, Residential 5 and Residential 2 to Business Park. (DEIR, p. 1-2). The project also proposes an amendment to the Circulation Element by making changes to the alignment of Encilia Street and the removal of Quincy Street from within the project boundaries. (DEIR, p. 1-2).

- Change of Zone. The proposed project includes a change to the project site zoning from Business Park (BP), Business Park Mixed-use (BPX), Residential Agriculture 2 (RA2), Residential 5 (R5), and Residential 15 (R15) to Light Industrial (LI). (DEIR, p. 1-2).

- Municipal Code Amendment. The project includes a Municipal Code Amendment to establish a minimum clearance of 250 feet between adjacent residential zoning districts and any truck court or primary truck circulation driveway in lieu of the buffer established by the Business Park zone. (DEIR, p. 1-2).

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II. Standing

Members of Local Union No. 1184 live, work, and recreate in the immediate vicinity of the Project site. These members will suffer the impacts of a poorly executed or inadequately mitigated Project, just as would the members of any nearby homeowners association, community group, or environmental group. Hundreds of LIUNA Local Union No. 1184 members live and work in areas that will be affected by traffic, air pollution, and water pollution generated by the Project.

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In addition, construction workers will suffer many of the most significant impacts from the Project as currently proposed, such as from air pollution emissions from poorly maintained or controlled construction equipment, possible risks related to hazardous materials on the Project site, and other impacts. Therefore, LIUNA Local Union No. 1184 and its members have a direct interest in ensuring that the Project is adequately analyzed and that its environmental and public health impacts are mitigated to the fullest extent feasible. 3

III. LEGAL STANDARDS

A. EIR

CEQA requires that an agency analyze the potential environmental impacts of its proposed actions in an environmental impact report ("EIR") (except in certain limited circumstances). (See, e.g., Pub. Res. Code § 21100). The EIR is the very heart of CEQA. (*Dunn-Edwards v. BAAQMD* (1992) 9 Cal.App.4th 644, 652). "The 'foremost principle' in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." (*Communities for a Better Environment v. Calif. Resources Agency* (2002) 103 Cal. App. 4th 98, 109).

CEQA has two primary purposes. First, CEQA is designed to inform decision makers and the public about the potential, significant environmental effects of a project. (14 Cal. Code Regs. ("CEQA Guidelines") § 15002(a)(1)). "Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made. Thus, the EIR 'protects not only the environment but also informed self-government.'" (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3d 553, 564). The EIR has been described as "an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return." (*Berkeley Keep Jets Over the Bay v. Bd. of Port Comm'rs.* (2001) 91 Cal. App. 4th 1344, 1354 ("*Berkeley Jets*"); *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810). 4

Second, CEQA requires public agencies to avoid or reduce environmental damage when "feasible" by requiring "environmentally superior" alternatives and all feasible mitigation measures. (CEQA Guidelines § 15002(a)(2) and (3); See also, *Berkeley Jets*, 91 Cal. App. 4th 1344, 1354; *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564). The EIR serves to provide agencies and the public with information about the environmental impacts of a proposed project and to "identify ways that environmental damage can be avoided or significantly reduced." (Guidelines §15002(a)(2)). If the project will have a significant effect on the environment, the agency may approve the project only if it finds that it has "eliminated or substantially lessened all significant effects on the environment where feasible" and that

any unavoidable significant effects on the environment are "acceptable due to overriding concerns." (Pub.Res.Code § 21081; 14 Cal.Code Regs. § 15092(b)(2)(A) & (B)).

While the courts review an EIR using an "abuse of discretion" standard, "the reviewing court is not to 'uncritically rely on every study or analysis presented by a project proponent in support of its position. A 'clearly inadequate or unsupported study is entitled to no judicial deference.'" (*Berkeley Jets*, 91 Cal. App. 4th 1344, 1355 (emphasis added), quoting, *Laurel Heights Improvement Assn. v. Regents of University of California*, 47 Cal. 3d 376, 391 409, fn. 12 (1988)). As the court stated in *Berkeley Jets*, 91 Cal. App. 4th at 1355:

> A prejudicial abuse of discretion occurs "if the failure to include relevant information precludes informed decisionmaking and informed public participation, thereby thwarting the statutory goals of the EIR process." (*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal. App. 4th 713, 722; *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal. App. 4th 1109, 1117; *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal. App. 4th 931, 946).

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B. Supplemental EIR

Recirculation of an EIR prior to certification is required "when the new information added to an EIR discloses: (1) a new substantial environmental impact resulting from the project or from a new mitigation measure proposed to be implemented (cf. Guidelines, § 15162, subd. (a)(1), (3)(B)(1)); (2) a substantial increase in the severity of an environmental impact unless mitigation measures are adopted that reduce the impact to a level of insignificance (cf. Guidelines, § 15162, subd. (a)(3)(B)(2)); (3) a feasible project alternative or mitigation measure that clearly would lessen the environmental impacts of the project, but which the project's proponents decline to adopt (cf. Guidelines, § 15162, subd. (a)(3)(B)(3), (4)); or (4) that the draft EIR was so fundamentally and basically inadequate and conclusory in nature that public comment on the draft was in effect meaningless." *Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal. 4th 1112, 1130, citing *Mountain Lion Coalition v. Fish & Game Comm'n* (1989) 214 Cal.App.3d 1043.

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Significant new information requiring recirculation can include:

(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

> (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
>
> (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

(14 Cal. Code Regs. § 15088.5(a)).

The DEIR fails to analyze significant environmental impacts pertaining to the Project and to fully consider available mitigation measures to address those impacts. A revised EIR is required to be prepared and recirculated to address these deficiencies.

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IV. THE DEIR IMPROPERLY SEGMENTS THE PROJECT

A. Legal Standard

The courts have repeatedly held that "an accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient [CEQA document]." *County of Inyo v. City of Los Angeles*, 71 Cal.App.3d 185, 193 (1977). Thus, CEQA mandates "that environmental considerations do not become submerged by chopping a large project into many little ones -- each with a minimal potential impact on the environment -- which cumulatively may have disastrous consequences." *Bozung v. LAFCO*, 13 Cal.3d 263, 283-84 (1975); *City of Santee v. County of San Diego*, 214 Cal.App.3d 1438, 1452 (1989). Before undertaking a project, the lead agency must assess the environmental impacts of all reasonably foreseeable phases of a project and a public agency may not segment a large project into two or more smaller projects in order to mask serious environmental consequences. As the Court of Appeal stated:

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> The CEQA process is intended to be a careful examination, fully open to the public, of the environmental consequences of a given project, **covering the entire project, from start to finish**...the purpose of CEQA is not to generate paper, but to compel government at all levels to make decisions with environmental consequences in mind.

Natural Resources Defense Council v. City of Los Angeles, 103 Cal.App.4th 268 (2002) (emphasis added).

In *County of Amador v. City of Plymouth*, 149 Cal. App. 4th 1089, 1095 (2007) an Indian tribe intended to build a large gaming development comprised of a hotel, restaurants, and bars, on land located in or adjacent to the city. The Court held that the

construction of public works, including a city road to the casino hotel, constituted a project within the scope of CEQA. *Id.* at 1100. The Court cited to the CEQA Guideline § 15378(a)(1) which states that the following is included in the term "project": "public works construction and related activities, clearing or grading of land [and] improvements to existing public structures..." *Id.* at 1100.

B. The DEIR Improperly Segments the Project By Failing to Include the Infrastructure as Part of the Project

The DEIR states:

> If the proposed project is constructed prior to the West Ridge project, ProLogis will install the infrastructure necessary to serve its project (e.g., roads, water, and sewer) and will be reimbursed by the City from the West Ridge developer at the time that project is constructed. If the West Ridge project is constructed first, ProLogis will contribute an appropriate amount to the City for a reimbursement account to help off-site improvement costs installed by the West Ridge project that serve the ProLogis project. The timing of improvements shall be coordinated by the City in cooperation with ProLogis and the West Ridge.

(DEIR, p. 3-11). Instead of including the roads, water, and sewer lines required to serve the ProLogis Project as part of the Project, the DEIR treats these infrastructure improvements as a separate project included in the cumulative projects list provided in Table 3.C: Cumulative Projects. (DEIR, p. 3-16). The City is improperly chopping the ProLogis Project into different segments, which is prohibited by CEQA because proper analysis of the whole project is thwarted. Like the casino road in *County of Amador v. City of Plymouth*, the roads, water, and sewer lines that will serve the ProLogis Project must be included as part of the Project and properly analyzed as part of the whole Project.

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V. THE DEIR FAILS TO ANALYZE AND MITIGATE ALL POTENTIALLY SIGNIFICANT IMPACTS

An EIR must disclose all potentially significant adverse environmental impacts of a project. (Pub. Res. Code § 21100(b)(1); 14 Cal.Code Regs. § 15126(a); *Berkeley Jets*, 91 Cal. App. 4th 1344, 1354). CEQA requires that an EIR must not only identify the impacts, but must also provide "information about how adverse the impacts will be." (*Santiago County Water Dist. v. County of Orange* (1981) 118 Cal.App.3d 818, 831). The lead agency may deem a particular impact to be insignificant only if it produces rigorous analysis and concrete substantial evidence justifying the finding. (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692).

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CEQA requires public agencies to avoid or reduce environmental damage when "feasible" by requiring mitigation measures. (CEQA Guidelines § 15002(a)(2) and (3); See also, *Berkeley Jets*, 91 Cal. App. 4th 1344, 1354; *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564). The EIR serves to provide agencies and the public with information about the environmental impacts of a proposed project and to "identify ways that environmental damage can be avoided or significantly reduced." (Guidelines §15002(a)(2)). If the project will have a significant effect on the environment, the agency may approve the project only if it finds that it has "eliminated or substantially lessened all significant effects on the environment where feasible" and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns." (Pub.Res.Code § 21081; 14 Cal.Code Regs. § 15092(b)(2)(A) & (B)).

In general, mitigation measures must be designed to minimize, reduce, or avoid an identified environmental impact or to rectify or compensate for that impact. (CEQA Guidelines § 15370). Where several mitigation measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. (*Id.* at § 15126.4(a)(1)(B)). A lead agency may not make the required CEQA findings unless the administrative record clearly shows that all uncertainties regarding the mitigation of significant environmental impacts have been resolved.

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CEQA requires the lead agency to adopt feasible mitigation measures that will substantially lessen or avoid the Project's potentially significant environmental impacts (Pub. Res. Code §§ 21002, 21081(a)), and describe those mitigation measures in the CEQA document. (Pub. Res. Code § 21100(b)(3); CEQA Guidelines § 15126.4). A public agency may not rely on mitigation measures of uncertain efficacy or feasibility. (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 727 (finding groundwater purchase agreement inadequate mitigation measure because no record evidence existed that replacement water was available)). "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors. (CEQA Guidelines § 15364). To demonstrate economic infeasibility, "evidence must show that the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the project." (*Citizens of Goleta Valley v. Board of Supervisors* (1988) 197 Cal.App.3d 1167, 1181). The EIR must provide evidence and analysis to show project cannot be economically implemented. (*Kings County, supra*, 221 Cal.App.3d at 734-737). This requires not just cost data, but also data showing insufficient income and profitability. (*See Burger v. County of Mendocino* (1975) 45 Cal.App.3d 322, 327 (infeasibility claim unfounded absent data on income and expenditures showing project unprofitable); *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656, 694 (upholding infeasibility finding based on analysis of costs, projected revenues, and investment requirements)). Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments. (*Id.* at § 15126.4(a)(2)).

A lead agency may not conclude that an impact is significant and unavoidable without requiring the implementation of all feasible mitigation measures to reduce the impacts of a project to less than significant levels. (CEQA Guidelines §§ 15126.4, 15091). 7

A. The DEIR Fails to Adequately Mitigate for the Loss of Farmland

1. Preservation Is an Appropriate Mitigation Measure for the Loss of Agricultural Resources

Preservation can be used as a tool to mitigate impacts of urbanizing land and it is encouraged and supported by legislative pronouncements and case law. For example,

> [s]ee the following legislative pronouncements to the effect that conversion of agricultural land is of significant concern, and that the preservation of agricultural land is significant goal of the state. Gov. Code, § 51220 (Williamson Act findings that agricultural preservation is valuable and necessary); Civ. Code, § 815 (legislative declaration that preservation of agricultural lands "is among the most important environmental assets of California"); Pub. Resources Code, § 10200 *et seq.* (California Farmland Conservancy Program Act (formerly the Agricultural Land Stewardship Program of 1995), promoting the establishment of agricultural easements as a means to preserve agricultural land); Pub. Resources Code, §§ 21031.1, 21061.2, 21095 (CEQA provisions requiring the Resources Agency to take steps it to ensure that the environmental effects of agricultural land conversion are quantitatively and consistently considered in the environmental review process); Stats. 1993, ch. 812, § 1, subd. (d) (declaring a legislative intent that CEQA should play an important role in the preservation of agricultural lands). 8
>
> In *Mira Mar* [*Mobile Community v. City of Oceanside* (4th Dist. 2004) 119 Cal. App. 4th 477 [14 Cal. Rptr. 3d 176]], the court heard a challenge to the City of Oceanside's approval of a condominium project on 7.5 acres of private property. The project would cause the loss of about .86 acres of coastal sage scrub, which was identified as a significant impact to a sensitive resource. The EIR required the applicant to mitigate for this loss at a ratio of 3 to 1 (or 2.58 acres of mitigation for .86 acres of last habitat). In implementing this mitigation measure, the city required the preservation of .65 acres of undisturbed coastal sage scrub, the restoration and preservation of 2.3 acres of disturbed coastal sage scrub, and the creation of .63 acres of new coastal sage scrub on site. Petitioners argued that this mitigation was inadequate because *preservation* of coastal sage scrub does not mitigate for lost habitat, making the measure "illusory and

inadequate." 119 Cal. App. 4th 477, 495. The Court of Appeal disagreed, citing CEQA Guildelines section 15370, as well as the opinions of various resource agencies, for the proposition that preservation can be a feasible means of reducing or eliminating the impact of lost habitat.

While the *Mira Mar* case deals specifically with biological and habitat resources, the reasoning of this case seems to have more general applicability to mitigation for lost resources, including agricultural resources.

(Guide to CEQA, Michael H. Remy, et. al., eleventh edition, p. 549-550).

2. The DEIR Fails to Adopt Appropriate Mitigation Measures for the Loss of Farmland

Approximately 82.5 acres of the Project site is designated as Prime Farmland. (DEIR, p. 4.2-6). The DEIR states that "[b]ecause Prime Farmland is a finite resource, its conversion to a non-agricultural use is significant." (DEIR, p. 4.2-6). The DEIR identifies several mitigation measures including mitigation measures discussed in the City General Plan EIR:

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- Enrolling productive agricultural land, not presently under contract, under a Williamson Act Contract;
- Providing protection to ongoing agricultural operations from complaints and nuisance complaints from adjacent new development;
- Protecting productive agricultural land subject to conversion through the purchase of or transfer of its development rights;
- Purchasing conservation easements on existing agricultural land to ensure that the land is never converted to urban uses; and
- Donating funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.

(DEIR, p. 4.2-7 - 4.2-8). However, the DEIR states that

[t]he potential mitigation measures identified by the City's General Plan have been deemed infeasible by the property owner under current economic conditions. In addition, supplementary analysis of the project

> site and local economic conditions indicates that continued citrus production and/or the raising of row crops would not be economically feasible on the project site (see Appendix L).

(DEIR, p. 4.2-8) (emphasis added).

The conclusion that the mitigation measures are infeasible is completely unsupported. The DEIR states the City General Plan EIR mitigation measure of enrolling productive land under Williamson Act contracts is infeasible because the "contracts are entered into voluntarily by property owners" and these contracts would "result only in temporary contracts at any time after the ten-year contract period ends." (DEIR, p. 4.2-8). Mitigation measures are designed to minimize significant environmental impacts, not necessarily to eliminate them. (Pub. Res. Code § 21100(b)(3); 14 Cal. Code Regs. § 15126.4(a)(1)). The minimum term for a Williamson Act contract is 10 years, however jurisdictions have the option of making them longer. (*Williamson Act Program - Basic Contract Provisions*, State of California Department of Conservation, available at http://www.conservation.ca.gov/dlrp/lca/basic_contract_provisions/Pages/index.aspx#what is a williamson act contract). Enrolling land into Williamson Act contracts would minimize the environmental impacts of converting Prime Farmland to warehouses.

In evaluating the feasibility of the mitigation measures: (1) purchasing conservation easements and (2) donating funds to a regional or statewide program, the DEIR states

> The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. As stated previously, the City anticipates the conversion of agricultural land within the City and does not set aside land for permanent preservation. The City expects that the majority of the land within the City will be converted to urban uses, although some agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories.

(DEIR, p. 4.2-8 - 4.2-9). These "reasons" are flawed because the identified mitigation measure was to donate funds to *regional* or *statewide* programs that promote and implement the use of agricultural land conservation easements. The "reasons" do not address why donating funds to regional or statewide programs is infeasible.

A supplemental EIR is required to analyze and require implementation of these feasible mitigation measures to reduce the Project's impacts on agricultural land. The fact that the measures are set forth in the City's own General Plan itself makes a prima facie case that the measures are feasible and should be implemented. If the City

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concludes that the measures are infeasible, then it must provide substantial evidence to demonstrate infeasibility. The EIR must provide evidence and analysis to show project cannot be economically implemented. (*Kings County, supra*, 221 Cal.App.3d at 734-737). This requires not just cost data, but also data showing insufficient income and profitability. (*See Burger v. County of Mendocino* (1975) 45 Cal.App.3d 322, 327 (infeasibility claim unfounded absent data on income and expenditures showing project unprofitable); *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656, 694 (upholding infeasibility finding based on analysis of costs, projected revenues, and investment requirements)). The EIR is devoid of any such evidence and is therefore legally inadequate.

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B. The DEIR Fails to Adequately Analyze Hazards and Hazardous Materials and Establishes an Erroneous Baseline

1. CEQA Baseline Standard

Every CEQA document must start from a "baseline" assumption. The CEQA "baseline" is the set of environmental conditions against which to compare a project's anticipated impacts. *Communities for a Better Environment v. So Coast Air Qual. Mgmnt. Dist.* (2010) 48 Cal. 4th 310, 321. Section 15125(a) of the CEQA Guidelines (14 C.C.R., § 15125(a)) states in pertinent part that a lead agency's environmental review under CEQA:

> ...must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time [environmental analysis] is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a Lead Agency determines whether an impact is significant.

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(See, *Save Our Peninsula Committee v. County of Monterey* (2001) 87 Cal.App.4th 99, 124-125 ("*Save Our Peninsula*"). As the court of appeal has explained, "the impacts of the project must be measured against the 'real conditions on the ground,'" and not against hypothetical permitted levels. (*Save Our Peninsula*,87 Cal.App.4th 99, 121-123). As the court has explained, using such a skewed baseline "mislead(s) the public" and "draws a red herring across the path of public input." (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 656; *Woodward Park Homeowners v. City of Fresno* (2007) 150 Cal.App.4th 683, 708-711).

2. Residual Pesticides in the Soil May Pose Health Risks to Workers and Nearby Residents

According to the DEIR, 57 acres of the Project site are used to grow grapefruit and 36 acres of the Project site are used for hay and alfalfa production. (DEIR, p. 4.2-1).

The DEIR and supporting documents fail to provide any specific details on the types of pesticides that have been used on the Project site in association with these agricultural operations and therefore the DEIR fails to adequately describe the environmental setting for the Project. According to Mr. Hagemann,

> [o]ur review has shown known and potential pesticide use at the Project site as follows:
>
> - Data available online from the California Department of Pesticide Regulation show that 2,4-D, 2-Ethylhexyl Ester was used on the Project site.[2,3] Occupational exposure to 2,4-D, 2-Ethylhexyl Ester can occur via inhalation or dermal contact and can result in skin irritation, respiratory failure, hyperventilation, and pulmonary enemas.[4]
> - Organochlorine pesticides DDE and DDT were detected in soil samples collected at the Project site[5], indicating past use. Use of organochlorine pesticides in the area is common: review of the Department of Toxic Substances Control's (DTSC) Envirostor database shows that the surrounding lands have been surveyed for organochlorine pesticides, DDE and DDT.[6] These pesticides can persist in soil for hundreds of years despite being banned in the 1970s.[7] Exposure to DDT can result in headaches, nausea, and convulsions.[8] The U.S. EPA identifies DDT and DDE as probable human carcinogens.[9]
> - The EPA states that soils at fruit orchards, such as the grapefruit orchard on the Project site, may contain high levels of arsenic from application as a pesticide.[10] Another chemical used on fruit orchards is lead arsenate, a very persistent pesticide.[11] Arsenic is a known human carcinogen and even short-term inhalation of arsenic

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[2] ftp://cdpr.ca.gov/pub/outgoing/calpip/26814174623515_120824104149.html
[3] ftp://cdpr.ca.gov/pub/outgoing/calpip/26814174623515_120824104217.html
[4] http://toxnet.nlm.nih.gov/cgi-bin/sis/search/a?dbs+hsdb:@term+@DOCNO+7309
[5] Phase I Environmental Site Assessment, 84 acres. Near Intersection of Pittit Street and Highway 60, Moreno Valley, California, p. 9 and Phase I Environmental Site Assessment, 37 acres. Near Intersection of Pittit Street and Highway 60, Moreno Valley, California, p. 8
[6] http://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60000825 and http://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60000931
[7] http://www.atsdr.cdc.gov/toxprofiles/tp35.pdf, p. 3
[8] http://www.epa.gov/ttn/atw/hlthef/dde.html
[9] http://www.atsdr.cdc.gov/toxfaqs/tf.asp?id=80&tid=20
[10] http://water.epa.gov/drink/info/well/health.cfm
[11] http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1551991/

dust can cause gastrointestinal effects[12] while lead is known to cause neurotoxicological effects.[13]

Pesticide use at the Project site was not disclosed in the DEIR and the detection of pesticide residuals in soil were not described in the Hazards and Hazardous Materials section.

Failure to disclose the presence of pesticide residuals in Project site soils may pose significant health risks to construction workers. Construction of the Project requires grading and the disturbance of subsurface soils and removal of citrus groves (DEIR, p. 4.7-21). During earthmoving activities, construction workers will be exposed, via inhalation of dust and dermal contact, to Project site soils which may contain harmful levels of pesticide residuals associated with agricultural activities on the site. To protect worker safety, Project site soils must be sampled for pesticides. Sampling results should be compared to health-protective regulatory screening levels such as U.S. EPA Regional Screening Levels[14] and California Human Health Screening Levels.[15]

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Soil sampling results should also be evaluated for the protection of nearby residents, located 50 feet from the southern boundary and 200 feet from the northern boundary of the Project site (DEIR, p. 4.3-6). Inhalation of pesticides has been linked to asthma in recent research.[16,17] A report prepared by the California Department of Health identifies pesticides as an asthma trigger.[18] Offsite receptors, including any children living in the neighboring residences, may be exposed to pesticide residuals via dust generated during Project construction.

Construction activities, such as grading and excavation of soils, may generate dust that contains pesticides in concentrations that are harmful to the health of workers and nearby residents and which may act as an asthma trigger. Project site soils should be sampled and results should be compared to human health screening levels. A revised DEIR should be prepared to disclose the results of sampling and include any necessary mitigation to reduce impacts to the health of construction workers and nearby residents.

[12] http://www.epa.gov/ttn/atw/hlthef/arsenic.html
[13] http://www.epa.gov/lead/pubs/learn-about-lead.html#effects
[14] http://www.epa.gov/region9/superfund/prg/
[15] http://www.calepa.ca.gov/brownfields/documents/2005/CHHSLsGuide.pdf
[16] http://extension.psu.edu/ipm/resources/urbanphilly/partnerships/handouts/asthma-pests.pdf
[17] http://www.ncbi.nlm.nih.gov/pubmed/21368619
[18] http://www.cdph.ca.gov/programs/caphi/Documents/AsthmaStrategicPlan.5-5-08.pdf, p. 22

3. The Phase I Environmental Site Assessments Completed for the Project Site are Outdated and Inadequate

According to Mr. Hagemann,

The DEIR relies on the findings from two Phase I Environmental Site Assessments (ESAs) that were completed in October and November 2003, nearly nine years ago. The Phase I ESAs surveyed 121 acres of the 123-acre Project site. The Applicant purchased the Project site more than five years ago.[19] A Phase I ESA, according to the U.S. EPA, must be conducted within one year of the acquisition of the property and on-site visual inspections must be completed within 180 days prior to acquiring ownership of the property.[20]

Because the Phase I ESAs are dated and omit two acres of the Project site, they cannot be used to evaluate conditions that are potentially hazardous to construction workers and future site personnel. Therefore, the DEIR's analysis of the Project site based on these Phase I ESAs is inadequate.

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Review of Google Earth images shows that the Project site has been used for ongoing agricultural operations since the Phase I ESAs were completed in 2003. Limited pesticide sampling was conducted during the Phase I ESAs (a total of 8 soil samples for a 123-acre Project site) but because the samples were collected nine years ago and because they do not reflect continued agricultural use, the results are reflective of current site conditions.

The Phase I ESAs cover 121 acres of the 123-acre Project site. We have created a map to show the areas of the Project site surveyed by the two 2003 Phase I ESAs and the boundaries for the current Project site (Attachment A). As the map shows, not all areas of the current Project site were included in the 2003 Phase I ESAs' site assessments.

The DEIR fails to establish an adequate environmental setting for the Project site because it relies on Phase I ESAs that are outdated and do not cover the entire Project site. A revised DEIR is required, including a new Phase I ESA, to evaluate the Project site's current environmental conditions.

[19] http://www.pe.com/local-news/riverside-county/moreno-valley/moreno-valley-headlines-index/20120726-moreno-valley-officials-seek-comments-on-prologis-project.ece
[20] http://www.epa.gov/brownfields/aai/aaicerclafs.pdf

4. The DEIR Fails to Disclose the Status of an Underground Storage Tank

According to Mr. Hagemann,

> A 13,400 gallon underground storage tank (UST), abandoned in the 1950s, was removed from the Project site in 2004 (Appendix F, p. 3/191). The Phase I ESA recommended an additional investigation to be conducted in the area of the former UST (Appendix F, p. 10/191). Accordingly, a permit for removal of the UST was submitted to the Riverside County's Department of Environmental Health in December 2003 and soil samples around the area of the UST were analyzed in 2004. However, the DEIR and supporting documents did not include any documentation that the UST was properly closed by the Riverside County Department of Environmental Health. If the UST removal was not approved, an Underground Storage Tank Closure Application and Permit[21], per the Riverside County Department of Environmental Health Guidelines,[22] must be submitted.

The DEIR fails to establish an adequate baseline because it does not provide the status of a 13,400 gallon UST. A revised DEIR is required to disclose this important information (i.e., whether closure was granted by the Riverside County Department of Environmental Health).

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C. The DEIR Fails to Adequately Analyze Greenhouse Gas Emissions

The DEIR states that the Project's operational greenhouse gas (GHG) emissions, before mitigation, are estimated to be 79,000 metric tons of CO_2e/year (MT CO_2e/yr) which exceed the SCAQMD threshold of 10,000 MT CO_2e/yr and are therefore considered significant. (DEIR, p. 4.13-19). The Project's GHG emissions exceed the SCAQMD threshold by nearly eight times. After mitigation, the DEIR states that GHG emissions will be less than significant. (DEIR, p. 4.13-21). This conclusion is completely unsupported. The DEIR fails calculate what the Project's GHG emissions will be after the mitigation measures are implemented. In fact, the DEIR and supporting documents, including a GHG Study (Appendix B), fail to provide any evidence that the proposed mitigation measures will reduce GHG emissions by a factor of eight.

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According to Mr. Hagemann,

[21] http://www.rivcoeh.org/opencms/system/galleries/download/Environmental-Health/HMM/UST_Closure_App.pdf
[22] http://www.rivcoeh.org/opencms/system/galleries/download/Environmental-Health/HMM/Closure_by_removal_UST.pdf

A revised DEIR should be prepared to show the efficiency of the Project's proposed mitigation measures in reducing greenhouse gases. If these measures do not account for an eight-fold reduction in the Project's estimated GHG levels, additional mitigation measures (listed below) that are routinely considered in other CEQA projects should be implemented:

- Require preparation of a traffic control plan;
- Demonstrate proper inspection and maintenance of construction equipment;
- Implement a carpool program for construction workers;
- Employ a construction site manager to verify that engines are properly maintained and keep a maintenance log;
- Configure construction parking to minimize traffic interference;
- Consolidate truck deliveries when possible;
- Provide dedicated turn lanes for movement of construction trucks and equipment on and off site;
- Suspend use of all construction equipment operations during second stage smog alerts;
- Establish a staging zone for trucks that are waiting to load or unload material at the work zone in a location where diesel emissions from the trucks will have minimum impact on abutters and the general public;
- Locate construction equipment away from sensitive receptors such as fresh air intakes to buildings, air conditioners and operable windows;
- Require all diesel trucks used by construction contractor(s) at the site, or for on-road hauling of construction material, to be post-1996 models; Diesel portable generators less than 50 hp shall not be allowed at the construction site;
- Use of hybrid and fuel efficient construction equipment and support vehicles (e.g., pick-up trucks);
- Use of grid electricity for smaller equipment such as saws, pumps, and welders;[23]
- Reduction in vehicle miles travelled in construction crew commutes through trip carpooling, trip reduction, providing bus service for crews from work sites to carpool parking areas, and in providing incentives to carpool; and
- Use of a Heavy-Duty Off-Road Vehicle Plan to ensure compliances with construction mitigation measures (e.g., hourly meters on equipment, documenting the serial number, horsepower,

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[23] http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf, p. 47

manufacture age, fuel, etc. of all onsite equipment and daily logging of the operating hours of the equipment).[24]

A supplemental EIR should be prepared that calculates the Project's GHG emissions after implementation of all feasible mitigation measures. The supplemental EIR should analyze all mitigation measures set forth in the GHG Guidance Document published by the California Attorney General, Addressing Climate Change at the Project Level (see attached exhibit, also available at http://ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf). If GHG impacts remain significant after implementation of all feasible mitigation measures, then the EIR must acknowledge that the impacts are significant an unavoidable, and the City must adopt a statement of overriding considerations. 12

D. The DEIR Fails to Adequately Analyze Impacts to Air Quality

1. The DEIR Underestimates the Potential Particulate Emissions for the Construction Phase of the Project

Computer modeling (e.g., the California Air Resource Board's ("CARB's") Urban Emission ("URBEMIS") and the California Emissions Estimator Model ("CalEEMod")) is used to estimate emissions of criteria pollutants during construction and operational phases of projects. The South Coast Air Quality Management District ("SCAQMD") permits the use of the outputs from both the URBEMIS and CalEEMOD in air quality analyses. According to Dr. Clark, there are significant differences between these two models that "must be highlighted in the DEIR." In pertinent part, Dr. Clark states: 13

> The changes in the method used to estimate construction impacts from the proposed project by using the CalEEMod model instead of the URBEMIS model include:
>
> - Failure to account for wind-blown fugitive dust[25]. According to the July, 2011 CalEEMod Technical Paper, wind-blown fugitive dust is not calculated in CalEEMod. For sites as large as the proposed project site, this can result in significant quantities of particulate matter being released.
> - SCAQMD's surveys of construction sites were limited to sites of 35 acres or less. For projects larger than 35 acres the data was extrapolated by increasing the number of construction days but not increasing the number of construction equipment pieces used on a

[24] Ibid., p. 431
[25] CalEEMod. Technical Paper: Methodology Reasoning and Policy Development of the California Emission Estimator Model. July, 2011. Pg 4.

given day. The impact is to reduce the construction PM estimates for the site as compared to URBEMIS[26].

- The acreage to be based upon Walker's Building Estimator's Reference Book. Grading in URBEMIS is based upon 25% of total project acreage in one day. The impact of this change is to decrease PM emissions from grading in the CalEEMod[27].

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A revised DEIR should be prepared to highlight the differences between the two models so that the potential impacts are adequately analyzed.

2. The DEIR Fails to Accurately Compare Construction Emissions to Daily Construction Significant Thresholds

According to Dr. Clark, the CalEEMod results were not presented properly. The model shows CEQA significance levels were exceeded as well as South Coast Air Quality Management District Localized Significance Thresholds were exceeded. In pertinent part, Dr. Clark states:

> Unlike the operational emissions from most projects, which are typically more or less continuous, emissions from construction sites are highly variable depending on the type of construction that is being performed. For example, grading results in large quantities of fugitive dust and combustion emissions from diesel-powered equipment. Short-term emissions during the various construction phases can be considerable and may result in degradation of local and regional air quality and severe health effects.
>
> To determine whether short-term emissions may result in degradation of local and regional air quality and severe health effects, it is common practice for lead agencies to compare project emissions to quantitative significance thresholds developed by local air districts as a screening tool for CEQA review. Thresholds of significance for construction emissions are typically expressed on a short-term basis, *i.e.* daily or hourly basis to adequately capture impacts due to the high variability of emissions during different construction stages.
>
> Table 1 presents a summary of short-term emissions thresholds developed by SCAQMD and other air districts for assessing impacts on air quality from construction projects.

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[26] CalEEMod. Technical Paper: Methodology Reasoning and Policy Development of the California Emission Estimator Model. July, 2011. Pg 5.
[27] CalEEMod. Technical Paper: Methodology Reasoning and Policy Development of the California Emission Estimator Model. July, 2011. Pg 5.

Table 1:
CEQA significance thresholds for construction emissions from various air districts

Air district construction thresholds*	NOx (lbs/day)	ROG (lbs/day)	PM_{10} (lbs/day)	DPM (lbs/day)	$PM_{2.5}$ (lbs/day)	CO (lbs/day)
SCAQMD	100	75	150		55	550
BAAQMD	54	54	82		54	
EDCAPCD	82	82				
SLOCAPCD				7		
MBUAPCD			82			550
FRAQMD	25	25	80			
SMAQMD	85					
YSAQMD	82	82	150			

SCAQMD = South Coast Air Quality Management District, CEAQ Handbook, 1993;
BAAQMD = Bay Area Air Quality Management District, CEQA Guidelines 2009;
EDCAPCD = El Dorado County Air Pollution Control District, CEQA Guide, February 2002;
SLOCAPCD = San Louis Obispo County Air Pollution Control District, CEQA Air Quality Handbook, December 2009.
MBUAPCD = Monterey Bay Unified Air Pollution Control District, CEQA Air Quality Guidelines, June 2004,
FRAQMD = Feather River Air Quality Management District, http://www.fraqmd.org/CEQA_Thresholds.htm;
SMAQMD Sacramento Metropolitan Air Quality Management District, Guide to Air Quality Assessment, July 2004;
YSAQMD, Yolo-Solano Air Quality Management District, Air Quality Handbook, Guidelines for Determining Air Quality Thresholds of Significance and Mitigation Measures for Proposed Development Projects that Generate Emissions from Motor Vehicles, revised 2002

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A review of the CalEEMod analysis for the project shows that the mitigated construction emissions of ROG and PM2.5 exhaust (a surrogate for diesel particulate emissions) are in excess of the CEQA significance thresholds listed above. During Year 2013, ROG and PM2.5 exhaust emissions are estimated to be 368.03 lbs/day and 7.95 lbs/day, respectively.

In addition to the Significant Thresholds above, SCAQMD recommends the use of Localized Significance Thresholds (LSTs) to determine potential impacts to receptors near projects. According to the Air Quality Analysis prepared by the proponent, Table I of the Air Quality Analysis shows that the emissions of the pollutants on the peak day of construction are below the SCAQMD LST. In this table the proponent uses the emission estimates from the grading phase of the construction. The proponent inaccurate asserts that the emission levels will be below the LST values.

Table 2:
Construction LST Impacts from Air Quality Analysis

Emission Sources	Pollutant Emissions, lbs/day			
	NOx	CO	PM_{10}	$PM_{2.5}$
On-Site (grading) Emissions	104	55	8.4	6.3
LST Threshold	270	1,577	13	8
Significant Emissions?	No	No	No	No

A review of the CalEEMod analysis shows that the highest emission values are not associated with the grading phase. In Section 2.0 Emission Summary of the CalEEMod analysis presented in the Air Quality Analysis the construction impacts are listed as:

Table 3:
Construction LST Impacts from CalEEMod Output

Emission Sources	Pollutant Emissions, lbs/day			
	NOx	CO	PM_{10}	$PM_{2.5}$
Mitigated Construction Emissions	139.84	166.77	29.2	8.28
LST Threshold	270	1,577	13	8
Significant Emissions?	No	No	**Yes**	**Yes**

The Proponent's analysis of air quality impacts clearly fails to accurately describe the impacts of the emissions on the receptors closest to the project site. Based on my expert opinion, applicable significance thresholds, and the CalEEMod analysis performed by the proponent, I conclude that the Project will have significant adverse impacts from construction air emissions of fugitive dust, ROG, and diesel emissions. The lead agency must re-evaluate the construction emissions and incorporate a phased approach to estimate the true impacts of construction activities on air quality, and propose all feasible mitigation measures to reduce these significant emissions, in a RDEIR.

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3. The DEIR Fails to Consider Health Risks From Contaminated Dust

According to Dr. Clark:

Residual contaminants in soils at the site may be entrained in dust generated during construction activities. The release of residual contamination is a potentially significant impact, given the past use of the site for agricultural production. According to the California Department of Toxic Substances Control August 2002 Interim Guidance for Sampling Agricultural Fields for School Sites (known sensitive receptors), "the most commonly detected pesticides have been DDT and it's derivatives DDD and DDE, toxaphene, dieldrin, and aldrin. Of these pesticides, toxaphene has been the major pesticide driving unacceptable levels of risk requiring remediation by soil removal." Given the volume of soils to be graded at each of the sites it is imperative to understand whether particulate matter generated at the sites will pose a potential health risk to sensitive receptors in the vicinity of each site.

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According to DTSC, "the guidance is applicable to agricultural land that is currently under cultivation with row, fiber or food crops, orchards, or pasture. It is also applicable to fallow and former agricultural land that is no longer in production and has not been disturbed beyond normal disking and plowing practices. Each field of the same crop is assumed to have been watered, fertilized, and treated with agricultural chemicals to the same degree across the field. Because of this homogeneous application, contaminant levels are expected to be similar at any given location within the field."

There is no indication of a sampling and analysis plan in the DEIR, or the Project documents provided by the lead agency, a serious deficiency in the documents. Prior to issuing a DEIR for the project, the Proponent should be required to complete a sampling and analysis plan to confirm or rule out the possibility of the presence of residual contaminants at the site. Identifying residual pesticides or other contaminants in soils at the site prior to construction activities will provide an opportunity for the Proponent to remove/mitigate the potential exposure of sensitive receptors within the vicinity of the sites. In the absence of any sampling or analysis, and given the past use of the Project site, I conclude that there is at least a fair argument that the Project may have significant impacts related to residual contaminants at the site.

4. The DEIR Fails to Properly Identify and Address the Project's Operational Air Quality Impacts

The DEIR states, without any evidentiary support, that the project's emissions of criteria pollutants will not result in a considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard. According to Dr. Clark,

> During the operational phase of the project the project will have the potential to generate significant quantities of criteria pollutants (NO_x, SO_x, Ozone precursors, PM). According to Table 3-1 of the most recent BAAQMD CEQA guidance, a construction of a 259,000 square foot light industrial or warehouse operation will typically violate NOx construction thresholds and GHG operational thresholds. The proposed Project's 2,000,000 square feet plus of warehouse and manufacturing buildings are nearly 8 times the size of the screening threshold, ensuring a violation of local air quality thresholds. I therefore conclude that the Project will have significant NOx and GHG emissions during Project operations.
>
> The air quality impacts from the traffic associated with a 2,000,000 square foot facility are significant. Typically the impacts are quantified by the number of vehicle trips per day. In the case of the proposed project, the primary concern will be the number of truck trips per day. A truck trip is one round trip (one trip segment to a site and one trip segment away from a site).
>
> According to one source, Bluffstone and Ouderkirk[28], a 500,000 square feet facility on 50 acres, will on average have 350 truck trips per day (or 700 trip segments) associated with its development. This figure is proportionate to estimates for an AMB Property Corporation center in Redlands (1,000 truck trips for a 1.3 million square feet structure); Wal-Mart distribution centers in Pueblo, Colorado (700 truck trips per day for an 880,000 square feet facility), Connecticut, and Delaware (both 1,000 truck trips per day for 1.2 million square feet structures); and a grocery distribution center in New York (Boas, 2002; Gasiewski, 2004; Hernandez, 2005; Pueblo Chieftain, 2004; Sholl, 2004).
>
> Estimates from other sources indicate approximately 1 truck per 1,000 square feet of the building, which means that the proposed project would require 1,000 trucks per day (or 1,000 trip segments per day) for the warehouse segment of the Project. The number of truck trips could be

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[28]Bluffstone and Ouderkirk. 2007. Warehouses, trucks, and [PM.sub.2.5]: human health and logistics industry growth in the eastern Inland Empire. Contemporary Economic Policy 25(1):

higher at a new, more efficient facility where more inventory is moved per day. Without proper modeling of the emissions from these additional vehicles the impacts on the environment and the citizens of Moreno Valley is unknown. It is clear that the size of the Project will have significant NOx and GHG emissions during Project operations.

A proper cumulative impact analysis is vital for an environmental analysis because the full environmental impact of a proposed project cannot be gauged in a vacuum. One of the most important environmental lessons that has been learned is that the environmental damage often occurs incrementally from a variety of small sources with which they interact. The increase in PM in the region, even for short periods of time, will only exacerbate the already serious air quality issues in the region.

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5. The DEIR Fails to Disclose Impacts to Offsite Receptors

The Project is located in the South Coast Air Basin and Riverside County,[29] both of which are designated non-attainment for PM10 and ozone. (DEIR, p. 4.3-6). According to Mr. Hagemann,

> [s]ignificant emissions of PM10 and ozone and contributing factors such as NOx and ROG will lead to a worsening of regional air quality. The Project's estimates of construction emissions need to be properly disclosed and mitigated to ensure that the Project has a less than significant impact on regional air quality.

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Estimates and impacts of project's construction and operational emissions
Project construction and operation will result in significant emissions of ROG, NOx, and PM10 even after mitigation (DEIR, pp. 4.3-29, 4.3-34).

Construction emissions
The DEIR estimates that the Project's construction emissions of NOx and ROG will be significant as they exceed the SCAQMD thresholds of 100 lbs/day and 75 lbs/day, respectively (DEIR, p. 4.3-23) and identifies mitigation measures to reduce the Project's emissions (DEIR, pp. 4.3-23 – 4.3-29). Even with mitigation, the Project's emissions of NOx and ROG will still exceed SCAQMD thresholds and therefore are considered significant (DEIR, p. 4.3-29).

Operational emissions
The DEIR estimates that the Project's emissions of ROG, NOx, and PM10 from operational activities will be significant as they exceed the SCAQMD

[29] http://www.epa.gov/oaqps001/greenbk/ancl.html

thresholds of 55 lbs/day, 55 lbs/day, and 150 lbs/day, respectively (DEIR, p. 4.3-33). The DEIR proposes mitigation measures to reduce the Project's emissions (DEIR, pp. 4.3-33 – 4.3-34) but, even with mitigation, the Project's emissions will still exceed SCAQMD thresholds and therefore are considered significant (DEIR, p. 4.3-34).

Gaseous particles such as NOx can react in the atmosphere to form PM10.[30,31] Because Riverside County and the South Coast Air Basin are both designated non-attainment for PM10, significant emissions of NOx can lead to a further degradation of regional air quality. NOx emissions can also react to produce ground-level ozone.[32] Exposure to NOx emissions and its products (ozone and PM10) can lead to the airway inflammation and can cause or exacerbate conditions such as emphysema and bronchitis.[33]

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ROG can react to form ozone and contributes to smog formation.[34,35] Exposure to ozone can result in coughing, throat irritation, and chest pain, burning, and discomfort.[36] Smog exposure can lead to sneezing, nausea, coughing, headaches, and chest constriction.[37] A study published in the New England Journal of Medicine concluded that the risk of dying from respiratory diseases is three times higher in areas of concentrated ozone.[38]

Exposure to PM10 can cause bronchitis, increase the number and severity of asthma attacks, damage to lung tissue, and even premature death.[39] Research identifies that dust from construction is a major contributor to PM10 and that PM10 exposure is associated with asthma.[40] Inhalation of PM10 can exacerbate asthma especially in children who are susceptible to higher risks from PM10 exposure.[41]

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[30] http://www.fhwa.dot.gov/resourcecenter/teams/airquality/brochure/particulatebrochure.pdf
[31] http://www.epa.gov/captrade/documents/power.pdf
[32] *Ibid.*
[33] http://www.epa.gov/air/nitrogenoxides/health.html
[34] http://www.arb.ca.gov/research/health/fs/fs2/fs2.htm
[35] http://www.arb.ca.gov/html/gloss.htm#smog
[36] http://www.epa.gov/o3healthtraining/population.html
[37] http://are.berkeley.edu/courses/EEP101/spring03/AllThatSmog/extern.html
[38] http://www.nytimes.com/gwire/2009/03/12/12greenwire-study-links-smog-exposure-to-premature-death-10098.html
[39] http://www.epa.gov/airtrends/aqtrnd95/pm10.html and http://www.arb.ca.gov/html/brochure/pm10.htm
[40] http://scerpfiles.org/cont_mgt/doc_files/EH-01-2.pdf
[41] http://www.co.imperial.ca.us/airpollution/attainment%20plans/final%20ic%202009%20pm10%20sip%20document.pdf

The Project will have significant emissions of ROG, NOx, and PM10. Because Riverside County and the South Coast Air Basin are designated non-attainment areas for ozone and PM10, Project construction and operation will further degrade regional air quality. Exposure to ROG, NOx, and PM10 has adverse health effects and can impact offsite receptors, especially children in the nearby residences – a significant and undisclosed public health impact that the DEIR does not consider.

A revised DEIR should be prepared to disclose impacts to offsite receptors from Project construction and operation. Additional mitigation measures must be implemented to ensure that Project emissions of ROG, NOx, and PM10 are reduced to the maximum extent feasible.

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6. The DEIR Fails to Adequately Analyze Cumulative Impacts

1. Legal Standard

An EIR must discuss significant cumulative impacts. CEQA Guidelines section 15130(a). This requirement flows from CEQA section 21083, which requires a finding that a project may have a significant effect on the environment if "the possible effects of a project are individually limited but cumulatively considerable...'Cumulatively considerable' means that the incremental effects of an individual 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." "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." CEQA Guidelines section 15355(a). "[I]ndividual effects may be changes resulting from a single project or a number of separate projects." (CEQA Guidelines section 15355(a)).

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"The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time." (*Communities for a Better Environment v. Cal. Resources Agency ("CBE v. CRA")*, (2002) 103 Cal.App.4th 98, 117). A legally adequate cumulative impacts analysis views a particular project 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. "Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time." (CEQA Guidelines § 15355(b)).

As the court stated in *CBE v. CRA,* 103 Cal. App. 4th at 114:

> Cumulative impact analysis is necessary because the full environmental impact of a proposed project cannot be gauged in a vacuum. One of the most important environmental lessons that has been learned is that environmental damage often occurs incrementally from a variety of small sources. These sources appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact.

(Citations omitted).

In *Kings County Farm Bureau v. City of Hanford,* 221 Cal.App.3d at 718, the court concluded that an EIR inadequately considered an air pollution (ozone) cumulative impact. The court said: "The EIR concludes the project's contributions to ozone levels in the area would be immeasurable and, therefore, insignificant because the [cogeneration] plant would emit relatively minor amounts of [ozone] precursors compared to the total volume of [ozone] precursors emitted in Kings County. The EIR's analysis uses the magnitude of the current ozone problem in the air basin in order to trivialize the project's impact." The court concluded: "[t]he relevant question to be addressed in the EIR is not the relative amount of precursors emitted by the project when compared with preexisting emissions, but whether any additional amount of precursor emissions should be considered significant in light of the serious nature of the ozone problems in this air basin."[42] The *Kings County* case was reaffirmed in *CBE v. CRA,* 103 Cal.App.4th at 116, where the court rejected cases with a narrower construction of "cumulative impacts."

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Similarly, in *Friends of Eel River v. Sonoma County Water Agency,* (2003) 108 Cal. App. 4th 859, the court held that the EIR for a project that would divert water from the Eel River had to consider the cumulative impacts of the project together with other past, present and reasonably foreseeable future projects that also divert water from the same river system. The court held that the EIR even had to disclose and analyze projects that were merely proposed, but not yet approved. The court stated, CEQA requires "the Agency to consider 'past, present, and probable future projects producing related or cumulative impacts . . . .'" (Guidelines, § 15130, subd. (b)(1)(A)). The Agency must interpret this requirement in such a way as to 'afford the fullest possible protection of the environment.'" (*Id.*, at 867, 869). The court held that the failure of the EIR to

[42] *Los Angeles Unified v. City of Los Angeles,* 58 Cal.App.4th at 1024-1026 found an EIR inadequate for concluding that a project's additional increase in noise level of another 2.8 to 3.3 dBA was insignificant given that the existing noise level of 72 dBA already exceeded the regulatory recommended maximum of 70 dBA. The court concluded that this "ratio theory" trivialized the project's noise impact by focusing on individual inputs rather than their collective significance. The relevant issue was not the relative amount of traffic noise resulting from the project when compared to existing traffic noise, but whether any additional amount of traffic noise should be considered significant given the nature of the existing traffic noise problem.

analyze the impacts of the project together with other proposed projects rendered the document invalid. "The absence of this analysis makes the EIR an inadequate informational document." (*Id.*, at 872).

The Court in *Citizens to Preserve the Ojai v. Bd. of Supervisors,* 176 Cal.App.3d 421 (1985), held that an EIR prepared to consider the expansion and modification of an oil refinery was inadequate because it failed to consider the cumulative air quality impacts of other oil refining and extraction activities combined with the project. The court held that the EIR's use of an Air District Air Emissions Inventory did not constitute an adequate cumulative impacts analysis. The court ordered the agency to prepare a new EIR analyzing the combined impacts of the proposed refinery expansion together with the other oil extraction projects.

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2. The DEIR Fails to Adequately Analyze Cumulative Construction Impacts

As part of its cumulative impact analysis, the DEIR identifies 13 proposed projects encompassing approximately 7.3 million square feet of space within five miles of the Project site (DEIR, p. 3-16). However, the DEIR does not identify the construction schedule of these projects except to state that "a number of individual projects may be under construction simultaneously with the proposed project." (DEIR, p. 4.3-37). The WestRidge Commerce Center Project (which will be built adjacent to the proposed Project) is scheduled to be constructed in 2012, a schedule similar to the proposed Project. According to Mr. Hagemann,

> [s]imultaneous construction of these projects, along with other potential projects, is likely to result in PM10, NOx, and ROG emissions that will have a cumulatively significant impact. The construction timetables of all projects within the vicinity of the Project site should be identified. Any cumulatively significant emissions should be disclosed and impacts to workers and nearby residents should be addressed in a revised DEIR.

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VI. CONCLUSION

For the foregoing reasons, LIUNA Local Union No. 1184 urge the City to continue the matter for future consideration pending completion of a supplemental EIR addressing the Project's significant impacts and mitigation measures. Thank you for your attention to these comments. Please include this letter and all attachments hereto in the record of proceedings for this project. 20

Sincerely,

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Attorneys for LIUNA Local Union No. 1184

RESPONSES TO LETTER D-4A

Response to Comment 1: The following responses will address the specific comments made by the commenter regarding these topics.

Response to Comment 2: The project information summarized by the commenter is correct.

Response to Comment 3: The City understands comments made by the LIUNA Local Union No. 1184 regarding standing to make these comments. While it is not the City's responsibility to determine standing, the following responses will address all the comments raised in this letter consistent with CEQA.

Response to Comment 4: The information provided in the letter regarding several EIR and CEQA topics is factually correct, but it may or may not apply to this particular EIR for this specific project. Nonetheless, the following responses address specific comments made by the commenter on the Draft EIR for the ProLogis project.

Response to Comment 5: The information provided in the letter regarding recirculation of an EIR under is factually correct, but it may or may not apply to this particular EIR for this specific project. Nonetheless, the following responses address specific comments made by the commenter on the Draft EIR for the ProLogis project. The City contends that this information does not rise to the level of that requiring circulation, but several mitigation measures have been added to make certain there will be no significant impacts relative to the issues raised by the commenter.

Response to Comment 6: The commenter is correct that the project description of the EIR must describe the "whole of the action" as outlined in CEQA. However, the City believes the EIR does provide that information and does not segment the utility or infrastructure improvements outlined by the commenter. The discussion related to the Westridge project was only relative to the timing and funding of the various improvements for which both projects would either construct or provide a fair share contribution towards their construction, since both were being processed at approximately the same time. Section 3.5.4 of the ProLogis EIR clearly identifies the various utility improvements for which the project will be responsible, and Section 3.5.5 outlines the road and intersection improvements for which the ProLogis project is responsible. The following discussion in Section 3.5.1, Operations and Infrastructure Timing, was included to show the relationship of the two projects in terms of the timing of the various improvements.

3.5.1 Operations and Infrastructure Timing

The EIR evaluated "worst case" conditions of the project operating 24/7. If the proposed project is constructed prior to the West Ridge project, ProLogis will install the infrastructure necessary to serve its project (e.g., roads, water, and sewer) and will be reimbursed by the City from the West Ridge developer at the time that project is constructed. If the West Ridge project is constructed first, ProLogis will contribute an appropriate amount to the City for a reimbursement account to help off-site improvement costs installed by the West Ridge project that serve the ProLogis project. The timing of improvements shall be coordinated by the City in cooperation with ProLogis and the West Ridge developer.

Therefore, the project EIR does not segment these improvements from inclusion in the project description. The impacts of these improvements are also addressed in the appropriate sections of the environmental analysis (e.g., 4.3, *Air Quality*, 4.11, *Transportation and Traffic*, and 4.12, *Utilities*).

Response to Comment 7: The information provided in the letter regarding implementation of all feasible mitigation measures is factually correct, but it may or may not apply to this particular EIR for this specific project. Nonetheless, the following responses address specific comments made by the commenter on specific sections of the Draft EIR and mitigation for impacts on those sections.

Response to Comment 8: The commenter presents information that indicates preservation of habitat is appropriate mitigation for loss of habitat based on the results of the *Mira Mar* case in Oceanside. The commenter then concludes that concept can be applied to loss of prime agricultural land. The comparison may not be directly applicable, but an Appeals Court decision (Building Industry Association of Central California v. County of Stanislaus) certified in November 29, 2010 may be more applicable to this situation. That case concluded that it is appropriate to mitigate at a 1:1 ratio for the loss of prime agricultural land through the acquisition of an offsite agricultural easement if such a program is established by a county or regional governmental entity. However, as outlined in the DEIR section, there is no established County or regional program, and active agriculture in western Riverside County is no longer economically viable or feasible.

The commenter also quotes the "farmland mitigation measures" in the General Plan EIR (GPEIR) out of context. The commenter implies that these measures are recommended in the GPEIR, but actually the EIR section, after only describing the potential measures, concludes that they are all infeasible, does not adopt any mitigation measures for loss of farmland, and concludes impacts related to loss of farmland are significant and unavoidable. There are also numerous references in the GP that state the City's support of interim farmland and agricultural use throughout the City in all land use designations as long as they are economically viable as outlined in Objective 4.1 shown below and included with other materials in Final EIR Appendix E:

> **Objective 4.1** "Retain agricultural open space as long as agricultural activities can be economically conducted, and are desired by agricultural interests, and provide for an orderly transition of agricultural lands to other urban and rural uses."

It should also be noted that a statement of overriding considerations was adopted for the GPEIR to address this and other significant impacts of implementing the City GP. Therefore, no mitigation is required for the ProLogis project relative to loss of farmland, as outlined in the DEIR.

Response to Comment 9: The information provided in the letter regarding several EIR and CEQA topics is factually correct, but it may or may not apply to this particular EIR for this specific project. The City believes the EIR did use the proper baseline for hazardous materials. The commenter states that the Phase 1 ESA reports for the site were "out of date", however, CEQA does not mandate when the data from certain types of studies, such as Phase 1 reports, are considered out of date. The only concept of "out of date" refers to the typical limitation for financial institutions upon which to base their decisions using Phase 1 ESA reports. For that purpose, Phase 1 reports are typically only considered "good" for 90 days. However, if it can be established that the conditions outlined in the Phase 1 have not changed since that report was prepared, a lead agency may rely on that information for the purposes of CEQA documentation. That is the case with the ProLogis EIR, in that the project applicant acquired the project site in 2008 and hired a local grower to manage the citrus trees until December of 2013 when the trees were removed to reduce irrigation and maintenance costs. Until the time the trees were removed, the developer indicates no agricultural chemicals were applied to the property, and the commenter's own records show that various materials were applied back in 2010.

The commenter also questioned the number of samples taken on the site. The comment references the Department of Toxic Substance Control Interim Guidance for Sampling Agricultural Properties (Third Revision), dated August 7, 2008 as the standard that should have been used for pesticide sampling conducted during the several Phase I Environmental Site Assessment (ESA) reports for

various parcels that comprise the site. The referenced (California) Department of Toxic Substance Control (DTSC) document is:

> "*specific to agricultural properties where pesticides and/or fertilizers were presumably applied uniformly, for agricultural purposes consistent with normal application practices. It is applicable to agricultural properties that are currently under cultivation with row, fiber or food crops, orchards, or pasture. It is also applicable to fallow and former agricultural properties that are no longer in production and have not been disturbed beyond normal disking and plowing practices. Each field of the same crop is assumed to have been watered, fertilized and treated with agricultural chemicals to the same degree across the field. Because of this homogeneous application, contaminant levels are expected to be similar at any given location within the field. This is the underlying premise of the guidance…,*"

Properties not requiring agricultural sampling under the referenced guidance include property used exclusively as grazing lands or pasture. The guidance also states that dry-land farming, which is the practice of growing a crop without irrigation, are not treated with pesticides or infrequently treated, since the lack of water does not provide a desirable habitat for most agricultural pests. Properties that clearly qualify as dry-land farming do not need further investigation for pesticides or metals. "*For properties where there is uncertainty regarding dry-land farming, limited sampling may be conducted at a rate of four discrete samples per site, with one sample collected in each quadrant*." It should be noted that five samples were taken on the ProLogis site, one each in the four quadrants and one near the northern portion of the site near the former UST location.

The DTSCs 2003 Interim Guidance for Sampling Agricultural Properties, which they referenced as to why additional samples for organo-chloro-phosphate (OCPs) were necessary, was taken out of context. The 2008 Interim Guidance for Sampling Agricultural Properties speaks to how an environmental assessor for the DTSC should conduct an evaluation of an agricultural property to be converted into another use. The guidance is envisioned as being most relevant to sites on which schools will be constructed or for residential use. However, it does apply to any project with DTSC oversight. Properties not subject to this guidance include former agricultural property that has been graded for construction or other purposes, land used exclusively for grazing or pasture, most dry-land farming fields, and sites that were agricultural properties prior to 1950. The subject site would be an exempted site as it was dry farmed land.

Based on standard spraying practices for such crops, the number of soil samples taken at the subject site during the Phase I ESA demonstrate that pesticide use was infrequent and limited over the site, and are at levels that are below regulatory requirements for residential property. These are the baseline conditions with respect to pesticide use at the site.

In terms of sample frequency, the sampling pattern should be sufficient to characterize the site. The guidance, done for school and residential properties, apparently interprets this as a range for properties from one acre to fifty acres (with the number of each of the following categories increasing every few acres), of between 4 and 60 borings, 4 and 15 composite organo-chloro-phosphate (OCP) samples. For acreages greater than 50, consultation with the DTSC is required. However, mitigation of frequency is available to sites based on documentation of consistent ownership, operator, and use. It should be noted that none of our samples were composites but all were discrete samples, so they are more representative of what is actually on the properties. The DTSC's document is a guidance document for school sites and residential properties not those that are to be commercial/industrial. The intent is to avoid having children (schools, residential) from coming in contact with soils with high levels of OCPs. Therefore, evidence supports the EIR's contention that there are no significant OCPs present on the site, and only trace amounts were detected in the onsite sampling in 2003.

The state records provided by the commenter indicate that approximately 200 pounds of 2,4-D, 2-Ethylhexyl Ester (DEHE) was applied to the site as a general herbicide (based on data in the

commenter's letter and appendix) in 2010. DEHE is a very common herbicide used in the United States and can be purchased at retailers like Home Depot. Assuming it was applied to the 70 acres of the site without citrus trees (i.e., available for dry farming), this equals less than 3 pounds per acre, or 0.00002 ounce per square foot, in other words a very small amount. In addition, this chemical has a relatively short half-life. Data from the National Library of Medicine, provided by the commenter, indicates that DEHE has a half-life of 1 to 51 days when applied as a spray, and 4-16 days when applied in granular form. In only 6 months there would be less than 0.5 percent of the original product in the soil, so this is not a significant soil contamination issue. It is expected this chemical would have become inert or diluted well past the point of concern or any established governmental action level in the 3 years or more from its most recent application in 2010.

NOTE: There is NO evidence that DDT, DDE, or arsenic were ever applied to the project site, they were not typical pesticides that were sprayed for dry farming and/or citrus production in this area.

The existing conditions at the time the NOP was issued (February 21, 2012), which is when the timeframe of baseline conditions is established, were there was no dry framing or citrus production being conducted on the site, although the trees were being maintained at a minimal level so they would not die and become a fire hazard.

Although both Phase 1 ESA reports were done in 2003, the onsite conditions have not changed appreciably since the Phase 1 reports were done. The commenter also stated the "entire" site had not been surveyed. While this may be technically correct, the commenter failed to note that 98.5 percent or 121 acres of the 122.8-acre site was surveyed, and the 1.8 acres not surveyed were on the far west boundary of the site and planted with citrus, so it is reasonable to conclude the conditions found on the rest of the site apply to this portion as well. It should also be noted that the underground storage tank that would on the site at one time was removed or remediated according to the "Report of Removal of the Abandoned Underground Storage Tank" dated January 28, 2004 in the DEIR Appendix F.

Section 2.3*, Interviews*, in the Phase 1 reports indicate the following:

On November 12, 2003, our environmental assessor interviewed Mr. Pat Kawamoto, owner of APN 477-120-015. Mr. Kawamoto reportedly has owned the land for over 25 years. According to Mr. Kawamoto, no petroleum storage tanks have ever been present on the project site. Mr. Kawamoto indicated that the project site had been regularly leased to Mr. David Bruno of Bruno Ranching for agricultural purposes. Mr. Kawamoto had no knowledge of any pesticides or PCBs stored or used on the site.

In addition, the following information from the EIR (Section 4.6, *Hazards and Hazardous Materials*, bears directly on this discussion:

> …because the project site has been historically utilized for agricultural production and because of the close proximity to SR-60, soil samples were taken in various parts of the project site to further evaluate the potential contamination on the site. Soil samples were also collected from the area of a wind-machine remaining in the western portion of the site, the area adjacent to SR-60 in the northern portion of the site, and from selected areas of the citrus groves on the site. These soil samples are identified in Figure 4.6.1. [*NOTE: 5 sampling locations spread out around the site*]
>
> Two soil samples were collected at the base of the wind-machine. One 200 to 300-gallon petroleum tank is located in the western portion of the site within the column of the wind machine structure. In interviews with Raymond Noriega, manager of the site, he indicated that the wind machine had not been used in the past 10 years that he had been employed there. Soil samples were taken at depths of 1.5 feet and 3 feet below the ground surface to asses the potential of

hydrocarbon compounds occurring in the soil. Laboratory results indicated no detectable concentrations of hydrocarbon compounds in the samples collected.

Two soil samples were collected at areas adjacent to SR-60 at depths of one to four inches below ground surface to assess the potential of lead contamination. Laboratory results indicated total lead concentrations of 0.601 to 4.41 milligrams per kilogram (mg/Kg), which were determined to be insignificant.[1] In addition, on September 3, 2003, five near-surface (upper 6 inches) soil samples were collected from selected areas (upper portion) of possible drainage accumulation and pesticide usage on the site. The detected concentrations of organochlorine pesticides and PCBs were within the allowable Preliminary Remedial Goals (PRGs) for the project. No additional assessment for organochlorine pesticides or PCBs is recommended for the site.[2] *[NOTE: emphasis added]*

On November 7, 2003, three near-surface (upper six inches) soil samples were collected from selected areas (lower portion) of possible drainage accumulation and pesticide usage on the site. The detected concentrations of organochlorine pesticides and PCBs were within the allowable PRGs for the project. No additional assessment for organochlorine pesticides or PCBs is recommended for the site.[3] *[NOTE: emphasis added]*

At the request of the current owner of the site (northern portion), the area of the former abandoned 13,400-gallon UST was excavated during the site reconnaissance on September 20, 2003. No significant hydrocarbon odors or staining were observed. Between January 5 and 8, 2004, the UST was removed from the site. The UST had been abandoned in-place approximately 50 years ago. The abandonment reportedly consisted of removal of free-liquids; removal of the UST top; then backfilling the interior of the UST with on-site soils. Due to the installation of a 12-inch diameter, Eastern Municipal Water District (EMWD) waterline main in the north portion of the UST, the north portion of the UST was not removed. No indication of soil contamination was observed during the UST removal work. Additionally, soil sampling was conducted on January 7, 2004, at depths between 2 feet and 6 feet below the former bottom elevation of the UST, under the direction of a representative from the County of Riverside DEH Hazardous Materials Management Division. Laboratory results of the collected soil samples indicated a concentration of total petroleum hydrocarbons as oil (116 mg/Kg) in the soil sample collected at 2 feet below the bottom elevation of the UST. No other hydrocarbons, BTEX,[4] or fuel oxygenates were detected; therefore, no additional environmental investigation is recommended for the former UST location.[5] *[NOTE: emphasis added]*

Therefore, the project site was previous surveyed for pesticides and no significant impacts were found. It has also been documented that the former UST on the site was properly remediated, so it also would not pose a threat to any workers on the site during grading. This previous documentation supports the conclusion that there are no significant health risks on the project site for construction workers related to the proposed project. However, to determine the most current hazmat conditions of the site, the following measure will be added to the DEIR in response to this and other comments:

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1 *Phase 1 Preliminary Environmental Site Assessment 84± Acres, Assessor Parcel Numbers (APNs) 477-120-001 and 477-120-006, Near Intersection of Pettit Street and Highway 60, Moreno Valley, California*, R M Environmental, October 30, 2003, page 8,

2 *Phase 1 Preliminary Environmental Site Assessment 84± Acres, Assessor Parcel Numbers (APNs) 477-120-001 and 477-120-006, Near Intersection of Pettit Street and Highway 60, Moreno Valley, California*, R M Environmental, October 30, 2003, page 9,

3 *Phase 1 Preliminary Environmental Site Assessment 37± Acres, Assessor Parcel Numbers (APNs) 477-120-(007, 008, 014, 015), Near Intersection of Pettit Street and Highway 60, Moreno Valley, California*, R M Environmental, November 25, 2003, page 8.

4 BTEX is an acronym for benzene, toluene, ethyl benzene, and xylene. This group of volatile organic compounds (VOCs) is found in petroleum hydrocarbons, such as gasoline, and other common environmental contaminants.

5 *Report of Removal of Abandoned 13,400± gallon Diesel Underground Storage Tank, APN 477-120-001, Near the Intersection of Pettit Street and Highway 60, Moreno Valley, California,* R M Environmental, January 28, 2004.

4.6.6.1A Prior to issuance of a grading permit for the project, a qualified contractor shall test onsite soils for contamination by agricultural chemicals. If present in concentrations above established actionable levels or thresholds, these materials shall be removed and transported to an appropriate landfill by a licensed contractor. This measure shall be implemented to the satisfaction of the Building Division including written documentation of the disposal of any agricultural chemical residue in conformance with all applicable regulations.

The text of the EIR will be revised to reflect this additional information. Implementation of this measure will assure that any potential impacts related to pesticide residues on the project site, to either area residents or construction workers on the site, will be reduced to less than significant levels. The addition of this measure will address the commenter's comments in this regard.

Response to Comment 10: Most of this comment was addressed in the early portion of Response 9 above. The commenter's citation that the U.S. EPA requires Phase 1 ESA reports to be prepared within 180 days of property acquisition are related to federal remediation of sites and do not apply directly to the requirements of CEQA to provide accurate information on the project site. As previously stated, CEQA does NOT require a Phase 1 ESA report, but they are typically used to provide the baseline information for EIRs. Although the Phase 1 reports for this project are ten years old, there has been no evidence presented that would indicate baseline conditions are otherwise than presented in the EIR. The site has been dry farmed and supported citrus trees for many years, which were removed in December 2013 to reduce irrigation and maintenance costs and reduce fire hazards. The previous Response 9 addressed the coverage of the Phase 1 reports (121 out of 122.8 acres or 98.5 percent of the site surveyed) much more than an adequate statistical sampling of the site. Response 9 also outlines an additional mitigation measure that addresses these concerns.

Response to Comment 11: As outlined in the previous Response 9 in this letter, the DEIR did evaluate the removal or remediation of the former Underground Storage Tank (UST) which was fully documented in Appendix F of the EIR. There is no empirical evidence that there is any hazmat or health risk from a UST on the site since it has been effectively remediated.

Response to Comment 12: This comment states that the EIR did not show the GHG emissions with mitigation. The reductions with mitigation were not calculated because the GHG-related mitigation measures included in the EIR do not have quantified reduction amounts. The EIR supports the statement of less-than-significance qualitatively by stating: "…project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant and less than cumulatively considerable because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed."

Response to Comment 13: This commenter asks for information about the URBEMIS modeling results. The URBEMIS model was not used in the EIR, except for a few parameters in the health risk assessment. None of the construction or operational emissions modeling were conducted using URBEMIS, only CalEEMod, which is currently the accepted computer emission modeling program recommended by the SCAQMD. Thus, there is no need for highlighting the differences in the models.

In addition, the commenter quotes information from the CalEEMod Technical Paper, but leaves out the following sentence: "This limitation could result in underestimated fugitive dust emissions if high wind and loose soil are substantial characteristics for a given land use/construction scenario." As this project will be constructed following the requirements for dust control specified in SCAQMD Rule 403, including watering the disturbed areas three times per day, there will be no "loose soil".

Response to Comment 14: First, the commenter states the DEIR fails to accurately compare construction emissions to daily construction significance thresholds. The comment correctly states that ROG emissions would be exceedance of the CEQA thresholds, as is also stated in the EIR. However, the comment incorrectly states that $PM_{2.5}$ emissions would be exceedance of the CEQA thresholds. The comment correctly identifies the EIR emissions rate of $PM_{2.5}$ as 7.95 lbs/day, and then correctly states that the threshold is 55 lbs/day. It is not clear why the commenter believes that 7.95 lbs/day of $PM_{2.5}$ would be in exceedance of 55 lbs/day.

Further in Section D.2, on page 21: A review of the CalEEMod analysis shows that the highest emission values are not associated with the grading phase. By design and SCAQMD direction, LST analyses only include onsite emissions. The following table from the Air Quality technical report Appendix shows all the onsite emissions for all the construction phases. Note that the onsite emissions (i.e., not fugitive) for the grading phase are the greatest.

	Onsite Pollutant Emissions, lbs/day							
Construction Phase	**ROG**	**NO_X**	**CO**	**SO_2**	**Fugitive PM_{10}**	**Exhaust PM_{10}**	**Fugitive $PM_{2.5}$**	**Exhaust $PM_{2.5}$**
Site Preparation	10.43	84.72	47.82	0.07	7.05	4.27	3.87	4.27
Grading	12.5	103.9	55.13	0.1	3.38	5.01	1.29	5.01
Building Construction	5.63	37.37	23.73	0.04	0	2.54	0	2.54
Architectural Coating	342.39	2.96	1.94	0	0	0.27	0	0.27
Paving	7.91	33.81	20.89	0.03	0	2.93	0	2.93

Response to Comment 15: As outlined in Responses 9 through 11 above, there is no empirical evidence that onsite soils are contaminated by pesticides or other agricultural chemicals. However, Response 9 outlines an additional mitigation measure that will assure there are no health risks from pesticides or contaminated soil on the site.

Response to Comment 16: It is not clear why the BAAQMD CEQA Guidance is pertinent to this project, as the Bay Area has substantially different climate and pollution conditions that the South Coast area. As a result of these differences, the BAAQMD has different NOx construction and GHG operational standards than the SCAQMD does. The EIR adequately compares all construction and operational emissions to the appropriate SCAQMD thresholds.

Response to Comment 17: The commenter states the DEIR fails to disclose impacts to offsite receptors. The EIR includes a localized impacts analysis for both construction and operational emissions as well as a full health risk assessment of operational emissions. These analyses completely disclose project-related impacts to offsite receptors.

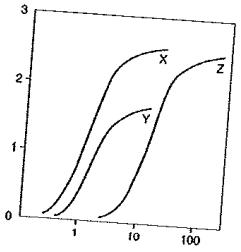
Response to Comment 18: The information provided in the letter regarding the legal standard for cumulative impacts is factually correct, but it may or may not apply to this particular EIR for this specific project. In fact, the information is not specific to the ProLogis project but is rather a restatement of court case citations and evaluations, so there is no specific response to this comment relative to the EIR.

Response to Comment 19: The EIR includes a complete cumulative air quality impacts analysis that satisfies all CEQA requirements and that includes the conclusion that the long-term cumulative air quality impacts would be significant and avoidable. A similar analysis is performed regarding water supplies and water-related impacts, and that analysis concludes the project will not make a significant contribution to any cumulatively considerable impacts outlined in the DEIR.

Response to Comment 20: The commenter will receive a copy of the revised FEIR document prior to action on the project, similar to that afforded public agencies for projects in the City of Moreno Valley (i.e., 10 days before the next Planning Commission hearing).

LETTER D-4B: LOZEAU DRURY, LLP, MEMORANDUM FROM JAMES CLARK, PH.D.

LETTER D-4B



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August 31, 2012

Lozeau | Drury LLP
410 12th Street, Suite 250
Oakland, CA 94607

Attn: Mr. Michael Lozeau

Subject: Comment Letter on the Draft Environmental Impact Report for the Prologis Eucalyptus Industrial Park, SCH No. 2008021002.

Dear Mr. Lozeau:

At the request of Lozeau | Drury LLP (Lozeau Drury), Clark and Associates (Clark) has reviewed materials related to the above referenced project, including the Draft Environmental Impact Report[1] (DEIR) for the Prologis Eucalyptus Industrial Park (hereafter called the Project), SCH No. 2008021002 and its appendices. The proposed project site is located in the eastern portion of the City of Moreno Valley, in Riverside County, California. The 122.8-acre project site is located south of State Route 60 (SR-60) east of the Moreno Valley Auto Mall, and adjacent to and west of the Quincy Channel. According to the DEIR the proposed project would result in the construction and operation of a warehouse facility, consisting of approximately 2,244,638 square feet (sq ft). 1

Currently the site is used undeveloped for commercial uses and has two citrus groves in the northeastern and northwestern portions of the site, while the central and southern portions are vacant and support mainly weedy vegetation. According to a March, 2012 Memo from LSA

[1] LSA. 2012. Draft Environmental Impact Report, State Clearinghouse No. 2008021002, Prologis Eucalyptus Industrial Park (formerly Prologis Park Moreno Valley Eucalyptus Project), City of Moreno Valley, Riverside County, California. LSA Associates, Inc. 1500 Iowa Ave, Suite 200, Riverside, CA LAS Project No. PLO1101. Prepared July 2012 pg. 1-2

Associates[2], the project site contains 57-acres of citrus (Grapefruit) trees with the rest of the site vacant. The surrounding area has been dry-farmed in the past, and the eastern end of the City has historically supported a variety of crops, including citrus, melon, potatoes, etc[3]. There are three small natural drainage features on site, two ephemeral channels in the southwestern portion of the site and the larger Quincy Channel along the eastern edge of the property. According to the DEIR[4], there is some minor amount of refuse is present in the southwest and southeast corners of the site from unauthorized dumping.

Land adjacent to the project site includes vacant land east and south of the proposed project site, SR- 60 to the north, and the Moreno Valley Auto Mall and the City of Moreno Valley Fire Station No. 58 northwest of the project site. Existing single-family residential uses are located approximately 50 feet southeast of the southeastern corner of the project site[5].

The proposed project has had and will have significant impacts on the community prior to the approval of the DEIR. The proposed project will require significant changes in the local zoning ordinances (General Plan for the City of Moreno Valley) including:

1

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[2] LSA. 2012. Project Memorandum: Agricultural Use of ProLogis Industrial Property. Memorandum from Kent Norton, LSA Riverside Office to Jeff Bradshaw, City of Moreno Valley. Dated March 21, 2012.

[3] LSA. 2012. Project Memorandum: Agricultural Use of ProLogis Industrial Property. Memorandum from Kent Norton, LSA Riverside Office to Jeff Bradshaw, City of Moreno Valley. Dated March 21, 2012.

[4] LSA. 2012. Draft Environmental Impact Report, State Clearinghouse No. 2008021002, Prologis Eucalyptus Industrial Park (formerly Prologis Park Moreno Valley Eucalyptus Project), City of Moreno Valley, Riverside County, California. LSA Associates, Inc. 1500 Iowa Ave, Suite 200, Riverside, CA LAS Project No. PLO1101. Prepared July 2012 pg 3-1

[5] LSA. 2012. Draft Environmental Impact Report, State Clearinghouse No. 2008021002, Prologis Eucalyptus Industrial Park (formerly Prologis Park Moreno Valley Eucalyptus Project), City of Moreno Valley, Riverside County, California. LSA Associates, Inc. 1500 Iowa Ave, Suite 200, Riverside, CA LAS Project No. PLO1101. Prepared July 2012 pg 3-1

- Approval of a General Plan Amendment to change the land use designation of 71.3 acres of the project site from Residential (R15, R5, and R2) to Business Park (BP) so the entire site would then be designated Business Park (BP).
- Approval of a Zone Change of the entire 122.8 acres from its current zoning designations of Business Park (BP), Business Park/Mixed Use (BPX), Residential 15 District (R15), Residential 5 District (R5), and Residential Agriculture 2 (RA-2) to all Light Industrial (LI).
- Zone Change will also be used to redraw the boundary of the Primary Animal Keeping Overlay (PAKO) district.
- Approval of an amendment to the City's Master Plan of Trails to relocate the Eucalyptus Avenue Trail to the north side of future Eucalyptus Avenue and eliminate the planned trail segment on Quincy Avenue from SR-60 to Fir Avenue (future Eucalyptus Avenue), based on discussion with the City Trails Commission.
- Approval of an amendment to the Circulation Element of the General Plan. These changes include the following:
    - Eliminate the undeveloped Quincy Street from Eucalyptus Avenue south to Encilia Avenue;
    - Realign Encilia Avenue from its current alignment such that its westerly terminus is located at Moreno Beach Drive instead of the current General Plan westerly terminus at Eucalyptus Avenue; and
    - The segment between Quincy Channel and Moreno Beach Drive would be classified as a Collector.

1

In addition, to the changes above, the proposal of the project has forced the Moreno Valley Unified School District (MVUSD) to abandon plans to locate an elementary school (MVUSD Elementary School #24), a middle school (MVUSD Middle School #7), and a high school (MVUSD

High School #5) in the vicinity of Redlands Boulevard and future Eucalyptus Avenue, in close proximity to the proposed. After the Notice of Preparation (NOP) for the proposed project was released, MVUSD decided to abandon plans for these school sites and relocate the future school facilities in a different area of the City[6]. Students who live in the area to be serviced by the proposed schools will now have to travel farther to attend schools.

The DEIR for the Project, determined that the proposed project's construction and operational phases would have impacts on air quality that would be less than significant with mitigation incorporated. These conclusions are premature and based upon a flawed analysis of the potential emissions at the site. The proponents should re-evaluate the impacts of the project and present them in a revised draft environmental impact report (RDEIR).

Clark's review of the materials in no way constitutes a validation of the conclusions or materials contained within the plan. If we do not comment on a specific item this does not constitute acceptance of the item.

This DEIR was issued prematurely without considering the serious flaws in the Proponent's analysis of the project. The flaws include:

1. The proponent's use of the CalEEMod ensures an underestimation of the potential particulate emission for the construction phase of the proposed project.
2. Failure of the proponent to compare construction emissions to daily construction significance thresholds;
3. Failure to consider health risks from contaminated dust; and
4. Failure to properly identify and address the Project's operational air quality impacts.

[6] LSA. 2012. Draft Environmental Impact Report, State Clearinghouse No. 2008021002, Prologis Eucalyptus Industrial Park (formerly Prologis Park Moreno Valley Eucalyptus Project), City of Moreno Valley, Riverside County, California. LSA Associates, Inc. 1500 Iowa Ave, Suite 200, Riverside, CA LAS Project No. PLO1101. Prepared July 2012 pg 4.3-6.

COMMENTS

1. **The Proponent's Use Of The CalEEMod Ensures An Underestimation Of The Potential Particulate Emission For The Construction Phase Of The Proposed Project.**

The California Air Resource Board's (CARB's) Urban Emission (URBEMIS) model and the California Emissions Estimator Model (CalEEMod) are computer models designed to estimate emissions of criteria pollutants during construction and operational phases of projects. Currently, South Coast Air Quality Management District (SCAQMD) accepts the outputs from both models in their air quality analyses. Significant differences in the models must be highlighted in the DEIR. The changes in the method used to estimate construction impacts from the proposed project by using the CalEEMod model instead of the URBEMIS model include:

- Failure to account for wind-blown fugitive dust[7]. According to the July, 2011 CalEEMod Technical Paper, wind-blown fugitive dust is not calculated in CalEEMod. For sites as large as the proposed project site, this can result in significant quantities of particulate matter being released.
- SCAQMD's surveys of construction sites were limited to sites of 35 acres or less. For projects larger than 35-acres the data was extrapolated by increasing the number of construction days but not increasing the number of construction equipment pieces used on a given day. The impact is to reduce the construction PM estimates for the site as compared to URBEMIS[8].

3

[7] CalEEMod. Technical Paper: Methodology Reasoning and Policy Development of the California Emission Estimator Model. July, 2011. Pg 4.

[8] CalEEMod. Technical Paper: Methodology Reasoning and Policy Development of the California Emission Estimator Model. July, 2011. Pg 5.

- Grading in URBEMIS is based upon 25% of total project acreage in one day. Grading in CalEEMod is based upon Walker's Building Estimator's Reference Book. The impact of this change is to decrease PM emissions from grading in the CalEEMod[9] by tying the emissions to the number of pieces of equipment present at the site.

The proponent's must include an analysis of these impacts in a revised DEIR (RDEIR) to ensure that an accurate analysis of the potential impacts from the proposed project are presented as required by CEQA.

3

2. Failure To Accurately Compare Construction Emissions To Daily Construction Significance Thresholds.

Unlike the operational emissions from most projects, which are typically more or less continuous, emissions from construction sites are highly variable depending on the type of construction that is being performed. For example, grading results in large quantities of fugitive dust and combustion emissions from diesel-powered equipment. Short-term emissions during the various construction phases can be considerable and may result in degradation of local and regional air quality and severe health effects.

4

To determine whether short-term emissions may result in degradation of local and regional air quality and severe health effects, it is common practice for lead agencies to compare project emissions to quantitative significance thresholds developed by local air districts as a screening tool for CEQA review. Thresholds of significance for construction emissions are typically expressed on a short-term basis, *i.e.* daily or hourly basis to adequately capture impacts due to the high variability of emissions during different construction stages.

[9] CalEEMod. Technical Paper: Methodology Reasoning and Policy Development of the California Emission Estimator Model. July, 2011. Pg 5.

Table 1 presents a summary of short-term emissions thresholds developed by SCAQMD and other air districts for assessing impacts on air quality from construction projects.

Table 1:
CEQA significance thresholds for construction emissions from various air districts

Air district construction thresholds*	NOx (lbs/day)	ROG (lbs/day)	PM_{10} (lbs/day)	DPM (lbs/day)	$PM_{2.5}$ (lbs/day)	CO (lbs/day)
SCAQMD	100	75	150		55	550
BAAQMD	54	54	82		54	
EDCAPCD	82	82				
SLOCAPCD				7		
MBUAPCD			82			550
FRAQMD	25	25	80			
SMAQMD	85					
YSAQMD	82	82	150			

SCAQMD = South Coast Air Quality Management District, CEAQ Handbook, 1993;
BAAQMD = Bay Area Air Quality Management District, CEQA Guidelines 2009;
EDCAPCD = El Dorado County Air Pollution Control District, CEQA Guide, February 2002;
SLOCAPCD = San Louis Obispo County Air Pollution Control District, CEQA Air Quality Handbook, December 2009.
MBUAPCD = Monterey Bay Unified Air Pollution Control District, CEQA Air Quality Guidelines, June 2004,
FRAQMD = Feather River Air Quality Management District, http://www.fraqmd.org/CEQA_Thresholds.htm;
SMAQMD Sacramento Metropolitan Air Quality Management District, Guide to Air Quality Assessment, July 2004;
YSAQMD, Yolo-Solano Air Quality Management District, Air Quality Handbook, Guidelines for Determining Air Quality Thresholds of Significance and Mitigation Measures for Proposed Development Projects that Generate Emissions from Motor Vehicles, revised 2002

4

According to the DEIR[10], "criteria pollutant emissions during project construction would exceed the SCAQMD emission thresholds for oxides of nitrogen (NO_X) and reactive organic gases (ROG). Compliance with SCAQMD Rules and Regulations during construction will minimize construction-related air quality impacts from fugitive dust emissions and construction equipment emissions. Mitigation is required. The proposed

[10] LSA. 2012. Draft Environmental Impact Report, State Clearinghouse No. 2008021002, Prologis Eucalyptus Industrial Park (formerly Prologis Park Moreno Valley Eucalyptus Project), City of Moreno Valley, Riverside County, California. LSA Associates, Inc. 1500 Iowa Ave, Suite 200, Riverside, CA LAS Project No. PLO1101. Prepared July 2012 pg 1.

project would not exceed any of the localized significance thresholds (LSTs) during construction periods." This statement is incorrect and misleading.

A review of the CalEEMod analysis for the project shows that the mitigated construction emissions of ROG and particulate matter less than 2.5 microns ($PM_{2.5}$) exhaust (a surrogate for diesel particulate emissions) are in excess of the CEQA significance thresholds listed above. During Year 2013, ROG and $PM_{2.5}$ exhaust emissions are estimated to be 368.03 lbs/day and 7.95 lbs/day, respectively.

In addition to the Significant Thresholds above, SCAQMD recommends the use of LSTs to determine potential impacts to receptors near projects. According to the Air Quality Analysis prepared by the proponent, Table I of the Air Quality Analysis (Table 2 below) shows that the emissions of the pollutants on the peak day of construction are below the SCAQMD LST. In this table the proponent uses the emission estimates from the grading phase of the construction. The proponent inaccurate asserts that the emission levels will be below the LST values.

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Table 2:

Construction LST Impacts from Air Quality Analysis

Emission Sources	Pollutant Emissions, lbs/day			
	NOx	CO	PM_{10}	$PM_{2.5}$
On-Site (grading) Emissions	104	55	8.4	6.3
LST Threshold	270	1,577	13	8
Significant Emissions?	No	No	No	No

A review of the CalEEMod analysis shows that the highest emission values are not associated with the grading phase. In Section 2.0 Emission Summary of the CalEEMod analysis presented in the Air Quality Analysis the construction impacts are listed as:

Table 3:

Construction LST Impacts from CalEEMod Output

Emission Sources	Pollutant Emissions, lbs/day			
	NOx	CO	PM_{10}	$PM_{2.5}$
Mitigated Construction Emissions	139.84	166.77	29.2	8.28
LST Threshold	270	1,577	13	8
Significant Emissions?	No	No	**Yes**	**Yes**

The Proponent's analysis of air quality impacts clearly fails to accurately describe the impacts of the emissions on the receptors closest to the project site (homes within 50 feet of the site boundary and the fire station immediately adjacent to the site boundary). Emissions of $PM_{2.5}$ (surrogate for diesel exhaust) and PM_{10} from the construction site may have lasting impacts on the receptors nearby.

Diesel exhaust contains nearly 40 toxic substances including toxic air contaminants (TACs) and may pose a serious public health risk for residents in the vicinity of the facility. TACs are airborne substances that are capable of causing short-term (acute) and/or long-term (chronic or carcinogenic, i.e., cancer causing) adverse human health effects (i.e., injury or illness). TACs include both organic and inorganic chemical substances. The current California list of TACs[11] includes approximately 200 compounds, including particulate emissions from diesel-fueled engines.

DPM and TAC emissions may affect numerous sensitive receptors in the region including onsite construction workers, fire personnel at the station adjacent to the site and the single-family residences located near the site. Evidence exists that clouds of soot emitted by heavy-duty

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[11] URS. 2012. Impacts to Air Quality from the Construction and Operation of the Brannon Solar, LLC Solar Energy Generation Project. Dated Febraury 7, 2012. Table A-7

construction equipment can travel downwind for miles, then drift into heavily populated areas. For example, health impact studies from the SCAQMD[12] have documented that diesel emissions travel miles from the sources impacting residents.

Diesel exhaust has been linked to a range of serious health problems including an increase in respiratory disease, lung damage, cancer, and premature death[13,14,15]. Fine diesel particles are deposited deep in the lungs in the smallest airways and can result in increased respiratory symptoms and disease; decreased lung function, particularly in children and individuals with asthma; alterations in lung tissue and respiratory tract defense mechanisms; and premature death.[16] Exposure to diesel exhaust increases the risk of lung cancer. It also causes non-cancer effects including chronic bronchitis, inflammation of lung tissue, thickening of the alveolar walls, immunological allergic reactions, and airway constriction.[17]

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[12] SCAQMD MATES I, II, and III have documented the impacts for DPM in the SCAB.

[13] California Air Resources Board, Initial Statement of Reasons for Rulemaking, Proposed Identification of Diesel Exhaust as a Toxic Air Contaminant, Staff Report, June 1998.

[14] U.S. EPA, Health Assessment Document for Diesel Engine Exhaust, Report EPA/600/8-90/057F, May 2002.

[15] Environmental Defense Fund, Cleaner Diesel Handbook, Bring Cleaner Fuel and Diesel Retrofits into Your Neighborhood, April 2005; http://www.edf.org/documents/4941_cleanerdieselhandbook.pdf, accessed March 27, 2008.

[16] California Air Resources Board , Initial Statement of Reasons for Rulemaking, Proposed Identification of Diesel Exhaust as a Toxic Air Contaminant, Staff Report, June 1998.

[17] Findings of the Scientific Review Panel on The Report on Diesel Exhaust as adopted at the Panel's April 22, 1998 Meeting.

A recent analysis found that air pollution from diesel construction equipment is already taking a heavy toll on the health and economic well-being of Californians[18,19].

PM_{10} emissions from the construction phase of the proposed project may be extremely troublesome for receptors near the site (i.e., homes near the site boundary and the fire station next to the site) since they will act as carriers for residual pesticides/herbicides from the site (see comment below). The project site currently contains 57-acres of citrus (Grapefruit) trees and the surrounding area has been dry-farmed in the past, and the eastern end of the City of Moreno Valley historically supported a variety of other crops[20]. Given the proximity of receptors to the site and the estimated emission rates of particulate matter from the site after mitigation, it is clear that construction activities at the project site will adversely impact the previously identified receptors. 4

Based on my expert opinion, applicable significance thresholds, and the CalEEMod analysis performed by the proponent, I conclude that the Project will have significant adverse impacts from construction air emissions of fugitive dust, ROG, and diesel emissions. The lead agency must re-evaluate the construction emissions and incorporate a phased approach to estimate the true impacts of construction activities on air quality, and propose all feasible mitigation measures to reduce these significant emissions, in a RDEIR.

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[18] These estimates are conservative because they do not include emissions from a large number of small construction projects (residential and commercial and projects smaller than 1 acre in size). Further, John Hakel, vice president of the Associated General Contractors, which represents construction equipment fleet owners and general contractors, indicated that the report appeared to underestimate the sheer volume of construction equipment.

[19] Union of Concerned Scientists, Digging up Trouble: Construction Pollution in the Bay Area; http://www.ucsusa.org/assets/documents/clean_vehicles/Bay-Area-Fact-Sheet.pdf, accessed March 27, 2008.

[20] LSA. 2012. Project Memorandum: Agricultural Use of ProLogis Industrial Property. Memorandum from Kent Norton, LSA Riverside Office to Jeff Bradshaw, City of Moreno Valley. Dated March 21, 2012.

3. Failure To Consider Health Risks From Contaminated Dust.

Residual contaminants in soils at the site may be entrained in dust generated during construction activities. The release of residual contamination is a potentially significant impact, given the past use of the site for agricultural production. According to the California Department of Toxic Substances Control August 2002 Interim Guidance for Sampling Agricultural Fields for School Sites (known sensitive receptors), "the most commonly detected pesticides have been DDT and it's derivatives DDD and DDE, toxaphene, dieldrin, and aldrin. Of these pesticides, toxaphene has been the major pesticide driving unacceptable levels of risk requiring remediation by soil removal." Given the volume of soils to be graded at each of the sites it is imperative to understand whether particulate matter generated at the sites will pose a potential health risk to sensitive receptors in the vicinity of each site.

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According to DTSC, "the guidance is applicable to agricultural land that is currently under cultivation with row, fiber or food crops, orchards, or pasture. It is also applicable to fallow and former agricultural land that is no longer in production and has not been disturbed beyond normal disking and plowing practices. Each field of the same crop is assumed to have been watered, fertilized, and treated with agricultural chemicals to the same degree across the field. Because of this homogeneous application, contaminant levels are expected to be similar at any given location within the field."

There is no indication of a sampling and analysis plan in the DEIR, or the Project documents provided by the lead agency, which is a serious deficiency. Prior to issuing a DEIR for the project, the Proponent should be required to complete a sampling and analysis plan to confirm or rule out the possibility of the presence of residual contaminants at the site. Identifying residual pesticides or other contaminants in soils at the site

prior to construction activities will provide an opportunity for the Proponent to remove/mitigate the potential exposure of sensitive receptors within the vicinity of the sites. In the absence of any sampling or analysis, and given the past use of the Project site, I conclude that there is at least a fair argument that the Project may have significant impacts related to residual contaminants at the site.

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4. Failure To Properly Identify and Address the Project's Operational Air Quality Impacts.

The DEIR asserts with no analysis whatsoever that the project's emissions of criteria pollutants will not result in a considerable net increase of any criteria pollutant for which the project region is in no-attainment under an applicable federal or state ambient air quality standard.

During the operational phase of the project the project will have the potential to generate significant quantities of criteria pollutants (NO_x, SO_x, Ozone precursors, PM). According to Table 3-1 of the most recent BAAQMD CEQA guidance, a construction of a 259,000 square foot light industrial or warehouse operation will typically violate NOx construction thresholds and GHG operational thresholds. The proposed Project's 2,000,000 square feet plus of warehouse and manufacturing buildings are nearly 8 times the size of the screening threshold, ensuring a violation of local air quality thresholds. I therefore conclude that the Project will have significant NOx and GHG emissions during Project operations.

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The air quality impacts from the traffic associated with a 2,000,000 square foot facility are significant. Typically the impacts are quantified by the number of vehicle trips per day. In the case of the proposed project, the primary concern will be the number of truck trips per day. A truck trip is one round trip (one trip segment to a site and one trip segment away from a site).

According to one source, Bluffstone and Ouderkirk[21], a 500,000 square feet facility on 50 acres, will on average have 350 truck trips per day (or 700 trip segments) associated with its development. This figure is proportionate to estimates for an AMB Property Corporation center in Redlands (1,000 truck trips for a 1.3 million square feet structure); Wal-Mart distribution centers in Pueblo, Colorado (700 truck trips per day for an 880,000 square feet facility), Connecticut, and Delaware (both 1,000 truck trips per day for 1.2 million square feet structures); and a grocery distribution center in New York (Boas, 2002; Gasiewski, 2004; Hernandez, 2005; Pueblo Chieftain, 2004; Sholl, 2004).

Estimates from other sources indicate approximately 1 truck per 1,000 square feet of the building, which means that the proposed project would require 1,000 trucks per day (or 1,000 trip segments per day) for the warehouse segment of the Project. The number of truck trips could be higher at a new, more efficient facility where more inventory is moved per day. Without proper modeling of the emissions from these additional vehicles the impacts on the environment and the citizens of Moreno Valley is unknown. It is clear that the size of the Project will have significant NOx and GHG emissions during Project operations.

A proper operational impact analysis is vital for an environmental analysis because the full environmental impact of a proposed project cannot be gauged in a vacuum. One of the most important environmental lessons that has been learned is that the environmental damage often occurs incrementally from a variety of small sources with which they interact. The increase in PM in the region, even for short periods of time, will only exacerbate the already serious air quality issues in the region.

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[21]Bluffstone and Ouderkirk. 2007. Warehouses, trucks, and [PM.sub.2.5]: human health and logistics industry growth in the eastern Inland Empire. Contemporary Economic Policy 25(1):

Conclusion

The facts identified and referenced in this comment letter lead me to reasonably conclude that the Project will result in significant adverse impacts that were not identified in the DEIR and that are not adequately mitigated. Many of the DEIR's conclusions that environmental impacts are not significant or less than significant with mitigation are unsupported or contradicted by the evidence. As a result, several analyses presented in the DEIR, including impacts on air quality fail to identify or disclose the magnitude of significant adverse impacts. To protect air quality and public health the Proponent must prepare a RDEIR for the Project. 7

Sincerely,

James Clark, Ph.D.

RESPONSES TO LETTER D-4B
LOZEAU DRURY, MEMORANDUM FROM JAMES CLARK, PH.D.

Response to Comment 1: Most of this comment repeats information from the EIR regarding characteristics of the project and requested approvals. The following responses address each of the specific comments made by the commenter on several topics, as outlined below.

Response to Comment 2: The air quality assessment for the project used the CalEEMod program because the SCAQMD requires projects doing CEQA-level analyses to use that particular program. See the Responses to Comments D-4A-13 and D-4A-14 in the previous Letter D-4A from Lozeau Drury.

Response to Comment 3: For a detailed response regarding the use of CalEEMod vs. URBEMIS, see the Responses to Comments D-4A-13 and D-4A-14 in the previous Letter D-4A from Lozeau Drury.

Response to Comment 4: For a detailed response on comparing construction emissions to daily construction thresholds, see the Responses to Comments D-4A-13 and D-4A-14 in the previous Letter D-4A from Lozeau Drury.

Response to Comment 5: This comment is similar to that addressed in Response D-4A-9 in the letter from Mr. Drury. There is no empirical evidence that onsite soils are contaminated by pesticides or other agricultural chemicals. However, Response D-4A-9 outlines an additional mitigation measure that will assure there are no health risks from pesticides or contaminated soil on the site.

Response to Comment 6: For a detailed response on operational impacts of the project, see the Response to Comment D-4A-16 in the previous Letter D-4A from Lozeau Drury.

Response to Comment 7: Contrary to the commenter's conclusion, there does not appear to be sufficient empirical evidence presented that would lead a reasonable person to conclude the EIR is flawed or lacking in its analysis of these potential impacts. A mitigation was added in response to comments by this commenter and the related comments by Mr. Drury (Letter D-4A), but there is no justification for recirculation based on this information, and there are no new or substantially different significant impacts of the project.

LETTER D-4C: LOZEAU DRURY, LLP, MEMORANDUM FROM MATTHEW HAGEMANN (S.W.A.P.E.)

LETTER D-4C

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August 30, 2012

Brooke O'Hanley
Lozeau | Drury LLP
410 12th Street, Suite 250
Oakland, CA 94607

Subject: **Comments on the Prologis Eucalyptus Industrial Park Project, Riverside County, California**

Dear Ms. O'Hanley:

We have reviewed the July 2012 Draft Environmental Impact Report (DEIR) for Prologis Eucalyptus Industrial Park Project ("Project"). The Project would construct six buildings encompassing approximately 2.3 million square feet (or 53 acres) of warehouse space. The Project site would be located on a 123-acre lot in the eastern portion of the City of Moreno Valley in Riverside County, California. 1

We have reviewed the DEIR for issues associated with hazards and hazardous materials, greenhouse gases, air quality, and cumulative impacts. Project construction will result in potentially significant impacts to construction workers and nearby residents that are not adequately disclosed in the DEIR. A revised DEIR needs to be prepared to fully disclose, evaluate, and mitigate these impacts.

Hazards and Hazardous Materials: 2

Construction workers and nearby residents may be at risk during construction from failure to disclose baseline soil conditions at the Project site.

Residual pesticides in soil may pose health risks to workers and nearby residents

Currently, 57 acres of the Project site are used to grow grapefruit and 36 acres of the Project site are used for hay and alfalfa production (DEIR, p. 4.2-1). The DEIR and supporting documents do not provide any specific details on the types of pesticides that have been used on the Project site in association with

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these agricultural operations. Our review has shown known and potential pesticide use at the Project site as follows:

- Data available online from the California Department of Pesticide Regulation show that 2,4-D, 2-Ethylhexyl Ester was used on the Project site.[1,2] Occupational exposure to 2,4-D, 2-Ethylhexyl Ester can occur via inhalation or dermal contact and can result in skin irritation, respiratory failure, hyperventilation, and pulmonary enemas.[3]
- Organochlorine pesticides DDE and DDT were detected in soil samples collected at the Project site[4], indicating past use. Use of organochlorine pesticides in the area is common: review of the Department of Toxic Substances Control's (DTSC) Envirostor database shows that the surrounding lands have been surveyed for organochlorine pesticides, DDE and DDT.[5] These pesticides can persist in soil for hundreds of years despite being banned in the 1970s.[6] Exposure to DDT can result in headaches, nausea, and convulsions.[7] The U.S. EPA identifies DDT and DDE as probable human carcinogens.[8]
- The EPA states that soils at fruit orchards, such as the grapefruit orchard on the Project site, may contain high levels of arsenic from application as a pesticide.[9] Another chemical used on fruit orchards is lead arsenate, a very persistent pesticide.[10] Arsenic is a known human carcinogen and even short-term inhalation of arsenic dust can cause gastrointestinal effects [11] while lead is known to cause neurotoxicological effects.[12]

Pesticide use at the Project site was not disclosed in the DEIR and the detection of pesticide residuals in soil were not described in the Hazards and Hazardous Materials section.

Failure to disclose the presence of pesticide residuals in Project site soils may pose significant health risks to construction workers. Construction of the Project requires grading and the disturbance of subsurface soils and removal of citrus groves (DEIR, p. 4.7-21). During earthmoving activities, construction workers will be exposed, via inhalation of dust and dermal contact, to Project site soils which may contain harmful levels of pesticide residuals associated with agricultural activities on the site. To protect worker safety, Project site soils must be sampled for pesticides. Sampling results should be

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[1] ftp://cdpr.ca.gov/pub/outgoing/calpip/26814174623515_120824104149.html
[2] ftp://cdpr.ca.gov/pub/outgoing/calpip/26814174623515_120824104217.html
[3] http://toxnet.nlm.nih.gov/cgi-bin/sis/search/a?dbs+hsdb:@term+@DOCNO+7309
[4] Phase I Environmental Site Assessment, 84 acres. Near Intersection of Pittit Street and Highway 60, Moreno Valley, California, p. 9 and Phase I Environmental Site Assessment, 37 acres. Near Intersection of Pittit Street and Highway 60, Moreno Valley, California, p. 8
[5] http://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60000825 and http://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60000931
[6] http://www.atsdr.cdc.gov/toxprofiles/tp35.pdf, p. 3
[7] http://www.epa.gov/ttn/atw/hlthef/dde.html
[8] http://www.atsdr.cdc.gov/toxfaqs/tf.asp?id=80&tid=20
[9] http://water.epa.gov/drink/info/well/health.cfm
[10] http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1551991/
[11] http://www.epa.gov/ttn/atw/hlthef/arsenic.html
[12] http://www.epa.gov/lead/pubs/learn-about-lead.html#effects

compared to health-protective regulatory screening levels such as U.S. EPA Regional Screening Levels[13] and California Human Health Screening Levels.[14]

Soil sampling results should also be evaluated for the protection of nearby residents, located 50 feet from the southern boundary and 200 feet from the northern boundary of the Project site (DEIR, p. 4.3-6). Inhalation of pesticides has been linked to asthma in recent research.[15,16] A report prepared by the California Department of Health identifies pesticides as an asthma trigger.[17] Offsite receptors, including any children living in the neighboring residences, may be exposed to pesticide residuals via dust generated during Project construction.

Construction activities, such as grading and excavation of soils, may generate dust that contains pesticides in concentrations that are harmful to the health of workers and nearby residents and which may act as an asthma trigger. Project site soils should be sampled and results should be compared to human health screening levels. A revised DEIR should be prepared to disclose the results of sampling and include any necessary mitigation to reduce impacts to the health of construction workers and nearby residents.

2

Phase I ESAs completed for the Project site are outdated and inadequate

The DEIR relies on the findings from two Phase I Environmental Site Assessments (ESAs) that were completed in October and November 2003, nearly nine years ago. The Phase I ESAs surveyed 121 acres of the 123-acre Project site. The Applicant purchased the Project site more than five years ago.[18] A Phase I ESA, according to the U.S. EPA, must be conducted within one year of the acquisition of the property and on-site visual inspections must be completed within 180 days prior to acquiring ownership of the property.[19]

Because the Phase I ESAs are dated and omit two acres of the Project site, they cannot be used to evaluate conditions that are potentially hazardous to construction workers and future site personnel. Therefore, the DEIR's analysis of the Project site based on these Phase I ESAs is inadequate.

Review of Google Earth images shows that the Project site has been used for ongoing agricultural operations since the Phase I ESAs were completed in 2003. Limited pesticide sampling was conducted during the Phase I ESAs (a total of 8 soil samples for a 123-acre Project site) but because the samples were collected nine years ago and because they do not reflect continued agricultural use, the results are reflective of current site conditions.

3

[13] http://www.epa.gov/region9/superfund/prg/
[14] http://www.calepa.ca.gov/brownfields/documents/2005/CHHSLsGuide.pdf
[15] http://extension.psu.edu/ipm/resources/urbanphilly/partnerships/handouts/asthma-pests.pdf
[16] http://www.ncbi.nlm.nih.gov/pubmed/21368619
[17] http://www.cdph.ca.gov/programs/caphi/Documents/AsthmaStrategicPlan.5-5-08.pdf, p. 22
[18] http://www.pe.com/local-news/riverside-county/moreno-valley/moreno-valley-headlines-index/20120726-moreno-valley-officials-seek-comments-on-prologis-project.ece
[19] http://www.epa.gov/brownfields/aai/aaicerclafs.pdf

The Phase I ESAs cover 121 acres of the 123-acre Project site. We have created a map to show the areas of the Project site surveyed by the two 2003 Phase I ESAs and the boundaries for the current Project site (Attachment A). As the map shows, not all areas of the current Project site were included in the 2003 Phase I ESAs' site assessments.

The Phase I ESAs are outdated and do not cover the entire Project site; therefore, they cannot be used to define baseline conditions for the DEIR's Hazards and Hazardous Materials section. A revised DEIR should be prepared to include a new Phase I ESA that evaluates current Project site conditions.

3

Status of an underground storage tank is uncertain

A 13,400 gallon underground storage tank (UST), abandoned in the 1950s, was removed from the Project site in 2004 (Appendix F, p. 3/191). The Phase I ESA recommended an additional investigation to be conducted in the area of the former UST (Appendix F, p. 10/191). Accordingly, a permit for removal of the UST was submitted to the Riverside County's Department of Environmental Health in December 2003 and soil samples around the area of the UST were analyzed in 2004. However, the DEIR and supporting documents did not include any documentation that that the UST was properly closed by the Riverside County Department of Environmental Health. If the UST removal was not approved, an Underground Storage Tank Closure Application and Permit[20], per the Riverside County Department of Environmental Health Guidelines,[21] must be submitted. A revised DEIR should be prepared to disclose whether closure was granted by the Riverside County Department of Environmental Health.

Greenhouse Gas Emissions:

The Project's operational greenhouse gas (GHG) emissions, before mitigation, are estimated to be 79,000 metric tons of CO_2e/year (MT CO_2e/yr) which exceed the SCAQMD threshold of 10,000 MT CO_2e/yr and are therefore considered significant (DEIR, p. 4.13-19). After mitigation, the DEIR states that GHG emissions will be less than significant (DEIR, p. 4.13-21). However, the DEIR does not calculate what the Project's GHG emissions will be after the mitigation measures are implemented.

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The Project's GHG emissions exceed the SCAQMD threshold by nearly eight times. The DEIR and its supporting documents, including a Greenhouse Gas Study attached as Appendix B, do not provide any evidence that the proposed mitigation measures will reduce GHG emissions by a factor of eight.

A revised DEIR should be prepared to show the efficiency of the Project's proposed mitigation measures in reducing greenhouse gases. If these measures do not account for an eight-fold reduction in the Project's estimated GHG levels, additional mitigation measures (listed below) that are routinely considered in other CEQA projects should be implemented:

- Require preparation of a traffic control plan;

[20] http://www.rivcoeh.org/opencms/system/galleries/download/Environmental-Health/HMM/UST_Closure_App.pdf
[21] http://www.rivcoeh.org/opencms/system/galleries/download/Environmental-Health/HMM/Closure_by_removal_UST.pdf

- Demonstrate proper inspection and maintenance of construction equipment;
- Implement a carpool program for construction workers;
- Employ a construction site manager to verify that engines are properly maintained and keep a maintenance log;
- Configure construction parking to minimize traffic interference;
- Consolidate truck deliveries when possible;
- Provide dedicated turn lanes for movement of construction trucks and equipment on and off site;
- Suspend use of all construction equipment operations during second stage smog alerts;
- Establish a staging zone for trucks that are waiting to load or unload material at the work zone in a location where diesel emissions from the trucks will have minimum impact on abutters and the general public;
- Locate construction equipment away from sensitive receptors such as fresh air intakes to buildings, air conditioners and operable windows;
- Require all diesel trucks used by construction contractor(s) at the site, or for on-road hauling of construction material, to be post-1996 models; Diesel portable generators less than 50 hp shall not be allowed at the construction site;
- Use of hybrid and fuel efficient construction equipment and support vehicles (e.g., pick-up trucks);
- Use of grid electricity for smaller equipment such as saws, pumps, and welders;[22]
- Reduction in vehicle miles travelled in construction crew commutes through trip carpooling, trip reduction, providing bus service for crews from work sites to carpool parking areas, and in providing incentives to carpool; and
- Use of a Heavy-Duty Off-Road Vehicle Plan to ensure compliances with construction mitigation measures (e.g., hourly meters on equipment, documenting the serial number, horsepower, manufacture age, fuel, etc. of all onsite equipment and daily logging of the operating hours of the equipment).[23]

4

Air Quality:

The Project is located in the South Coast Air Basin and Riverside County[24], both of which are designated non-attainment for PM10 and ozone (DEIR, p. 4.3-6). Significant emissions of PM10 and ozone and contributing factors such as NOx and ROG will lead to a worsening of regional air quality. The Project's estimates of construction emissions need to be properly disclosed and mitigated to ensure that the Project has a less than significant impact on regional air quality.

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Estimates and impacts of project's construction and operational emissions

[22] http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf, p. 47
[23] Ibid., p. 431
[24] http://www.epa.gov/oaqps001/greenbk/ancl.html

Project construction and operation will result in significant emissions of ROG, NOx, and PM10 even after mitigation (DEIR, pp. 4.3-29, 4.3-34).

Construction emissions

The DEIR estimates that the Project's construction emissions of NOx and ROG will be significant as they exceed the SCAQMD thresholds of 100 lbs/day and 75 lbs/day, respectively (DEIR, p. 4.3-23) and identifies mitigation measures to reduce the Project's emissions (DEIR, pp. 4.3-23 – 4.3-29). Even with mitigation, the Project's emissions of NOx and ROG will still exceed SCAQMD thresholds and therefore are considered significant (DEIR, p. 4.3-29).

Operational emissions

The DEIR estimates that the Project's emissions of ROG, NOx, and PM10 from operational activities will be significant as they exceed the SCAQMD thresholds of 55 lbs/day, 55 lbs/day, and 150 lbs/day, respectively (DEIR, p. 4.3-33). The DEIR proposes mitigation measures to reduce the Project's emissions (DEIR, pp. 4.3-33 – 4.3-34) but, even with mitigation, the Project's emissions will still exceed SCAQMD thresholds and therefore are considered significant (DEIR, p. 4.3-34).

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Gaseous particles such as NOx can react in the atmosphere to form PM10.[25,26] Because Riverside County and the South Coast Air Basin are both designated non-attainment for PM10, significant emissions of NOx can lead to a further degradation of regional air quality. NOx emissions can also react to produce ground-level ozone.[27] Exposure to NOx emissions and its products (ozone and PM10) can lead to the airway inflammation and can cause or exacerbate conditions such as emphysema and bronchitis.[28]

ROG can react to form ozone and contributes to smog formation.[29,30] Exposure to ozone can result in coughing, throat irritation, and chest pain, burning, and discomfort.[31] Smog exposure can lead to sneezing, nausea, coughing, headaches, and chest constriction.[32] A study published in the New England Journal of Medicine concluded that the risk of dying from respiratory diseases is three times higher in areas of concentrated ozone.[33]

Exposure to PM10 can cause bronchitis, increase the number and severity of asthma attacks, damage to lung tissue, and even premature death.[34] Research identifies that dust from construction is a major

[25] http://www.fhwa.dot.gov/resourcecenter/teams/airquality/brochure/particulatebrochure.pdf
[26] http://www.epa.gov/captrade/documents/power.pdf
[27] *Ibid.*
[28] http://www.epa.gov/air/nitrogenoxides/health.html
[29] http://www.arb.ca.gov/research/health/fs/fs2/fs2.htm
[30] http://www.arb.ca.gov/html/gloss.htm#smog
[31] http://www.epa.gov/o3healthtraining/population.html
[32] http://are.berkeley.edu/courses/EEP101/spring03/AllThatSmog/extern.html
[33] http://www.nytimes.com/gwire/2009/03/12/12greenwire-study-links-smog-exposure-to-premature-death-10098.html
[34] http://www.epa.gov/airtrends/aqtrnd95/pm10.html and http://www.arb.ca.gov/html/brochure/pm10.htm

contributor to PM10 and that PM10 exposure is associated with asthma.[35] Inhalation of PM10 can exacerbate asthma especially in children who are susceptible to higher risks from PM10 exposure.[36]

The Project will have significant emissions of ROG, NOx, and PM10. Because Riverside County and the South Coast Air Basin are designated non-attainment areas for ozone and PM10, Project construction and operation will further degrade regional air quality. Exposure to ROG, NOx, and PM10 has adverse health effects and can impact offsite receptors, especially children in the nearby residences – a significant and undisclosed public health impact that the DEIR does not consider.

A revised DEIR should be prepared to disclose impacts to offsite receptors from Project construction and operation. Additional mitigation measures must be implemented to ensure that Project emissions of ROG, NOx, and PM10 are reduced to the maximum extent feasible.

5

Cumulative Impacts:

The DEIR identifies 13 proposed projects encompassing approximately 7.3 million square feet of space within five miles of the Project site (DEIR, p. 3-16). The DEIR does not identify the construction schedule of these projects except to state that "a number of individual projects may be under construction simultaneously with the proposed project" (DEIR, p. 4.3-37). The WestRidge Commerce Center Project (which will be built adjacent to the proposed Project) is scheduled to be constructed in 2012, a schedule similar to the proposed Project. Simultaneous construction of these projects, along with other potential projects, is likely to result in PM10, NOx, and ROG emissions that will have a cumulatively significant impact.

The construction timetables of all projects within the vicinity of the Project site should be identified. Any cumulatively significant emissions should be disclosed and impacts to workers and nearby residents should be addressed in a revised DEIR.

6

Sincerely,

Uma Bhandaram

Matt Hagemann, P.G., C.Hg.

[35] http://scerpfiles.org/cont_mgt/doc_files/EH-01-2.pdf

[36] http://www.co.imperial.ca.us/airpollution/attainment%20plans/final%20ic%202009%20pm10%20sip%20document.pdf

RESPONSES TO LETTER D-4C
LOZEAU DRURY, MEMORANDUM FROM MATTHEW HAGEMANN

Response to Comment 1: It appears that Mr. Hagemann's comments were incorporated more or less directly into the letter from Mr. Drury (Letter D-4A). However, the following responses will address Mr. Hagemann's comments with reference to the responses to Mr. Drury's letter when appropriate.

Response to Comment 2: The commenter believes that residual soil contamination may contribute health risks to area residents and workers on the project site. However, the issues raised by Mr. Hagemann have already been addressed in Response to Comment D-4A-9 through D-4A-11.

Response to Comment 3: The commenter believes the Phase 1 ESA reports are out of date. These comments are addressed in the previous Response to Comment D-4A-9 and D-4A-10.

Response to Comment 4: For a detailed response on greenhouse gas emissions of the project, see the Response to Comment D-4A-12 in the previous Letter D-4A from Lozeau Drury.

Response to Comment 5: For a detailed response on comparing construction emissions to daily construction thresholds, see the Responses to Comments D-4A-13 and D-4A-14 in the previous Letter D-4A from Lozeau Drury. For a detailed response on operational impacts of the project, see the Response to Comment D-4A-16 in the previous Letter D-4A from Lozeau Drury. The DEIR presented evidence and supported its conclusions with empirical evidence that the project would not result in any significant health risks to local residents as a result of project air emissions, both in the short-term and over the long-term.

Response to Comment 6: The commenter makes the same comment as Mr. Drury in Response to Comment D-4A-19. The reader is referred to that response for more information.

RESPONSES TO LETTER D-4D: LOZEAU DRURY APPENDICES

Response to Appendix 1 – GHG Strategies Issued by the State Attorney General's Office: Section 4.13 of the DEIR examined the potential impacts of the ProLogis project relative to greenhouse gases, and compared the project characteristics and impacts to the .

As outlined in DEIR Section 4.13.5.1, *Greenhouse Gas Plan, Policy, Regulation Consistency*, the CAT and the CARB have developed several reports to achieve the Governor's GHG targets that rely on voluntary actions of California businesses, local government and community groups, and State incentive and regulatory programs. These include the CAT's 2006 "Report to Governor Schwarzenegger and the Legislature," the CARB's 2007 "Expanded List of Early Action Measures to Reduce Greenhouse Gas Emissions in California," and the CARB's "Climate Change Proposed Scoping Plan: a Framework for Change. The reports identify strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05 and AB 32 (i.e., 29 percent below existing "business as usual" emissions) that are applicable to proposed project. Table 4.3.C presents the applicable Recommended Actions (qualitative measures) identified to date by CARB in its Climate Change Proposed Scoping Plan and whether or not the proposed project is consistent with the applicable Recommended Actions. Table 4.13.C, Proposed Scoping Plan Recommended Actions for Climate Change, in the DEIR examined the project's consistency with these policies.

In addition, GHG emissions reduction strategies were also set forth in the 2006 CAT Report, and the strategies included in the CAT Report that apply to the project were evaluated in Table 4.13.E of the DEIR, which also summarized the extent to which the project would comply with the strategies to help California reach the emission reduction targets. The strategies listed in DEIR Table 4.13.E were addressed as either part of the project, required mitigation measures, or requirements under local or State ordinances.

The mitigation measures outlined in the Attorney General's guidance have already been addressed in the two evaluation processes outlined above, since most or all of the AG's recommendations are an outgrowth of the CAT report. Therefore, the project does not need an additional evaluation specifically against the AG's criteria.

Response to Appendix 2 – Resumes for James Clark Ph.D. and Matt Hagemann: Resumes were provided for the two primary authors of the supplementary comment memos that were included in the Lozeau Drury Letter D-4A. No comments on their qualifications.

Response to Appendix 3 – CalEEMod Technical Paper (July 2011 SCAQMD et al): This report outlines the methodology, reasoning, and policy development issues related to the California Emission Estimator Model (CalEEMod). The commenter does not indicate why this reference was included, so no specific response is necessary. A discussion on two comments regarding differences between the project emissions using CalEEMod and the older URBEMIS model is provided in Responses D-4A-13 and D-4B-3.

Response to Appendix 4 – Initial Statement of Reasons for Rulemaking – Staff Report (CARB): The commenter does not indicate why this reference was included, so no specific response is necessary. However, the air quality study prepared for the project included a Health Risk Assessment (HRA) that assumed diesel exhaust as a toxic air contaminant and used the procedures established by the SCAQMD to conduct the HRA.

Response to Appendix 5 – Health Assessment Document for Diesel Engine Exhaust (U.S. EPA): The commenter does not indicate why this reference was included, so no specific response is necessary. However, the air quality study prepared for the project included a Health Risk Assessment

(HRA) that assumed diesel exhaust as a toxic air contaminant and used the procedures established by the SCAQMD to conduct the HRA, which are in turn consistent with the U.S. EPA guidance.

Response to Appendix 6 – Interim Guidance for Sampling Agricultural Fields for School Sites (Cal DTSC 8/02): The commenter refers to this document in relation to comments that the soil sampling conducted for the Phase 1 ESA reports on the project site were not consistent with the guidance in this report. A discussion on two comments regarding this topic is provided in Responses D-4A-9 through D-4A11 and D-4C-3.

Response to Appendix 7 – Various DTSC forms and chemical data materials related to pesticide applications or suspected applications on the project site (various dates around 2010): The commenter refers to this document in relation to comments that the onsite soils may be contaminated with pesticides, and the attached materials document that certain pesticides were applied to the site (or at least purchased by site maintenance staff) around 2010. A discussion on two comments regarding this topic is provided in Responses D-4A-9, and it should be noted a mitigation measure (4.6.6.1A) was added to do additional soil testing before grading (see Response D-4A-9).

Response to Appendix 8 – Various reports and data on pesticides and other agricultural chemicals (various): The commenter refers to this document in relation to comments that the onsite soils may be contaminated with pesticides such as DDT, DDE, and arsenic. A discussion on two comments regarding this topic is provided in Responses D-4A-9, and it should be noted a mitigation measure (4.6.6.1A) was added to do additional soil testing before grading (see Response D-4A-9).

Response to Appendix 9 – Use of California Human Health Screening Levels in Evaluation of Contaminated Properties (January 2002): The commenter refers to this document in relation to comments that the onsite soils may be contaminated with various kinds of pesticides applied over the years. A discussion on comments regarding this topic is provided in Responses D-4A-9, and it should be noted a mitigation measure (4.6.6.1A) was added to do additional soil testing before grading (see Response D-4A-9).

Response to Appendix 10 – Strategic Plan for Asthma in California, 2008 – 2012, and other reports related to health and air quality: This report was included apparently to support the commenter's contention that there will be health risks to local residents and construction workers from project air emissions, including diesel emissions. The air quality study prepared for the project was comprehensive and based on guidance from SCAQMD for such studies. It included a Health Risk Assessment (HRA) that assumed diesel exhaust as a toxic air contaminant and used the procedures established by the SCAQMD to conduct the HRA, which are in turn consistent with U.S. EPA guidance. The study determined impacts on local residents would be less than significant, although it would contribute to cumulatively significant air impacts due to the poor quality of air in the South Coast Air Basin.

3. EIR ERRATA AND ADDITIONS

Any corrections to the Draft Environmental Impact Report (EIR) text and figures generated either from responses to comments or independently by the City, are stated in this section of the Final EIR. The Draft EIR text and figures have not been modified to reflect these EIR modifications.

These EIR errata are provided to clarify, refine, and provide supplemental information for the Eucalyptus Industrial Park Draft EIR. Changes may be corrections or clarifications to the text and figures of the original Draft EIR. Other changes to the EIR clarify the analysis in the EIR based upon the information and concerns raised by commenters during the public review period. None of the information contained in these EIR modifications constitutes significant new information or changes to the analysis or conclusions of the Draft EIR.

The information included in this EIR erratum that resulted from the public comment process does not constitute substantial new information that requires recirculation of the Draft EIR. The California Environmental Quality Act (CEQA) Guidelines, Section 15088.5, states in part:

(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:

   (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

   (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

   (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.

   (4) The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

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

The changes to the Draft EIR included in these EIR modifications do not constitute "significant" new information because:

No new significant environmental impact would result from the project or from a new mitigation measure;

There is no substantial increase in the severity of an environmental impact that would result unless mitigation measures are adopted that reduce the identified significant impacts to a level of insignificance;

No feasible project alternative or mitigation measure considerably different from others previously analyzed has been proposed or identified that would clearly lessen the significant environmental impacts of the project; and

The Draft EIR is not fundamentally or basically inadequate or conclusory in nature such that meaningful public review and comment were precluded.

Therefore, recirculation of the Draft EIR is not required because the new information added to the EIR through these modifications clarifies or amplifies information already provided or makes insignificant modifications to the already adequate Draft EIR.

For simplicity, the EIR modifications contained in the following pages are in the same order as the information appears in the Draft EIR. Changes in text are signified by strikeouts (~~strikeouts~~) where text has been removed and by underlining (underline) where text has been added. The applicable page numbers from the Draft EIR are also provided where necessary for easy reference.

Draft EIR, Section 1.0 Executive Summary, Summary (pages 1-13 through 1-73)

Table 1.C: The Environmental Summary in the Draft EIR has been updated to be consistent with changes that have been made, as a result of the responses to comments. Changes have been made to mitigation measures for air quality, biological resources, cultural resources, and noise. These changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the Draft EIR. The change to Impact 4.3.6.1 was an editorial one, the action section 4.3.5.1 concluded the impact related to "Conflict with an Existing Agricultural Zone" was less than significant with no mitigation required, but Table 1.C wrongly showed it as "significant with no mitigation available". This has been corrected.

IMPORTANT NOTE: *The various changes to the mitigation measures will be presented following Table 1.C, but the actual wording changes will not be reflected in Table 1.C to avoid duplication and unnecessary length of the table. However, a note will be included in the table to reference mitigation measures that have changed. The revised mitigation measures will appear in their entirety in Section 4, Mitigation Monitoring and Reporting Program.*

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
4.1 AESTHETICS		
Impact 4.1.6.1: Existing Visual Character or Quality of Site and Its Surroundings: Implementation of the proposed project would replace the undeveloped character of the project site with an urban setting containing warehouse uses. Therefore, the change in the character of the site would be recognizable and would constitute a permanent alteration of the existing visual character of the project site. Although the visual characteristic of the project site would change, the proposed project would replace the existing vacant parcel with an attractive, well designed development through the use of architectural elements, landscaping, and design of the project site. In addition, the proposed project would be designed and constructed per applicable City Municipal Code and General Plan standards. Despite these requirements, a ~~less than~~ significant impact related to this issue would occur.	No feasible mitigation is available	Significant and unavoidable

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
4.2 AGRICULTURAL RESOURCES		
Impact 4.2.6.1: Conflict with an Existing Agricultural Zone: The proposed project would ~~not~~ conflict with an existing agricultural zone. An approximately 12-acre portion of the project site is zoned Residential Agriculture (R-A-2) with a PAKO designation, and is located near the southern border. With the development of the project, this portion of the site would be rezoned to Light Industrial to allow for the proposed warehouse distribution uses. ~~While~~ This zone change would not conflict with the existing zone for this area of the project site. This type of change is expected, ~~and~~ planned for within the City, and is consistent with the City's overall vision. Impacts are less than significant.	~~No feasible mitigation is available~~ No mitigation required.	~~Significant and unavoidable~~ Less than Significant
Impact 4.2.6.2: Conversion of State Designated Farmland: The project site is designated as 67 percent Prime Farmland (82.5 acres) and 12 percent (39.8 acres) as Farmland of Local Importance ~~(5.3 acres)~~. While farmland conservation measures have been implemented in other areas of the State, neither the City of Moreno Valley nor Riverside County maintains a program that developers and property owners can participate in to offset agricultural resource impacts; therefore, the conversion of State designated Prime Farmland is a significant impact.	No feasible mitigation is available	Significant and unavoidable
4.3 AIR QUALITY		
Impact 4.3.6.2: Equipment Exhaust Emissions From Construction Activities Impacts: Grading and other construction activities would result in combustion emissions from heavy-duty construction vehicles, haul trucks, utility engines, and vehicles transporting the construction crew. Construction equipment/vehicle emissions during proposed on-site grading periods would exceed the SCAQMD daily thresholds for CO and NO_X. This remains a significant impact requiring mitigation.	**4.3.6.2C** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. Project start to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 horsepower shall meet Tier 3 off-road emission standards. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emission	Implementation of identified mitigation measures would reduce construction-related emissions; however, it is not possible to quantify emission reductions for all pollutants, so impact remains significant and unavoidable.

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	control devices used by the contractor shall achieve emission reductions that are no less than what would be achieved by a Level 3 diesel emission control strategy for a similarly sized engine as defined by CARB regulations. Post January 1, 2015: All off-road diesel–powered construction equipment greater than 50 horsepower shall meet Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emission control devices used by the contractor shall achieve emission reductions that are no less than what would be achieved by a Level 3 diesel emission control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit's certified tier specifications, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment. **4.3.6.2D** All clearing, grading, earthmoving, or excavation activities shall cease when winds (as instantaneous gusts) exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions. **4.3.6.2H** The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and ~~during smog season (May through October)~~ ~~by~~ shall not allow~~ing~~ construction equipment to be left idling for more than five minutes (per California law). **4.3.6.2J** Grading plans, construction specifications and bid documents	

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	shall also include the following ~~notations~~ requirements: • Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours; • High-pressure injectors shall be provided on diesel construction equipment ~~where feasible~~ if available; • Engine size of construction equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel powered construction equipment where ~~feasible~~ gasoline powered equipment is available; • Use electric construction equipment where ~~feasible~~ it is	

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	practical to use such equipment; • Install catalytic converters on gasoline-powered equipment where ~~feasible~~ this type of equipment is available; • Ride-sharing program for the construction crew ~~shall be encouraged and~~ shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs; • Lunch vendor services shall be ~~provided~~ allowed on site during construction to minimize the need for off-site vehicle trips; and • All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered. **4.3.6.2K** Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues within 24 hours.	
Impact 4.3.6.3: Localized Construction Equipment Exhaust Emissions Impacts: Emissions of PM_{10} and $PM_{2.5}$ exceed the localized threshold that would occur for construction activity. PM_{10} and $PM_{2.5}$ emissions are a significant impact requiring mitigation.	**4.3.6.3A** Prior to the issuance of grading permits, the project applicant shall require by contract specifications that all trucks hauling dirt, sand, soil, or other loose materials are to be covered or ~~should~~ shall maintain at least 2 feet	Although **Mitigation Measures 4.3.6.3A** through **4.3.6.3C** would reduce localized emission rates up to 50 percent, the localized

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and top of the trailer). **4.3.6.3B** Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that construction access roads shall be paved at least 100 feet onto the site from the main road. **4.3.6.3C.** Prior to the issuance of grading permits, the project applicant shall require by contract specifications that all streets within the construction site shall be swept once per day if visible soil materials are carried to adjacent streets.	construction thresholds are exceeded at the nearest residences for PM_{10} and $PM_{2.5}$. Therefore, even with implementation of **Mitigation Measures 4.3.6.3A** through **4.3.6.3C**, impacts associated with localized construction emissions for PM_{10} and $PM_{2.5}$ would remain significant and unavoidable.
Impact 4.3.6.5 Long-Term Project-Related Emissions Impacts: Project-related emissions for CO, ROG, NO_X, PM_{10}, and $PM_{2.5}$ would exceed the SCAQMD daily emissions thresholds during the operational phase of the project. This is a significant impact requiring mitigation.	**4.3.6.5B** Prior to issuance of building permits, the project applicant shall provide evidence to the City that energy-efficient and low-emission methods and features of building construction shall be incorporated into the project design. These methods and features may include (but are not limited to) the following: • Construction of buildings that exceed statewide energy requirements beyond ~~20~~ 10 percent of that identified in Title 24, Part 6 Energy Efficiency Standards: o Use of low-emissions water heaters; o Use of central water-heating systems; o Use of energy-efficient appliances; o Use of increase insulation; o Use of automated controls for air conditioners; o Use of energy-efficient parking lot lighting; and	Although implementation of Mitigation Measures 4.3.6.5A through 4.3.6.5B may reduce vehicle trips associated with the proposed project, it is not possible to quantify the reduction in the amount of emissions that may occur. In the absence of mitigation to reduce the proposed project's emission of contribution of ROC and NOx to below SCAQMD thresholds, long-term air quality impacts resulting from the operation of the proposed project would remain significant and unavoidable.

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	o Use of lighting controls and energy-efficient lighting. • Utilize low-VOC interior and exterior coatings during project repainting. • Provide on-site improvements such as sidewalks or pedestrian walkways to promote pedestrian activity and reduce the amount of vehicle trips. • Installation of skylights and energy-efficient lighting that exceeds California Title 24 standards where feasible, including electronic dimming ballasts and computer-controlled daylight sensors in the buildings. • Shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and building shall be planted at the proposed project site. These strategies will minimize the heat island effect and thereby reduce the amount of air conditioning required. • Strategies to be considered include fans to assist natural ventilation, centralized water and space conditioning systems, high efficiency individual heating and cooling units, and automatic setback thermostats. • Reduction of energy demand associated with potable water conveyance through the following methods: o Incorporating drought-tolerant plants into the landscaping palette; and o Use of water-efficient irrigation techniques. • Energy-efficient low-pressure sodium parking lot lights or lighting equivalent as determined by the City, shall be used;	

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	• Buildings shall be oriented north-south where feasible; • Implement an on-site circulation plan in parking lots to reduce vehicle queuing; • Develop a trip reduction plan to achieve 1.5 average vehicle ridership (AVR) for businesses with fewer than ~~100~~ 250 employees or multitenant worksites; • Include bicycle parking facilities such as bicycle lockers and racks; • Include showers for bicycling employees use; and • Construct on-site pedestrian facility improvements such as building access that is physically separated from street and parking lot traffic and walk paths.	
Impact 4.3.6.6: Localized Project Operational Emissions. All localized operational emissions for the proposed project, with the exception of PM_{10} and $PM_{2.5}$ emissions, are below the localized significance threshold. Since PM_{10} and $PM_{2.5}$ emissions exceed the localized significance thresholds, operational activities associated with the proposed project may cause long-term localized air quality impacts and mitigation is required.	**4.3.6.6A** Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 10 percent until January 1, 2014. For building permits issued after that date, new state energy standards require a 20 percent reduction from 2008 Title 24, Part 6 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. Any combination of The following design features including but not limited to the following list shall be used to fulfill this requirement: • Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and	Although implementation of **Mitigation Measures 4.3.6.6A** and **4.3.6.6B** may reduce vehicle trips associated with the proposed project, it is not possible to quantify the reduction in the amount of emissions that may occur. Considering the volume of emissions generated and current commuter habits, it is unlikely the implementation of TDMs/TCMs will result in a reduction of operational project emissions to below existing localized operation emissions thresholds. In the absence of mitigation to reduce the proposed project's

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	cooling, as deemed acceptable by the City. • 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 shall be installed, as deemed acceptable by the City. Automatic devices to turn off lights when they are not needed shall be implemented. • To the extent that they are compatible with landscaping guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site. • Paint and surface color palette for the project shall emphasize light and off-white colors which reflect heat away from the buildings. • All buildings shall 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 shall implement the following:	localized emission of contribution of PM10 and PM2.5 to below localized emission thresholds, long-term air quality impacts resulting from the operation of the proposed project would remain significant and unavoidable.

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	o Landscaping palette emphasizing drought-tolerant plants; o Use of water-efficient irrigation techniques; and, o U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads. • The project shall provide secure, weather-protected, on-site bicycle storage/parking. • The project shall provide on-site showers (one for males and one for females). Lockers for employees shall be provided. • The project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce greenhouse gas (GHG) emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information. • The project shall provide preferential parking for carpools and vanpools. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the project site plan. • The project shall provide at least two electric vehicle charging	

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the project building plans. • Lease/purchase documents shall identify that tenants are encouraged to promote the following: o Implementation of compressed workweek schedules. o SmartWay partnership; o Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long-haul trips carried by SmartWay 1.0 or greater carriers. o Achievement of at least 15 percent 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 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers. o Use of fleet vehicles conforming to 2010 air quality standards or better. o Installation of catalytic converters on gasoline-powered equipment. o Inclusion of electric powered and/or compressed natural gas fueled trucks and/or	

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	vehicles in fleets. o Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles. o Provision of preferential parking for EV and CNG vehicles. o Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance. o Use of electric (instead of diesel or gasoline-powered) yard trucks. o Use of SmartWay 1.25 rated trucks. o Each facility operator shall provide regular sweeping of onsite parking and drive areas using street sweepers that comply with applicable SCAQMD Rules. o Each facility operator shall maintain a log of all trucks entering the facility to ensure that, on average, the daily truck fleet meets applicable air quality emission standards. This log shall be available for inspection by City staff at any time. o Each facility operator shall prohibit all vehicles from idling in excess of five minutes in all onsite areas. o Each facility operator shall ensure that onsite staff in charge of keeping the daily log and monitoring for excess idling will be trained and certified in diesel health effects and technologies, such as by requiring attendance at CARB-approved courses. o Each facility operator which	

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	upon occupancy does not already operate 2077 and newer trucks shall in good faith be required to apply for funding to replace or retrofit their trucks such as Carl Moyer, VIP, Prop 1B or similar funds. Should funds be awarded, the tenant shall be required to accept and use them.	

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
4.4 BIOLOGICAL RESOURCES		
Impact 4.4.6.2: Riparian Habitat or Other Sensitive Natural Communities: The three on-site drainages, including the Quincy Channel, contain riparian/riverine area. While the proposed project would incorporate the design standards identified in the City's Municipal Code, the development of the proposed project may result in the elimination of habitat for special-status plant species (mule fat scrub) or reduce population size of sensitive plant species below self-sustaining levels. Therefore, a potentially significant impact would occur and mitigation is required.	**4.4.6.2A** As outlined in the project's Determination of a Biologically Equivalent or Superior Preservation (DBESP) report, the project applicant shall compensate for the temporary and permanent impact on and loss of jurisdictional waters and streambeds by providing a minimum 2:1 off-site replacement of equivalent riverine/riparian habitat prior to project construction. (0.36 acre impact = 0.72 acre replacement). This off-site replacement shall be accomplished through the contribution of in-lieu fees to the Santa Ana Watershed Association (SAWA) for its efforts in removal of invasive plants and restoration of riparian habitat adjacent to the tributaries of the San Jacinto River or within the Santa Ana River watershed. Documentation of acceptance of the SAWA contribution shall be provided to the City prior to issuance of a grading permit. Offsite restoration, enhancement, and/or land purchase mitigation for the drainage impacts will occur at an offsite location through one or more of the following: an USACE approved mitigation bank, through an in lieu fee mitigation program, and/or land purchase and conservation. DFG and USFWS will need to provide concurrence that this mitigation is equivalent or superior to that proposed for impact through their review and acceptance of the DBESP. **4.4.6.2B** The project applicant shall retain qualified personnel to prepare and implement a Habitat Mitigation and Monitoring Plan (HMMP) to oversee restoration of temporarily affected areas (0.35 acre of riverine/riparian habitat) to their pre-construction contours and vegetation. The HMMP will be approved by USACE and CDFG prior to the City issuing any	Less than Significant with Mitigation

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	occupancy permits. Riparian/riverine resources that are temporarily impacted by project construction shall be returned to their preconstruction contours and hydroseeded, as outlined in the DBESP.	
Impact 4.4.6.3: Jurisdictional Waters/Wetlands: Implementation of the proposed project would result in permanent impacts to 0.051 acre (354 linear feet) of non-wetland waters of the United States and waters of the State and 0.362 acre (440 linear feet) of State streambed associated with the eastern, southern, and western drainages In addition to permanent impacts, the proposed project would result in temporary impacts to 0.054 acre (332 linear feet) of non-wetland waters of the United States and waters of the State and 0.33 acre (547 linear feet) of State streambed associated with construction activities. This is a significant impact requiring mitigation.	**4.4.6.3A** The project applicant shall obtain a Section 404 Nationwide or Individual Permit, as appropriate, from the USACE and a Section 1602 Streambed Alteration Agreement from the CDFG Direct temporary impacts to more than 0.1 acre of jurisdictional area that are regulated by the USACE, CDFG, and RWQCB shall be mitigated at a 2:1 ratio, including enhancement and/or creation of wetlands or the contribution of in-lieu feed to the Santa Ana Watershed Association (SAWA) for its efforts in removal of invasive plants and restoration of off-site riparian habitat, as outlined in Mitigation Measure 3.3.6.2A. The project applicant shall obtain a Section 404 Nationwide or Individual Permit, as appropriate, from the USACE, a Section 401/Porter-Cologne Water Quality Certification from the RWQCB, and a Section 1602 Streambed Alteration Agreement from the CDFG. Offsite restoration, enhancement, and/or land purchase mitigation of jurisdictional drainage impacts will occur at an off-site location through one or more of the following: an USACE approved mitigation bank, through an in-lieu fee mitigation program, and/or land purchase and conservation.	Less than Significant with Mitigation
4.5 CULTURAL RESOURCES		
Impact 4.5.6.1: Prehistoric Cultural Resources: The cultural resources survey indicates there are no recorded cultural sites or surface evidence that cultural resources are present on the project site. Correspondence from Native American groups represents appropriate consultation under SB 18. The site's location within the Moreno Hills Complex indicates a potential exists that excavation and construction activities may uncover	**4.5.6.1A** Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Moreno Valley that a Cultural Resources Monitoring Agreement has been secured for qualified Tribal representatives, and that a	Less than Significant with Mitigation

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
previously undetected prehistoric or historic cultural resources. This is a significant impact requiring mitigation.	professional archaeological monitor meeting Secretary of Interior standards has been retained by the Applicant to conduct monitoring of all mass grading and trenching activities and has the authority to temporarily halt and redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist and Tribal representatives shall attend the pre-grading meeting with the City and contractors to explain and coordinate the requirements of the monitoring program. **4.5.6.1B** Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Moreno Valley that appropriate Native American representative(s), Project Archaeologist, and the Tribal representative(s) shall be allowed to monitor and have received a minimum of 30 days advance notice of all mass grading and trenching activities. During grading and trenching operations, the Tribal representatives and the project archaeological monitor shall observe all mass grading and trenching activities per the Cultural Resources Monitoring Agreement. If the Tribal representatives suspect that an archaeological resource may have been unearthed, the archaeologist, in consultation with the tribal representative, shall immediately halt and redirect grading operations in a 100-foot radius around the find to allow identification and evaluation of the suspected resource. In consultation with the appropriate Native American Tribe(s), the archaeological monitor shall evaluate the suspected resource and make a determination of significance pursuant to California Public Resources Code Section 21083.2.	

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	4.5.6.1C If a significant archaeological resource(s) is discovered on the property, ground disturbing activities shall be suspended 100 feet around the resource(s). The archaeological monitor and representatives of the appropriate Native American Tribe(s), the Project Applicant, and the City Planning Division shall confer regarding mitigation of the discovered resource(s). A treatment plan and/or preservation plan shall be prepared and by the archaeological monitor and reviewed by representatives of the appropriate Native American Tribe(s), the Project Applicant, and the City Planning Division and implemented by the archaeologist to protect the identified archaeological resource(s) from damage and destruction. The landowner shall relinquish ownership of all archaeological artifacts that are of Native American origin found on the Project site to the culturally affiliated Native American tribe(s) for proper treatment and disposition. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to the City Planning Division, the appropriate Native American tribe(s), and the Eastern Information Center at the University of California, Riverside. All cultural material, excluding sacred, ceremonial, grave goods and human remains, collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site shall be curated, as determined by the treatment plan, according to the current professional repository standards and may include the Pechanga Bands curatorial facility. **4.5.6.1D** Prior to grading permit issuance, the City shall verify that the following note is included on the Grading Plan:	

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	"If any suspected archaeological resources are discovered during ground-disturbing activities and the archaeological monitor or Tribal representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the project archaeologist and the Tribal representatives to the site to assess the significance of the find." **4.5.6.1E** If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner. If the Riverside County Coroner determines the remains to be Native American, the California Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code §5097.98.	
Impact 4.5.6.2: Paleontological Resources: The project site is located in an area identified as having a "high sensitivity" for paleontological resources. Construction of the proposed project has the potential to result in significant impacts to nonrenewable paleontological resources, requiring mitigation.	**4.5.6.2D** Prior to grading permit issuance, the City shall verify that the following note is included on the Grading Plan: "If any suspected paleontological resources are discovered during ground-disturbing activities, the	Less than Significant with Mitigation

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	construction supervisor is obligated to halt work in a 100-foot radius around the find and call a qualified paleontologist to the site to assess the significance of the find. A qualified paleontologist shall evaluate the suspected resource. If the paleontologist determines that the find is not unique, construction shall be permitted to proceed. However, if the paleontologist determines that further information is needed to evaluate significance, the City of Moreno Valley shall be notified and a treatment plan shall be prepared and implemented in consultation with the City to protect the identified paleontological resource(s) from damage and destruction."	
4.6 HAZARDS AND HAZARDOUS MATERIALS		
4.6.6 Although the EIR did not identify any significant impacts related to hazardous materials, the mitigation measure was added to assure there will be no impacts related to soil contamination.	**4.6.6.1A** Prior to issuance of a grading permit for the project, a qualified contractor shall test onsite soils for contamination by agricultural chemicals. If present in concentrations above established actionable levels or thresholds, these materials shall be removed and transported to an appropriate landfill by a licensed contractor. This measure shall be implemented to the satisfaction of the Building Division including written documentation of the disposal of any agricultural chemical residue in conformance with all applicable regulations.	Less than Significant
4.9 NOISE		
Impact 4.9.6.1: Short-Term Construction Noise Impacts: Construction activities would include grading, excavation, and installation activities generating noise levels up 91 dBA L_{max} at 50 feet from an active construction area. These noise levels would diminish rapidly with distance from the construction site at a rate of approximately 6 dBA per doubling of distance. The worst-case scenario during construction would be a noise level of 91 dBA L_{max} at a distance of 50 feet from the noise source to the nearest existing sensitive receptor. However, compliance with the construction hours specified in the City's	**4.9.6.1D.** During all project site construction activities at Building 6 (i.e., closest to existing residences), the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and	Less than Significant with Mitigation

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures have been identified to reduce the noise levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards.	holidays, unless written approval is obtained from the City Building Official or City Engineer for specific construction activities that must be conducted outside of the permitted time periods.	
4.11 TRANSPORATION		
Impact 4.11.6.1A: Existing (2011) with project Conditions (Intersection) Traffic and Level of Service Impacts: The addition of project traffic to this scenario would result in conditions exceeding the established LOS standard at the following intersections: Redlands Boulevard/SR-60 Westbound Ramps (a.m. and p.m. peak hours); and Redlands Boulevard/Eucalyptus Avenue-Fir Avenue (p.m. peak hour). The project would contribute toward the worsening of the already unsatisfactory LOS at the intersection of Redlands Boulevard/SR-60 Westbound Ramps and would create a significant impact at the intersection of Redlands Boulevard/Eucalyptus Avenue-Fir Avenue. Therefore, mitigation is required at both intersections.	**4.11.6.4A** Prior to issuance of a ~~building permit~~ Certificate of Occupancy, the project applicant shall construct ~~pay the fair share contribution toward~~ the following traffic improvements ~~through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program~~: • **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is currently approved, and permitted by Caltrans. If not otherwise completed prior to project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy. • **Redlands Boulevard/Fir Avenue/Eucalyptus Avenue.** If not otherwise completed prior to project opening, prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements: Install a traffic signal and ~~This improvement is listed in the City's DIF program. A~~ add a northbound left-turn lane and a southbound left-turn lane. ~~These improvements are listed in the TUMF.~~ If the improvements are constructed by others prior to the Certificate of Occupancy, the applicant shall pay its fair share towards the improvements through the City's DIF program.	With the implementation of the recommended improvements, the minimum level of service standards would be maintained for the Existing (2011) with project condition and impacts would be reduced to a less than significant level for all identified intersections. However, improvements to freeway facilities are under the authority of Caltrans. Since the City has no control over when and how the improvements will be in place, impacts associated with SR-60 ramp intersections would remain significant and unavoidable until such improvement is constructed.

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
4.12 GLOBAL CLIMATE CHANGE		
Greenhouse Gas Emissions and Climate Change: Construction of the project would emit approximately 37.5 tons per day of CO_2 equivalent emissions, while occupancy of the project will emit 61,000 tons of CO_2 equivalent emissions per year. The carbon dioxide, methane, and nitrous oxide emissions that would be associated with the proposed project is approximately 0.0024 percent of California's 2004 total emissions for carbon dioxide, methane, and nitrous oxide (492 Tg CO_2 Eq). The proposed project would be consistent with all feasible and applicable strategies to reduce greenhouse gas emissions in California. Therefore, the impact of the proposed project, based on these specifications, would be less than significant. The SCAQMD currently recommends that potential GHG emissions be addressed through energy efficiency.	**4.13.6.1B.** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the design and construction of the project: • Use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions. • Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants. • Design the project building to exceed the California Building Code's (CBC) Title 24 energy standard, including, but not limited to, any combination of the following: o Increase insulation such that heat transfer and thermal bridging is minimized. o Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.	Less than Significant with Mitigation Since the project is consistent with the strategies to reduce California's emissions to the levels proposed by Executive Order S-3-05, the project's incremental contribution to climate change at the project level is less than significant.

Table 1.C: ProLogis Eucalyptus Industrial Park - Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	o Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment. • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. • Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings. • Install light-colored "cool" roof) and cool pavements. • Install energy-efficient heating and cooling systems, appliances and equipment, and control systems. • Install solar or light-emitting diodes (LEDs) for outdoor lighting for auto parking areas.	

Draft EIR Section 4.1, AESTHETICS

4.1.1.1 Topographic/Vegetation Features (page 4.1-1)

Until recently, commercial citrus groves occupyied the northwestern and northeastern portions of the project site, forming a dark-green canopy over approximately a third of the site area. The 2006 City General Plan EIR notes that the remaining citrus groves are "visually pleasing features" (MVGP FEIR, p. 5.11-2). However, in December 2013, the trees were removed due to ongoing maintenance and irrigation costs, and fire protection concerns (J. Jachetta, personal communication, December 2, 2013).

4.1.6 Significant Impacts

4.1.6.1 Scenic Vistas (page 4.1-9)

Views from SR-60 and Residences North of SR-60. …As identified in Figure 4.1.3, existing views from this vantage point include SR-60 in the foreground, a concrete lane divider ~~and the tops of citrus groves~~ in the midground, and the Mount Russell ~~Range~~ in the background. As part of conditions of approval for the proposed project, two rows of ~~the existing~~ orange trees would be provided and

maintained on the northern portion of the project site adjacent to SR-60 and along the perimeter of the proposed project site adjacent to the public ROW or residential zoning. With development of the proposed project, buildings, associated parking lots, and ornamental landscaping would be built and placed on the project site. This would change existing views from the single-family residences north of SR-60 along Pettit Street. Foreground views would consist of SR-60, midground views would consist of a concrete divider and the tops of the remainingmature orange trees, and background views would consist of the upper half of the proposed warehouse buildings.

It is anticipated that the existing orange trees have an approximate height ranging from 12 feet to 16 feet. Two rows of the former orange trees will be retained on the northern boundary adjacent to SR-60. Additionally, new orange trees would be planted along the northern length of Buildings No. 1 and 2. With the inclusion of the orange trees along this project boundary, the existing residences would see the upper 27 to 31 feet of the proposed buildings.

4.1.6.2 Scenic Resources and Scenic Highways (page 4.1-17)

… As illustrated in Figure 4.1.4, existing eastbound views on SR-60 would be altered with the development of the proposed project. Motorists would still view noise attenuation walls, urban development, landscaping, and orange scattered trees as they look to the south, although these views would be of short duration for motorists traveling at normal freeway speeds.

Level of Significance after Mitigation. Since there is no feasible mitigation is available to reduce impacts related to the substantial change in visual character from development of the proposed project, impacts associated with this issue would remain significant and unavoidable.

NOTE: *This conclusion would be the same regardless with or without the existing citrus trees onsite, so the conclusions and mitigation outlined in the DEIR do not change (i.e., significant).*

Draft EIR Section 4.2, AGRICULTURAL RESOURCES

4.2.1 Existing Setting (page 4.2-1)

NOTE: *The following paragraph was reworded to account for removal of the citrus trees.*

In addition to on-site farming of citrus, aActive agricultural operations take place on properties located to the north of SR-60, east and south of the proposed project site.

… The project site can be divided into two three categories of land cover: citrus production, hay/alfalfa production and fallow. Currently, Until recently, the majority of the northern portion of the site (approximately 57 acres) was is used for citrus production. The remaining portions of the site are Approximately 36 acres of the site, located in the southern portion of the site, supports hay/alfalfa and approximately 75 acres of fallow land is located in the northern portion of the site. Until December 2013, approximately 50 acres of the site contained citrus trees, but these were removed to eliminate ongoing maintenance and irrigation costs and potential fire safety issues. In any case, they are planned to be removed as part of project development. Currently, there are several abandoned wells and a non-functioning wind machine that were used in the past for on-site agricultural uses.

4.2.6.1 Conversion of State Designated Farmland (page 4.2-8)

Mitigation Measures. The potential mitigation measures identified by the City's General Plan have been deemed infeasible by the property owner under current economic conditions. In addition, supplementary analysis of the project site and local economic conditions indicates that continued citrus production and/or the raising of row crops would not be economically feasible on the project site (see Appendix ~~L~~ E).

4.2.6.2 Conversion of an Existing Agricultural Operation to a Non-Agricultural Use (page 4.2-9)

Threshold	Would the proposed project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?

The proposed project would result in the development of industrial uses on land that was ~~has~~ historically ~~been~~ utilized for citrus production. Implementation of the proposed project would result in the ~~retention or~~ provision of rows of citrus trees along the northern portion of the project site adjacent to SR-60, along the western perimeter of Building No. 6, and along the southern perimeter of Buildings No. 5 and 6. Although these citrus trees would be ~~retained or~~ provided along the perimeter of the project site, the ~~retention or~~ provision of citrus trees on site is for ornamental and landscaping purposes and not for agricultural cultivation. The conversion of the project site's agriculture land to non-agricultural uses is a result of various economic and demographic factors. Increased cost for water and a continuing demand for housing and other development in the City and region are the primary reasons for this agricultural land conversion.

NOTE: *The removal of the citrus trees onsite in December 2013 does not change the conclusions of the DEIR regarding agricultural impacts or mitigation. Loss of agricultural soils and former citrus activity would still be significant.*

Draft EIR Section 4.3, AIR QUALITY

Section 4.3.6.2 Equipment Exhaust from Construction-Related Activities (pages 4.3-23 and 4.3-24)

NOTE: *The following requirement was added to Mitigation Measure 4.3.6.2C in response to concerns expressed by the South Coast Air Quality Management District (Letter B-3). These changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the Draft EIR.*

4.3.6.2C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

Project start to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 horsepower shall meet Tier 3 off-road emission standards. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emission control devises used by the contractor shall achieve emission reductions that are no less than what would be achieved by a Level 3

diesel emission control strategy for a similarly sized engine as defined by CARB regulations.

Post January 1, 2015: All off-road diesel–powered construction equipment greater than 50 horsepower shall meet Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emission control devises used by the contractor shall achieve emission reductions that are no less than what would be achieved by a Level 3 diesel emission control strategy for a similarly sized engine as defined by CARB regulations.

A copy of each unit's certified tier specifications, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

NOTE: *The following requirement was added to Mitigation Measure 4.3.6.2D in response to concerns expressed by the South Coast Air Quality Management District (Letter B-3). These changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the Draft EIR.*

4.3.6.2D All clearing, grading, earthmoving, or excavation activities shall cease when winds (as instantaneous gusts) exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.

NOTE: *The following requirement was added to Mitigation Measure 4.3.6.1H in response to concerns expressed by Johnson and Sedlack (Letter D-3). These changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the Draft EIR.*

4.3.6.2H The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and ~~during smog season (May through October)~~ by not allowing construction equipment to be left idling for more than five minutes (per California law).

NOTE: *The following requirement was added to Mitigation Measure 4.3.6.2J in response to concerns expressed by Johnson and Sedlack (Letter D-3). These changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the Draft EIR.*

4.3.6.2J Grading plans, construction specifications and bid documents shall also include the following requirements ~~notations~~:

- Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;
- Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;
- Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;
- The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;

- The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;
- ~~H~~High-pressure injectors shall be provided on diesel construction equipment ~~where feasible~~ if available;
- Engine size of construction equipment shall be limited to the minimum practical size;
- Substitute gasoline-powered for diesel powered construction equipment where ~~feasible~~ gasoline powered equipment is available;
- Use electric construction equipment where ~~feasible~~ it is practical to use such equipment;
- Install catalytic converters on gasoline-powered equipment where ~~feasible~~ this type of equipment is available;
- Ride-sharing program for the construction crew ~~shall be encouraged and~~ shall be supported by contractor(s) via incentives or other inducement;
- Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
- Lunch vendor services shall be ~~provided~~ allowed on site during construction to minimize the need for off-site vehicle trips; and
- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.

NOTE: *The following requirement was added to Mitigation Measure 4.3.6.2K in response to concerns expressed by Johnson and Sedlack (Letter D-3). These changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the Draft EIR.*

4.3.6.2K Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues within 24 hours.

Section 4.3.6.3 Localized Construction Equipment Exhaust Emissions Impacts (page 4.3-30)

4.3.6.3A Prior to the issuance of grading permits, the project applicant shall require by contract specifications that all trucks hauling dirt, sand, soil, or other loose materials are to be covered or ~~should~~ shall maintain at least 2 feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and top of the trailer).

Section 4.3.6.5 Long-Term Project-Related Emissions Impacts (page 4.3-33)

NOTE: *A clerical error was made in the Draft EIR in Mitigation Measure* 4.3.6.5B*. These changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the Draft EIR.*

Mitigation Measures

4.3.6.5B Prior to issuance of building permits, the project applicant shall provide evidence to the City that energy-efficient and low-emission methods and features of building construction shall be incorporated into the project design. These methods and features may include (but are not limited to) the following:

- Construction of buildings that exceed statewide energy requirements beyond ~~20~~ 10 percent of that identified in Title 24, Part 6 Energy Efficiency Standards:
  - Use of low-emissions water heaters;
  - Use of central water-heating systems;
  - Use of energy-efficient appliances;
  - Use of increase insulation;
  - Use of automated controls for air conditioners;
  - Use of energy-efficient parking lot lighting; and
  - Use of lighting controls and energy-efficient lighting.
- Utilize low-VOC interior and exterior coatings during project repainting.
- Provide on-site improvements such as sidewalks or pedestrian walkways to promote pedestrian activity and reduce the amount of vehicle trips.
- Installation of skylights and energy-efficient lighting that exceeds California Title 24 standards where feasible, including electronic dimming ballasts and computer-controlled daylight sensors in the buildings.
- Shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and building shall be planted at the proposed project site. These strategies will minimize the heat island effect and thereby reduce the amount of air conditioning required.
- Strategies to be considered include fans to assist natural ventilation, centralized water and space conditioning systems, high efficiency individual heating and cooling units, and automatic setback thermostats.
- Reduction of energy demand associated with potable water conveyance through the following methods:
  - Incorporating drought-tolerant plants into the landscaping palette; and
  - Use of water-efficient irrigation techniques.
- Energy-efficient low-pressure sodium parking lot lights or lighting equivalent as determined by the City, shall be used;
- Buildings shall be oriented north-south where feasible;
- Implement an on-site circulation plan in parking lots to reduce vehicle queuing;
- Develop a trip reduction plan to achieve 1.5 average vehicle ridership (AVR) for businesses with fewer than ~~100~~ 250 employees or multitenant worksites;
- Include bicycle parking facilities such as bicycle lockers and racks;
- Include showers for bicycling employees use; and

- Construct on-site pedestrian facility improvements such as building access that is physically separated from street and parking lot traffic and walk paths.

Section 4.3.6.6 Project-Related Localized Operational Emission Impacts (pages 4.3-35 through 4.3-37)

Mitigation Measure 4.3.6.6A has been modified to address concerns expressed by the South Coast Air Quality Management District (Letter B-3), Sierra Club (Letter D-2), and Johnson & Sedlack (Letter D-3). These changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the Draft EIR.

4.3.6.6A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of ~~20~~ 10 percent until January 1, 2014. For building permits issued after that date, new state energy standards require a 20 percent reduction from 2008 Title 24, Part 6 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. ~~Any combination of~~ The following design features ~~including but not limited to the following list~~ shall be used to fulfill this requirement:

- Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.
- 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 shall be installed, as deemed acceptable by the City. Automatic devices to turn off lights when they are not needed shall be implemented.
- To the extent that they are compatible with landscaping guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site.
- Paint and surface color palette for the project shall emphasize light and off-white colors which reflect heat away from the buildings.
- All buildings shall 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 shall implement the following:
  - Landscaping palette emphasizing drought-tolerant plants;
  - Use of water-efficient irrigation techniques; and,
  - U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
- The project shall provide secure, weather-protected, on-site bicycle storage/parking.

- The project shall provide on-site showers (one for males and one for females). Lockers for employees shall be provided.
- The project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce greenhouse gas (GHG) emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.
- The project shall provide preferential parking for carpools and vanpools. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the project site plan.
- The project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the project building plans.
- Lease/purchase documents shall identify that tenants are encouraged to promote the following:
    - Implementation of compressed workweek schedules.
    - SmartWay partnership;
    - Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long-haul trips carried by SmartWay 1.0 or greater carriers.
    - Achievement of at least 15 percent 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 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers.
    - Use of fleet vehicles conforming to 2010 air quality standards or better.
    - Installation of catalytic converters on gasoline-powered equipment.
    - Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.
    - Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles.
    - Provision of preferential parking for EV and CNG vehicles.
    - Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.
    - Use of electric (instead of diesel or gasoline-powered) yard trucks.
    - Use of SmartWay 1.25 rated trucks.
    - <u>Each facility operator shall provide regular sweeping of onsite parking and drive areas using street sweepers that comply with applicable SCAQMD Rules.</u>

- o Each facility operator shall maintain a log of all trucks entering the facility to ensure that, on average, the daily truck fleet meets applicable air quality emission standards. This log shall be available for inspection by City staff at any time.
- o Each facility operator shall prohibit all vehicles from idling in excess of five minutes in all onsite areas.
- o Each facility operator shall ensure that onsite staff in charge of keeping the daily log and monitoring for excess idling will be trained and certified in diesel health effects and technologies, such as by requiring attendance at CARB-approved courses.
- o Each facility operator which upon occupancy does not already operate 2077 and newer trucks shall in good faith be required to apply for funding to replace or retrofit their trucks such as Carl Moyer, VIP, Prop 1B or similar funds. Should funds be awarded, the tenant shall be required to accept and use them.

Draft EIR, Section 4.4, BIOLOGICAL RESOURCES

4.4.1 Existing Setting

4.4.1.2 Vegetation (page 4.4-4)

… Until December 2013, agriculture-citrus (citrus tree orchards) occurred on the northwestern, northeastern, and east-central portions of the project site and occup~~y~~ied approximately 57.2 acres. The trees were removed recently to avoid additional maintenance and irrigation costs, and to help reduce fire safety issues. Approximately 47.4 acres of ruderal vegetation occurs on the project site and is dominated by weedy vegetation that is typically associated with a past disturbance (agriculture).

Section 4.4.6.2, Riparian Habitat or Other Sensitive Natural Communities (page 4.4-29)

Impact 4.4.6.2: *The proposed project has the potential to permanently affect 0.36 acre of riparian/riverine habitat and to temporarily affect 0.35 acre of riparian/riverine habitat.*

Threshold	Would the proposed project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified 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 site consists of highly disturbed land from which most natural vegetation has been removed by regular disking for weed abatement and historical citrus cultivation.

NOTE: *The removal of the citrus trees in December 2013 does not affect the conclusions of the DEIR regarding biological impacts or mitigation.*

MITIGATION NOTE: *Based on a pre-application MSHCP project meeting with CDFG, USFWS, RCA, and RWQCB that occurred on October 10, 2012, the following minor changes and clarifications have been made to the indicated mitigation measures, mainly to incorporate temporary impacts into the compensation for permanent impacts but also to make the EIR mitigation measures consistent with the DBESP implementation measures:*

4.4.6.2A As outlined in the project's Determination of a Biologically Equivalent or Superior Preservation (DBESP) report, the project applicant shall compensate for the temporary and permanent impact on and loss of jurisdictional waters and streambeds by providing a minimum 2:1 off-site replacement of equivalent riverine/riparian habitat prior to project construction. ~~(0.36 acre impact = 0.72 acre replacement). This off-site replacement shall be accomplished through the contribution of in-lieu fees to the Santa Ana Watershed Association (SAWA) for its efforts in removal of invasive plants and restoration of riparian habitat adjacent to the tributaries of the San Jacinto River or within the Santa Ana River watershed. Documentation of acceptance of the SAWA contribution shall be provided to the City prior to issuance of a grading permit.~~ Offsite restoration, enhancement, and/or land purchase mitigation for the drainage impacts will occur at an offsite location through one or more of the following: an USACE approved mitigation bank, through an in lieu fee mitigation program, and/or land purchase and conservation. DFG and USFWS will need to provide concurrence that this mitigation is equivalent or superior to that proposed for impact through their review and acceptance of the DBESP.

4.4.6.2B ~~The project applicant shall retain qualified personnel to prepare and implement a Habitat Mitigation and Monitoring Plan (HMMP) to oversee restoration of temporarily affected areas (0.35 acre of riverine/riparian habitat) to their pre-construction contours and vegetation. The HMMP will be approved by USACE and CDFG prior to the City issuing any occupancy permits.~~ Riparian/riverine resources that are temporarily impacted by project construction shall be returned to their preconstruction contours and hydroseeded, as outlined in the DBESP.

NOTE: *The DBESP replaces the need for a separate Habitat Mitigation and Monitoring Plan.*

Section 4.4.6.3, Jurisdictional Waters/Wetlands (page 4.4-31)

4.4.6.3A ~~The project applicant shall obtain a Section 404 Nationwide or Individual Permit, as appropriate, from the USACE and a Section 1602 Streambed Alteration Agreement from the CDFG Direct temporary impacts to more than 0.1 acre of jurisdictional area that are regulated by the USACE, CDFG, and RWQCB shall be mitigated at a 2:1 ratio, including enhancement and/or creation of wetlands or the contribution of in-lieu feed to the Santa Ana Watershed Association (SAWA) for its efforts in removal of invasive plants and restoration of off-site riparian habitat, as outlined in Mitigation Measure 3.3.6.2A.~~ The project applicant shall obtain a Section 404 Nationwide or Individual Permit, as appropriate, from the USACE, a Section 401/Porter-Cologne Water Quality Certification from the RWQCB, and a Section 1602 Streambed Alteration Agreement from the CDFG. Offsite restoration, enhancement, and/or land purchase mitigation of jurisdictional drainage impacts will occur at an off-site location through one or more of the following: an USACE approved mitigation bank, through an in-lieu fee mitigation program, and/or land purchase and conservation.

Draft EIR, Section 4.5, CULTURAL AND PALEONTOLOGICAL RESOURCES

Section 4.5.6.1 Prehistoric Cultural Resources (page 4.5-6)

All of the mitigation measures were modified to better address concerns expressed by the Pechanga Band and Morongo Tribe (Letters A-4 and A-5, respectively). These changes to the Draft EIR do not result in a significant impact and has no material effect on the findings of the Draft EIR, and are shown below:

4.5.6.1A Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Moreno Valley that a Cultural Resources Monitoring Agreement has been secured for qualified Tribal representatives, and that a professional archaeological monitor meeting Secretary of Interior standards has been retained by the Applicant to conduct monitoring of all mass grading and trenching activities and has the authority to temporarily halt and redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist and Tribal representatives shall attend the pre-grading meeting with the City and contractors to explain and coordinate the requirements of the monitoring program.

4.5.6.1B Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Moreno Valley that appropriate Native American representative(s), Project Archaeologist, and the Tribal representative(s) shall be allowed to monitor and have received a minimum of 30 days advance notice of all mass grading and trenching activities. During grading and trenching operations, the Tribal representatives and the project archaeological monitor shall observe all mass grading and trenching activities per the Cultural Resources Monitoring Agreement. If the Tribal representatives suspect that an archaeological resource may have been unearthed, the archaeologist, in consultation with the tribal representative, shall immediately halt and redirect grading operations in a 100-foot radius around the find to allow identification and evaluation of the suspected resource. In consultation with the appropriate Native American Tribe(s), the archaeological monitor shall evaluate the suspected resource and make a determination of significance pursuant to California Public Resources Code Section 21083.2.

4.5.6.1C If a significant archaeological resource(s) is discovered on the property, ground disturbing activities shall be suspended 100 feet around the resource(s). The archaeological monitor and representatives of the appropriate Native American Tribe(s), the Project Applicant, and the City Planning Division shall confer regarding mitigation of the discovered resource(s). A treatment plan and/or preservation plan shall be prepared and by the archaeological monitor and reviewed by representatives of the appropriate Native American Tribe(s), the Project Applicant, and the City Planning Division and implemented by the archaeologist to protect the identified archaeological resource(s) from damage and destruction. The landowner shall relinquish ownership of all archaeological artifacts that are of Native American origin found on the Project site to the culturally affiliated Native American tribe(s) for proper treatment and disposition. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to the City Planning Division, the appropriate Native American tribe(s), and the Eastern Information Center at the University of California, Riverside. All cultural material, excluding sacred, ceremonial, grave goods and human remains, collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site shall be curated, as determined by the treatment plan, according to the current professional repository standards and may include the Pechanga Bands curatorial facility.

4.5.6.1D Prior to grading permit issuance, the City shall verify that the following note is included on the Grading Plan:

"If any suspected archaeological resources are discovered during ground-disturbing activities and the archaeological monitor or Tribal representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the project archaeologist and the Tribal representatives to the site to assess the significance of the find."

Although DEIR Section 4.5.5.2, Human Remains, concludes potential impacts of the project will be less than significant with compliance with state law, Mitigation Measure 4.5.6.1E has been added at the request of the tribe to help assure there will be no significant impacts related to the potential discovery of human remains during grading:

4.5.6.1E If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner. If the Riverside County Coroner determines the remains to be Native American, the California Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code §5097.98.

Section 4.5.6.2, Paleontological Resources

The following mitigation measure was added to address general concerns expressed by the Pechanga Band and Morongo Tribe (Letters A-4 and A-5, respectively).

4.5.6.2D Prior to grading permit issuance, the City shall verify that the following note is included on the Grading Plan:

"If any suspected paleontological resources are discovered during ground-disturbing activities, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call a qualified paleontologist to the site to assess the significance of the find. A qualified paleontologist shall evaluate the suspected resource. If the paleontologist determines that the find is not unique, construction shall be permitted to proceed. However, if the paleontologist determines that further information is needed to evaluate significance, the City of Moreno Valley shall be notified and a treatment plan shall be prepared and implemented in consultation with the City to protect the identified paleontological resource(s) from damage and destruction."

Draft EIR Section 4.6, HAZARDS AND HAZARDOUS MATERIALS

Section 4.6. Significant Impacts

This section did not identify any significant impacts related to hazardous materials, including past use of pesticides on the project site in the past. However, the following measure is proposed in response to comments in Letter D-4 in this regard:

4.6.6.1A Prior to issuance of a grading permit for the project, a qualified contractor shall test onsite soils for contamination by agricultural chemicals. If present in concentrations above established actionable levels or thresholds, these materials shall be removed and transported to an appropriate landfill by a licensed contractor. This measure shall be implemented to the satisfaction of the Building Division including written documentation of the disposal of any agricultural chemical residue in conformance with all applicable regulations.

Draft EIR Section 4.9, NOISE

Section 4.9.6.1 Short-Term Construction Noise Impacts (pages 4.9-26 and 4.9-27)

Mitigation Measure 4.9.6.1D was amended to be consistent with the City's Municipal Code for noise and to specify hourly limits for work nearest the existing residences. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

4.9.6.1D. During ~~all~~ project site construction activities at Building 6 (i.e., closest to existing residences), the construction contractor shall limit all construction-related activities ~~that would result in high noise levels~~ to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer for specific construction activities that must be conducted outside of the permitted time periods.

Draft EIR Section 4.11 TRANSPORTATION

Section 4.11. (page 4.11-14)

Section 4.11.6.6 Mitigation Measures (page 4.11-31)

The following text has been amended to clarify the intension of the measure. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

4.11.6.4A Prior to issuance of a ~~building permit~~ Certificate of Occupancy, the project applicant shall construct ~~pay the fair-share contribution toward~~ the following traffic improvements ~~through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program~~:

- **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is currently approved, and permitted by Caltrans. If not otherwise completed prior to project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.
- **Redlands Boulevard/Fir Avenue/Eucalyptus Avenue.** If not otherwise completed prior to project opening, prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements: Install a traffic signal and ~~This improvement is listed in the City's DIF program. A~~ add a northbound left-turn lane and a southbound left-turn lane. ~~These improvements are listed in the TUMF.~~

If the improvements are constructed by others prior to the Certificate of Occupancy, the applicant shall pay its fair share towards the improvements through the City's DIF program.

Draft EIR Section 4.12, UTILITIES AND SERVICE SYSTEMS

Section 4.12.1.7 Cumulative Impacts to Solid Waste Services (page 4.12-5)

The following text has been amended to clarify the Badlands Sanitary Landfill is scheduled to close in 2024 not 2016. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

AB 939 mandates the reduction of solid waste disposal in landfills. While the Badlands Sanitary Landfill has an estimated closure date of ~~2016~~ 2024, as previously identified, the City's waste hauler will also use other County landfills in the area (e.g., Lamb Canyon Landfill and El Sobrante Landfill). The estimated closure date of the Lamb Canyon Landfill is 2023 and the estimated closure date of the El Sobrante Landfill is 2030. With planned expansion activities of landfills in the project vicinity and projected growth rates contained within the City's General Plan EIR, sufficient landfill capacity would exist to accommodate future disposal needs through City build out in 2030. Therefore, build out of the City General Plan would not create demands for solid waste services that would exceed the capabilities of the County's waste management system. Consequently, cumulative impacts associated with solid waste within the City would be considered less than significant.

Draft EIR 4.13, GLOBAL CLIMATE CHANGE

Section 4.13.6.1 Greenhouse Gas Emissions (page 4.13-20)

The following text has been amended to clarify the intension of the measure. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

4.13.6.1B. Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the design and construction of the project:

- Use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.
- Use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.
- Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.
- Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
- Design the project building to exceed the California Building Code's (CBC) Title 24 energy standard, including, but not limited to, any combination of the following:
    - Increase 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 ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.
- Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping.
- Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings.
- Install light-colored "cool" roof) and cool pavements.
- Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Install solar or light-emitting diodes (LEDs) for outdoor lighting for auto parking areas.

Draft EIR 6.0, ALTERNATIVES

Section 6.5 Environmentally Superior Alternative (page 6-39)

There was a typographical error in Table 6.M under Alternative 5 for Air Quality that has been rectified below. This change to the Draft EIR does not result in a significant impact and has no material effect on the findings of the Draft EIR.

Table 6.M: Summary of Significant Environmental Impacts of the Project Alternatives

Topic	Proposed Project Impact	Impacts of Alternatives[1]					
		PP	1	2	3	4	5
Aesthetics	Scenic Vistas	S			S		
Aesthetics	Scenic Resources and Scenic Highways	S			S		
Aesthetics	Substantial degradation of the existing visual character or quality of the site and its surroundings	S			S		
Aesthetics	Cumulative Aesthetic Impacts	S			S		
Agriculture	Loss of State Designated Farmland	S		S		S	S
Agriculture	Conversion to a Non-agricultural Use	S		S		S	S
Agriculture	Cumulative Agricultural Resources	S		S		S	S
Land Use	Consistency with Regional or Local Land Use Plans, Policies, or Goals	S			S	S	
Land Use	Cumulative land use changes	S			S		
Air Quality	Construction Air Pollutant Emissions	S		S	S	S	S
Air Quality	Architectural Coating Emissions	S		S	S	S	S
Air Quality	Operational Air Pollutant Emissions	S		S	S	S	S
Air Quality	Consistency with Air Quality Management Plan	S		S	S		S
Air Quality	Cumulative Pollutant Air Emissions	S		S	S	S	S
Transportation	Opening Year (2016) with Project Level of Service	S		S	S	S	S
Transportation	Opening Year (2016) Cumulative with Project Level of Service	S		S	S	S	S
Transportation	Cumulative Traffic Impacts	S		S	S	S	S

Table 6.M: Summary of Significant Environmental Impacts of the Project Alternatives

Topic	Proposed Project Impact	Impacts of Alternatives[1]					
		PP	1	2	3	4	5

[1] Proposed Project (PP)
Alternative 1: No Project – No Build
Alternative 2: No Project (Tentative Tract Map 32255)
Alternative 3: Reduced Intensity
Alternative 4: Mixed Commercial/Office/Residential
Alternative 5: Off-Site Location
S = Significant

4. MITIGATION MONITORING AND REPORTING PROGRAM

4.1 INTRODUCTION

This Mitigation Monitoring and Reporting Program has been prepared for use in implementing mitigation for the:

ProLogis Eucalyptus Industrial Park

The program has been prepared in compliance with State law and the Environmental Impact Report (EIR) (State Clearinghouse No. 2008021002) prepared for the project by the City of Moreno Valley.

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid adverse effects on the environment (Public Resource Code Section 21081.6). The law states that the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program contains the following elements:

1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
3) The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

This Mitigation Monitoring and Reporting Program includes mitigation identified in the Final EIR.

4.2 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.

4.3 MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST

Project File Name: Eucalyptus Industrial Park **Applicant: Prologis**

Date: March 31, 2014

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
4.3 AIR QUALITY						
4.3.6.2A. Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Once prior to Grading and once during grading and construction operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.3.6.2B Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel (e.g., fuel other than diesel or gasoline) generators where feasible. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.	City of Moreno Valley Engineering and Building and Safety Planning Division	Once prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order
4.3.6.2C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier III Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the	City of Moreno Valley Engineering and Building and Safety Planning Division	Once prior to Grading	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
proposed project construction documents, which shall be reviewed by the City. Project start to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 horsepower shall meet Tier 3 off-road emission standards. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emission control devises used by the contractor shall achieve emission reductions that are no less than what would be achieved by a Level 3 diesel emission control strategy for a similarly sized engine as defined by CARB regulations. Post January 1, 2015: All off-road diesel–powered construction equipment greater than 50 horsepower shall meet Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emission control devises used by the contractor shall achieve emission reductions that are no less than what would be achieved by a Level 3 diesel emission control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit's certified tier specifications, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
4.3.6.2D All clearing, grading, earthmoving, or excavation activities shall cease when winds (as instantaneous gusts) exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions. On-site truck idling shall be prohibited in excess of five minutes.	City of Moreno Valley Engineering and Building and Safety Planning Division	Ongoing throughout construction	During grading	Review of construction documents and on-site inspection		Issuance of a Stop Work Order
4.3.6.2E 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.	City of Moreno Valley Engineering and Building and Safety Planning Division	Ongoing throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.3.6.2F The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.	City of Moreno Valley Engineering and Building and Safety Planning Division	Ongoing throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.3.6.2G Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).	City of Moreno Valley Engineering and Building and Safety Planning Division	Ongoing throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
4.3.6.2H The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and by not allowing construction equipment to be left idling for more than five minutes (per California law).	City of Moreno Valley Engineering and Building and Safety	Ongoing throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.3.6.2I The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	City of Moreno Valley Engineering and Building and Safety	Ongoing throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.3.6.2J. Grading plans, construction specifications and bid documents shall also include the following requirements: • Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall	City of Moreno Valley Engineering and Building and Safety Planning Division	Review plans, specifications, and bid documents prior to grading; conduct site inspections during construction operations.	Prior to Issuance of Grading Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order

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designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours; • High-pressure injectors shall be provided on diesel construction equipment if available; • Engine size of construction equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel powered construction equipment where gasoline powered equipment is available; • Use electric construction equipment where it is practical to use such equipment; • Install catalytic converters on gasoline-powered equipment where this type of equipment is available; • Ride-sharing program for the construction crew shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs; • Lunch vendor services shall be allowed on site during construction to minimize the need for off-site vehicle trips; and • All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.						
4.3.6.2K. Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues within 24 hours.	City of Moreno Valley Engineering and Building and Safety	Ongoing throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.3.6.2L. All project entrances 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 (3) minutes; and • Telephone numbers of the building facilities manager and CARB, to	City of Moreno Valley Engineering and Building and Safety	Ongoing throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
report violations. These measures shall be enforced by the on-site facilities manager (or equivalent).						
4.3.6.2M. During project grading and construction, the various project contractors shall adhere to the control measures listed in Tables 1.D and 1.E (attached to the MMRP).	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.3.6.3A Prior to the issuance of grading permits, the project applicant shall require by contract specifications that all trucks hauling dirt, sand, soil, or other loose materials are to e covered or shall maintain at least 2 feet of freeboard I accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and the top of the trailer).	City of Moreno Valley Engineering and Building and Safety	Throughout construction	During Construction	On-site inspection		Issuance of a Stop Work Order
4.3.6.3B. Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that construction access roads shall be paved at least 100 feet onto the site from the main road.	City of Moreno Valley Engineering and Building and Safety	Throughout construction	Prior to issuance of Grading Permits	On-site inspection		Issuance of a Stop Work Order
4.3.6.3C. Prior to the issuance of grading permits, the project applicant shall require by contract specifications that all streets within the construction site shall be swept once per day if visible soil materials are carried to adjacent streets.	City of Moreno Valley Engineering and Building and Safety Planning Division	One time Review and Approval of Grading Plans Throughout construction	Prior to issuance of Grading Permits During Construction	Review and Approval of Grading Plans On-site inspection		Withhold Grading Permit Issuance of a Stop Work Order
4.3.6.4A. The project applicant shall use	City of Moreno Valley	Throughout	During	On-site inspection		Issuance of a Stop

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
"Low-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.	Engineering and Building and Safety Planning Division	construction	Construction			Work Order
4.3.6.5B. Prior to issuance of building permits, the project applicant shall provide evidence to the City that energy-efficient and low-emission methods and features of building construction shall be incorporated into the project design. These methods and features may include (but are not limited to) the following: o Construction of buildings that exceed statewide energy requirements beyond Construction of buildings that exceed statewide energy requirements beyond 10 percent of that identified in Title 24, Part 6 Energy Efficiency Standards: o Use of low-emissions water heaters; o Use of central water-heating systems; o Use of energy-efficient appliances; o Use of increased insulation; o Use of automated controls for air conditioners;	City of Moreno Valley Engineering and Building and Safety and Planning Division	Prior to building and during construction operations.	Prior to Issuance of Building Permit	Review of construction documents and on-site inspection		Withhold Grading Permit or Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
o Use of energy-efficient parking lot lighting; and o Use of lighting controls and energy-efficient lighting. • Utilize low-VOC interior and exterior coatings during project repainting. • Provide on-site improvements such as sidewalks or pedestrian walkways to promote pedestrian activity and reduce the number of vehicle trips. • Installation of skylights and energy-efficient lighting that exceeds California Title 24 standards where feasible, including electronic dimming ballasts and computer-controlled daylight sensors in the buildings. • Shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and building shall be planted at the proposed project site. These strategies will minimize the heat island effect and thereby reduce the amount of air conditioning required. • Strategies to be considered include fans to assist natural ventilation, centralized water and space conditioning systems, high efficiency individual heating and cooling units, and automatic setback thermostats. • Reduction of energy demand associated with potable water conveyance through the following methods:						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
o Incorporating drought-tolerant plants into the landscaping palette; and o Use of water-efficient irrigation techniques. • Energy-efficient low-pressure sodium parking lot lights or equivalent as determined by the City shall be used; • Buildings shall be oriented north-south where feasible; • Implement an on-site circulation plan in parking lots to reduce vehicle queuing; • Develop a trip reduction plan to achieve 1.5 average vehicle ridership (AVR) for businesses with fewer than 250 employees or multi-tenant worksites; • Include bicycle parking facilities such as bicycle lockers and racks; • Include showers for bicycling employees use; and • Construct on-site pedestrian facility improvements such as building access that is physically separated from street and parking lot traffic and walk paths.						
4.3.6.6A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 10 percent until January 1, 2014. For building permits issued after that date, new state energy standards require a 20 percent reduction from 2008 Title 24, Part	City of Moreno Valley Building and Safety Planning Division	Prior to Construction (once)	Prior to Issuance of Building Permits	Review of building plans and on-site inspection		Withhold Building Permits

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
6 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. The following design features shall be used to fulfill this requirement: • Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City. • 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 shall be installed, as deemed acceptable by the City. Automatic devices to turn off lights when they are not needed shall be implemented. • To the extent that they are compatible with landscaping						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site. • Paint and surface color palette for the project shall emphasize light and off-white colors which reflect heat away from the buildings. • All buildings shall 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 shall implement the following: o Landscaping palette emphasizing drought-tolerant plants; o Use of water-efficient irrigation techniques; and, o U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads. • The project shall provide secure, weather-protected, on-site bicycle storage/parking. • The project shall provide on-site						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
showers (one for males and one for females). Lockers for employees shall be provided. • The project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce greenhouse gas (GHG) emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information. • The project shall provide preferential parking for carpools and vanpools. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the project site plan. • The project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
charging stations shall be indicated on the project building plan. • Lease/purchase documents shall identify that tenants are encouraged to promote the following: o Implementation of compressed workweek schedules. o SmartWay partnership; o Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long-haul trips carried by SmartWay 1.0 or greater carriers. o Achievement of at least 15 percent 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 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers. o Use of fleet vehicles conforming to 2010 air quality standards or better. o Installation of catalytic						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
converters on gasoline-powered equipment. o Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets. o Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles. o Provision of preferential parking for EV and CNG vehicles. o Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance. o Use of electric (instead of diesel or gasoline-powered) yard trucks. o Use of SmartWay 1.25 rated trucks. o Each facility operator shall provide regular sweeping of onsite parking and drive areas. o Each facility operator shall maintain a log of all trucks entering the facility to ensure that, on average, the daily truck fleet meets the quantities and emissions standards listed in the Draft EIR. This log shall be available for inspection by City staff at any time.						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
o Each facility operator shall prohibit all vehicles from idling in excess of five minutes in all onsite areas. o Each facility operator shall ensure that onsite staff in charge of keeping the daily log and monitoring for excess idling will be trained and certified in diesel health effects and technologies, such as by requiring attendance at CARB-approved courses. o Each facility operator upon occupancy that do not already operate 2007 and newer trucks shall in food faith apply for funding to replace or retrofit their trucks such as Carl Moyer, VIP, Prop 1B or similar funds. Should funds be awarded, the tenant shall be required to accept and use them.						
4.4 BIOLOGICAL RESOURCES						
4.4.6.1A. If tree removal or clearing and grubbing activities must take place during the general nesting season (February 1 through August 31), a nesting bird survey shall be conducted within seven (7) days prior to any vegetation disturbance activities. If passerine birds are found to be nesting or there is evidence of nesting behavior inside the impact area, an exclusion buffer, to be determined by the appropriate agency (e.g. the City, County, and/or CDFG), shall be set in place	City of Moreno Valley Planning Division	Prior to grading and periodic site inspections during grading	Prior to Issuance of Grading Permit	Review of Evidence that a qualified biologist has been hired and the pre-construction survey has been completed. Review of a report of the survey findings.		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
around the nest where no vegetation disturbance will be permitted. For raptor species, such as hawks and owls, this buffer may be as large as 500 feet. A qualified biologist shall closely monitor nests until it is determined that they are no longer active, at which time construction activity in the vicinity of nests may continue.				Periodic site inspections during construction activities during the nesting season to ensure compliance.		
4.4.6.1B. Prior to site grading, a pre-construction survey shall be required for the burrowing owl to confirm the presence/absence of this species from the site. The survey shall be conducted by a qualified biologist within 30 days prior to ground disturbance, and in accordance with MSHCP survey requirements, to avoid direct take of burrowing owls. If burrowing owls are determined to occupy the project site or immediate vicinity, the City of Moreno Valley Planning Department shall be notified and avoidance measures as identified in **Mitigation Measure 4.4.6.1C,** shall be implemented. Implementation of avoidance measures shall be executed pursuant to the MSHCP, the California Fish and Game Code, and the MBTA, and according the Burrowing Owl Survey Protocol and Mitigation Guidelines (California Burrowing Owl Consortium 1993) and reviewed the City of Moreno Valley, the Riverside Conservation Authority, and/or by the CDFG.	City of Moreno Valley Planning Division	Once prior to grading	Prior to Issuance of Grading Permit	Review of Evidence that a qualified biologist has been hired and the pre-construction survey has been completed. Review of a report of the survey findings.		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
4.4.6.1C. As recommended in the BUOW Survey and Mitigation Guidelines prepared by the California BUOW Consortium, no disturbance to an occupied burrow shall occur within approximately 160 feet of an occupied burrow during the non-breeding season (September 1 through January 31), or within approximately 250 feet of an occupied burrow during the breeding season (February 1 through August 31). For unavoidable impacts, passive relocation of burrowing owls shall be implemented. Passive relocation shall be conducted by a qualified biologist in accordance with procedures set forth by the MSHCP and California Burrowing Owl Consortium. Passive relocation of occupied burrows supporting a breeding pair of burrowing owls shall be conducted outside of the breeding season pursuant to the California Fish and Game Code and the MBTA.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Provide evidence to the City that the passive relocation plan has been approved by CDFG and USFWS.		Withhold Grading Permit
4.4.6.2A. As outlined in the project's Determination of a Biologically Equivalent or Superior Preservation (DBESP) report, the project applicant shall compensate for the temporary and permanent impact on and loss of jurisdictional waters and streambeds by providing a minimum 2:1 off-site replacement of equivalent riverine/riparian habitat prior to project construction. Offsite restoration, enhancement, and/or land purchase mitigation for the drainage impacts will occur at an offsite location through one or more of the following: an USACE approved mitigation bank, through an in lieu fee mitigation program, and/or land	City of Moreno Valley Planning Division	As outlined in the approved DBESP	Prior to Issuance of Certificate of Occupancy	Demonstrate completion of DBESP implementation measures		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
purchase and conservation. DFG and USFWS will need to provide concurrence that this mitigation is equivalent or superior to that proposed for impact through their review and acceptance of the DBESP.						
4.4.6.2B. Riparian/riverine resources that are temporarily impacted by project construction shall be returned to their preconstruction contours and hydroseeded, as outlined in the DBESP.	City of Moreno Valley Planning Division	Once, prior to issuance of Certificate of Occupancy	Prior to Issuance of Certificate of Occupancy	Applicant to demonstrate compliance with DBESP		Withhold Certificate of Occupancy
4.4.6.3A. The project applicant shall obtain a Section 404 Nationwide or Individual Permit, as appropriate, from the USACE, a Section 401/Porter-Cologne Water Quality Certification from the RWQCB, and a Section 1602 Streambed Alteration Agreement from the CDFG. Offsite restoration, enhancement, and/or land purchase mitigation of jurisdictional drainage impacts will occur at an off-site location through one or more of the following: an USACE approved mitigation bank, through an in-lieu fee mitigation program, and/or land purchase and conservation.	City of Moreno Valley Planning Division	Once, prior to issuance of Certificate of Occupancy	Prior to Issuance of Certificate of Occupancy	Project applicant to submit to the City a copy of the USACE Section 404 Permit and the Section 1602 Streambed Alteration Agreement from the CDFG		Withhold Certificate of Occupancy
CULTURAL RESOURCES						
4.5.6.1A Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Moreno Valley that a Cultural Resources Monitoring Agreement has been secured for qualified Tribal representatives, and that a professional archaeological monitor meeting Secretary of Interior standards	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit	Provide evidence to the City that a qualified archaeological monitor has been retained to oversee all ground altering activities		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
has been retained by the Applicant to conduct monitoring of all mass grading and trenching activities and has the authority to temporarily halt and redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist and Tribal representatives shall attend the pre-grading meeting with the City and contractors to explain and coordinate the requirements of the monitoring program.						
4.5.6.1B Prior to the issuance of a grading permit, the Applicant shall provide evidence to the City of Moreno Valley that appropriate Native American representative(s), Project Archaeologist, and the Tribal representative(s) shall be allowed to monitor and have received a minimum of 30 days advance notice of all mass grading and trenching activities. During grading and trenching operations, the Tribal representatives and the project archaeological monitor shall observe all mass grading and trenching activities per the Cultural Resources Monitoring Agreement. If the Tribal representatives suspect that an archaeological resource may have been unearthed, the archaeologist, in consultation with the tribal representative, shall immediately halt and redirect grading operations in a 100-foot radius around the find to allow identification and evaluation of the suspected resource. In consultation with the appropriate Native American Tribe(s), the archaeological monitor shall evaluate	City of Moreno Valley Planning Division	Prior to grading and throughout ground disturbing activities.	Prior to Issuance of Grading Permit	Provide evidence to the City that a qualified archaeological monitor has been retained to oversee all ground altering activities and that the Soboba, Morongo, and Pechanga Tribes have been notified as to when ground altering activities will occur on site. Tthe archaeological monitor shall invite one or more Native American monitors to participate in the monitoring program at the		Withhold Grading Permit and/or Issuance of a Stop Work Order

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the suspected resource and make a determination of significance pursuant to California Public Resources Code Section 21083.2.				expense of the applicant.		
4.5.6.1C If a significant archaeological resource(s) is discovered on the property, ground disturbing activities shall be suspended 100 feet around the resource(s). The archaeological monitor and representatives of the appropriate Native American Tribe(s), the Project Applicant, and the City Planning Division shall confer regarding mitigation of the discovered resource(s). A treatment plan and/or preservation plan shall be prepared and by the archaeological monitor and reviewed by representatives of the appropriate Native American Tribe(s), the Project Applicant, and the City Planning Division and implemented by the archaeologist to protect the identified archaeological resource(s) from damage and destruction. The landowner shall relinquish ownership of all archaeological artifacts that are of Native American origin found on the Project site to the culturally affiliated Native American tribe(s) for proper treatment and disposition. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to the City Planning Division, the appropriate Native American tribe(s), and the Eastern Information Center at the University of California, Riverside. All cultural material, excluding sacred, ceremonial, grave goods and human	City of Moreno Valley Planning Division	Throughout ground disturbing activities.	On-site Inspection during construction	If historic resources are found the archaeologist shall provide a recommendation to the City as to how to handle and evaluate the resources. If archaeological resources are found the archaeologist shall notify the applicant, City and local Native American representatives. A written disposition of the mitigation shall be provided to the City by the archaeologist.		Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
remains, collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site shall be curated, as determined by the treatment plan, according to the current professional repository standards and may include the Pechanga Bands curatorial facility.						
4.5.6.1D Prior to grading permit issuance, the City shall verify that the following note is included on the Grading Plan: "If any suspected archaeological resources are discovered during ground-disturbing activities and the archaeological monitor or Tribal representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the project archaeologist and the Tribal representatives to the site to assess the significance of the find."	City of Moreno Valley Planning Division	Once prior to issuing permit	Prior to Issuance of Grading Permit.	Verify that plans contain specified language		Withhold Grading Permit.
4.5.6.1E If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner. If the Riverside County Coroner determines the remains to be Native American, the California Native American Heritage Commission must be contacted	City of Moreno Valley Planning Division	Ongoing during ground disturbing activities.	On-site Inspection during construction if human remains are discovered.	The contractor and/or archaeologist shall contact the applicant and City if human remains are discovered.		Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
within 24 hours. The Native American Heritage Commission must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code §5097.98.						
4.5.6.2A. Prior to the issuance of grading permits, the project applicant shall submit to and receive approval from the City, a Paleontological Resource Impact Mitigation Program (PRIMP). The PRIMP shall include the provision of a trained paleontological monitor during on-site soil disturbance activities. The monitoring for paleontological resources shall be conducted during the rough-grading phase of the project. In the event that paleontological resources are unearthed or discovered during excavation, **Mitigation Measure 4.5.6.2C** shall apply. Conversely, if no paleontological resources are unearthed or discovered on site during excavation, no additional action is required.	City of Moreno Valley Planning Division	Prior to grading and on-going during ground disturbing activities.	Prior to Issuance of Grading Permit	Provide evidence to the City that a qualified paleontologist has been retained, and that the paleontologist(s) shall prepare a PRIMP for City approval. A qualified paleontologist(s) shall be retained by the applicant to monitor during rough grading. A report of findings shall be submitted to the City after the finalization of construction.		Withhold Grading Permit/ Issuance of a Stop Work Order
4.5.6.2B. The paleontological monitor shall be equipped to rapidly remove any	City of Moreno Valley Planning Division	Prior to grading and on-going	Prior to Issuance of Grading Permit	A qualified paleontologist(s)		Withhold Grading Permit/ Issuance of a

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
large fossil specimens encountered during excavation. During monitoring, samples of soil shall be collected and processed to recover microvertebrate fossils. Processing shall include wet screen washing and microscopic examination of the residual materials to identify small vertebrate remains.		during ground disturbing activities.		shall be retained by the applicant to monitor during rough grading. A report of findings shall be submitted to the City after the finalization of construction.		Stop Work Order
4.5.6.2C. If paleontological resources are unearthed or discovered during excavation of the project site, the monitoring for paleontological resources shall be conducted on a full-time basis for the duration of the rough-grading of the project site. The following recovery processes shall apply: • Upon encountering a large deposit of bone, salvage of all bone in the area shall be conducted with additional field staff and in accordance with modern paleontological techniques. • All fossils collected during the project shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of all material collected and identified shall be provided to the museum repository along with the specimens. • A report documenting the results of the monitoring and salvage activities	City of Moreno Valley Planning Division	Ongoing during ground disturbing activities.	When paleontological resources are unearthed or discovered	A qualified paleontologist(s) shall be retained by the applicant to monitor full time during the duration of ground disturbing activities. A report of findings shall be submitted to the City after the finalization of construction.		Issuance of a Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
and the significance of the fossils shall be prepared. • All fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a museum repository for permanent curation and storage.						
4.5.6.2D Prior to grading permit issuance, the City shall verify that the following note is included on the Grading Plan: "If any suspected paleontological resources are discovered during ground-disturbing activities, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call a qualified paleontologist to the site to assess the significance of the find. A qualified paleontologist shall evaluate the suspected resource. If the paleontologist determines that the find is not unique, construction shall be permitted to proceed. However, if the paleontologist determines that further information is needed to evaluate significance, the City of Moreno Valley shall be notified and a treatment plan shall be prepared and implemented in consultation with the City to protect the identified paleontological resource(s) from damage and destruction."	City of Moreno Valley Planning Division	Once before issuing grading permit.	Prior to Issuance of Grading Permit	Verify plans contain specified language.		Withhold Grading Permit

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HAZARDS AND HAZARDOUS MATERIALS						
4.6.6.1A Prior to issuance of a grading permit for the project, a qualified contractor shall test onsite soils for contamination by agricultural chemicals. If present in concentrations above established actionable levels or thresholds, these materials shall be removed and transported to an appropriate landfill by a licensed contractor. This measure shall be implemented to the satisfaction of the Building Division including written documentation of the disposal of any agricultural chemical residue in conformance with all applicable regulations.	City of Moreno Valley Planning Division	Prior to grading	Prior to Issuance of Grading Permit and receipt of supplemental Phase II soil testing	Applicant shall provide written results of subsequent soil testing for pesticides		Withhold Grading Permit
HYDROLOGY AND WATER QUALITY						
4.7.6.1A. Prior to grading plan approval and the issuance of a grading permit by the City, the project applicant shall provide evidence to the City that a Notice of Intent (NOI) has been filed with the Regional Water Quality Control Board for coverage under the State NPDES General Construction Permit for discharge of storm water associated with construction activities.	City of Moreno Valley Planning Division Building and Safety Engineering	Prior to grading	Prior to Issuance of Grading Permit and review of grading plan documents	Applicant shall provide written evidence that an NOI has been filed with the Regional Water Quality Control Board.		Withhold Grading Permit
4.7.6.1B. Prior to grading plan approval and the issuance of a grading permit by the City, the project applicant shall submit to the State Water Quality Control Board a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to	City of Moreno Valley Planning Division Building and Safety Engineering	Prior to grading and onsite inspection during construction	Prior to Issuance of Grading Permit	Review of grading and construction documents and on-site inspection. Applicant shall provide written evidence that a SWPPP has been		Withhold Grading Permit and/or Issuance of Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and nonvisible discharges from the site. BMPs to be implemented in the SWPPP may include, but shall not be limited to, the following: • Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP. • No materials of any kind shall be placed in drainage ways. • Materials that could contribute non-visible pollutants to storm water must be contained, elevated, and placed in temporary storage containment areas. • All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected per RWQCB standards to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences. The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to				filed with the Regional Water Quality Control Board.		

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
ensure NPDES compliance. • Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary. • The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time. In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.						
4.7.6.1C. Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that the following provisions have been added to construction contracts for the project: • The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.	City of Moreno Valley Planning Division Engineering	Once prior to grading	Prior to issuance of Grading Permit	City review and approval of grading plans.		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
4.7.6.2A. Prior to grading plan approval and the issuance of a grading permit by the City, the project applicant shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollution prevention, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable. BMPs to be implemented in the F-WQMP may include (but shall not be limited to) the following: • Required landscaped areas shall not use decorative concrete or impervious surfaces. • Landscape plans shall incorporate native and drought-tolerant plants, trees, and shrubs. Landscaping shall be maintained weekly and maintenance contractor will properly dispose of all landscape wastes. • Irrigation systems shall be inspected monthly by the landscape contractor to check for over-watering, leaks, or excessive runoff to paved areas. Timers will be used to prevent over-watering. • Signage will be inspected and maintained twice a year for legibility. • Outdoor Loading/Unloading truck docks shall be kept in a clean and orderly condition with weekly	City of Moreno Valley Planning Division Engineering	Once prior to grading	Prior to issuance of Grading Permit	City review and approval of Final Water Quality Management Plan		Withhold Grading Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
inspections, continuous monitoring, and immediate clean up of spills. • Parking area maintenance shall be swept or vacuumed at least quarterly, if there is any trash or debris in between the routine sweeping, it shall be swept or vacuumed immediately. • Trash enclosures will be inspected and maintained weekly or as needed by maintenance contractor. • On-site extended detention/sedimentation basins and sand filters will treat all of the site's runoff via vegetated swales and will be maintained and inspected at least twice a year and prior to October 1. • Additional BMPs will be documented in the WQMP and utilized if necessary. In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.						
4.7.6.3A. Prior to grading plan approval, the project proponent shall receive approval on a project-specific Final Hydrology Study, with supporting engineering calculations, from the City Engineer. The Final Hydrology Study shall incorporate relevant requirements identified by the City, and/or site-specific geotechnical investigations. A Preliminary	City of Moreno Valley Planning Division Engineering	Once prior to tentative tract map approval Once prior to	Prior to tentative tract map approval Prior to issuance of	City review and approval of Preliminary Hydrology Study City review and approval of Final		Withhold hearing to approve the tentative tract map. Withhold Grading

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Hydrology Study will be required prior to approval of the associated project tentative tract map.		grading	Grading Permit	Hydrology Study		Permit
NOISE						
4.9.6.1A. During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.	City of Moreno Valley Building and Safety Engineering Planning Division	Ongoing during construction	Throughout Construction	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
4.9.6.1B. The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.	City of Moreno Valley Building and Safety Engineering Planning Division	Ongoing throughout construction /on-site inspection	Throughout Construction	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
4.9.6.1C. 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 to the project site during all project construction.	City of Moreno Valley Building and Safety Engineering Planning Division	Ongoing throughout construction /on-site inspection	Throughout Construction	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order
4.9.6.1D. During project site construction activities at Building 6 (i.e., closest to existing residences), the construction contractor shall limit all construction-related activities to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer.	City of Moreno Valley Building and Safety Engineering Planning Division	Ongoing throughout construction /on-site inspection	Throughout Construction	Review of construction documents and on-site inspection		Withhold Grading Permit or Stop Work Order

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
TRANSPORTATION						
4.11.6.4A. Prior to issuance of a Certificate of Occupancy the project applicant shall construct the following traffic improvements: • **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is currently approved, and permitted by Caltrans. If not otherwise completed prior to project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy. • **Redlands Boulevard/Fir Avenue/Eucalyptus Avenue.** If not otherwise completed prior to project opening, prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements: Install a traffic signal and add a northbound left-turn lane and a southbound left-turn lane. If the improvements are constructed by others prior to the Certificate of Occupancy, the applicant shall pay its fair share towards the improvements through the City's DIF program.	City of Moreno Valley Building and Safety Engineering Planning Division	Prior to Certificate of Occupancy on the building.	Prior to the Issuance of a Certificate of Occupancy	Evidence of the construction of the improvements. If construction has already occurred by others evidence of payment of DIF fees.		Withhold Certificate of Occupancy
4.11.6.4B. Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley	City of Moreno Valley Building and Safety Engineering	Once before construction	Prior to the Issuance of Building Permits	Evidence of Payment of City DIF fees and WRCOG TUMF fees.		Withhold Building Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
based on the City's DIF system and the County's TUMF program: • **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is listed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Redlands Boulevard/Fir Avenue/Eucalyptus Avenue.** Install a traffic signal. This improvement is listed in the City's DIF program. Add a northbound left-turn lane and a southbound left-turn lane. These improvements are listed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location.	Planning Division					
4.11.6.4C. Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the	City of Moreno Valley Building and Safety Engineering	Once before construction	Prior to the Issuance of Building Permits	Evidence of Payment of City DIF fees and WRCOG TUMF fees.		Withhold Building Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
County's TUMF program: • **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/Cottonwood Avenue.** Add a southbound through lane. This improvement is listed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/Alessandro Boulevard.** Add a southbound through lane. This improvement is listed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is listed in the City's DIF program. Add a northbound through lane. The Redlands Boulevard/SR-60 Interchange reconstruction would implement the northbound through lane. The interchange reconstruction	Planning Division					

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
project is programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/SR-60 Eastbound Ramps.** The Redlands Boulevard/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Redlands Boulevard/Fir Avenue/Eucalyptus Avenue.** Install a traffic signal. Add a westbound right-turn lane and provide overlap phasing for the westbound right turns. Add a westbound left-turn lane and an eastbound left-turn lane. These improvements are programmed in the City's DIF program. Add a northbound left-turn lane, a southbound through lane, and a southbound left-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/Eucalyptus Avenue.** Add a southbound right-turn lane. This improvement is programmed in the TUMF. Therefore, payment of the TUMF fees would mitigate the significant impact at this						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
location. • **Redlands Boulevard/Alessandro Boulevard.** Add a southbound left-turn lane. This improvement is programmed in the TUMF. Therefore, payment of the TUMF fees would mitigate the significant impact at this location.						
4.11.6.4D. Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program. At some locations, the DIF and TUMF fees would not fully mitigate the project's impact. For these locations, additional improvements shall be implemented by the project applicant prior to the issuance of a certificate of occupancy for the project: • **Nason Street/Eucalyptus Avenue.** Add a northbound right turn lane. This improvement is programmed in the City's DIF; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, the project shall contribute a fair share (calculated to be 1.76%) toward restriping the westbound approach to provide dual left-turn lanes. • **Nason Street/Alessandro Boulevard.** Add an eastbound through lane and a westbound	City of Moreno Valley Building and Safety Engineering Planning Division	Once before construction and onsite inspection for improvements.	Prior to the Issuance of Building Permits Where improvements must be built by the developer – Prior to a Certificate of Occupancy on the first building.	Evidence of Payment to the City of fair share contribution in addition to payment of DIF, TUMF and build improvements where indicated in the mitigation measure.		Withhold Building Permit and/or Withhold Certificate of Occupancy.

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, the project shall contribute a fair share (calculated to be 1.4%) toward modification of the traffic signal to provide overlap phasing for the eastbound right-turn lane. • **Moreno Beach Drive/SR-60 Westbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/Eucalyptus Avenue.** Convert the existing eastbound through lane to a left-turn						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
lane and the eastbound right-turn lane to a shared through/right-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, the project shall contribute a fair share (calculated to be 8.63%) toward modification of the traffic signal to provide right-turn overlap phasing for the westbound right-turn lane. • **Moreno Beach Drive/Cottonwood Avenue.** Add a southbound through lane, This improvement is programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/Alessandro Boulevard.** Add 2 southbound through lanes, 2 northbound through lanes, an eastbound through lane, and a westbound through lane. These improvements are programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is programmed in the City's DIF program and will be installed before building occupancy since it was						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
identified as a direct project impact. • **Redlands Boulevard/SR-60 Eastbound Ramps.** The Redlands Boulevard/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Redlands Boulevard/Fir Avenue-Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane, eastbound through lane, eastbound left-turn lane, and a westbound right-turn lane with overlap phasing. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a southbound through lane, southbound left-turn lane, northbound through lane, and northbound left-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane. These improvements are programmed in the City's DIF						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a northbound left-turn lane and a southbound left-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/Alessandro Boulevard.** Install a traffic signal. This improvement is programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a southbound left-turn lane, a northbound left-turn lane, a westbound left-turn lane, an eastbound left-turn lane, a westbound right-turn lane, and a southbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location.						
4.11.6.4E. Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program, or through a fair-share contribution to the City of Moreno Valley as noted below:	City of Moreno Valley Building and Safety Engineering Planning Division	Once before construction	Prior to the Issuance of Building Permits	Evidence of Payment of City DIF fees and WRCOG TUMF fees or fair share contribution		Withhold Building Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• **Nason Street/Eucalyptus Avenue.** Add a northbound right-turn lane and an eastbound right-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. Implementation of the improvements identified for this intersection in **Mitigation Measure 4.11.6.4D** would also partially mitigate the significant impact at this intersection. In addition, the project shall pay a fair share (calculated to be 1.6%) toward modification of the traffic signal to provide right-turn overlap phasing for the eastbound and northbound right turns. • **Nason Street/Alessandro Boulevard.** Add an eastbound through lane and westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. Implementation of the improvements identified for this intersection in **Mitigation Measure 4.11.6.4D** would also partially mitigate the significant impact at this intersection. In addition, the project shall pay a fair share (calculated to be 1.35%) toward the addition of an eastbound left-turn lane and modification of the traffic signal to provide overlap						

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phasing for the westbound right-turn lane. • **Moreno Beach Drive/SR-60 Westbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/Eucalyptus Avenue.** Restripe eastbound approach to dual left-turn lanes and add a northbound through lane, a westbound through lane, and a southbound right-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. Implementation of the improvements						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
identified for this intersection in **Mitigation Measure 4.11.6.4D** would also partially mitigate the significant impact at this intersection. In addition, the project shall pay a fair share (calculated to be 5.17%) toward modification of the traffic signal to provide right-turn overlap phasing for the southbound right-turn lane. • **Moreno Beach Drive/Cottonwood Avenue.** Add a southbound through lane, a northbound through lane, an eastbound left-turn lane, an eastbound through lane, a westbound through lane, and a westbound left-turn lane. These improvements are programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/Alessandro Boulevard.** Add 2 southbound through lanes, 2 northbound through lanes, an eastbound through lane, and a westbound through lane. These improvements are programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Auto Mall Drive/Eucalyptus Avenue.** Install a traffic signal. This improvement is programmed in the City's DIF program. Therefore,						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
payment of the DIF fee would mitigate the significant impact at this location. • **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is programmed in the City's DIF program and will be installed before building occupancy since it was identified as a direct project impact. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Redlands Boulevard/SR-60 Eastbound Ramps.** The Redlands Boulevard/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Redlands Boulevard/Fir Avenue-Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane, eastbound through lane, eastbound left-turn lane, a westbound right-turn lane with overlap phasing, and a southbound right-turn lane with overlap phasing. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection.						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
In addition, add a southbound through lane, a southbound left-turn lane, a northbound through lane, a northbound left-turn lane, and a northbound right-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the TUMF fee would also partially mitigate the significant impact at this location. In addition, the project shall pay a fair share (calculated to be 10.44%) of the cost of adding a southbound left-turn lane. • **Redlands Boulevard/Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a northbound left-turn lane, a northbound through lane, a southbound left-turn lane, and southbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/Cottonwood Avenue.** Add an eastbound through lane and westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection.						

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Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
In addition, add a northbound through lane and a southbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/Alessandro Boulevard.** Install a traffic signal. This improvement is programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, and add a southbound left-turn lane, a northbound left-turn lane, a westbound left-turn lane, an eastbound left-turn lane, a westbound right-turn lane, a southbound through lane, a westbound through lane, and an eastbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location.						
4.11.6.4F. If the Encilia Avenue and Quincy Street Connection plan is implemented as part of the proposed project, then prior to issuance of building permits, the project applicant shall implement the following improvements, in addition to those identified in **Mitigation Measure 4.11.6.4.E**, either through fees paid to the City of Moreno Valley based on the City's DIF system and the County's	City of Moreno Valley Building and Safety Engineering Planning Division	Once before construction	Prior to the Issuance of Building Permits	Evidence of Payment of City DIF fees and WRCOG TUMF fees or fair share contribution.		Withhold Building Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
TUMF program: • **Moreno Beach Drive/Eucalyptus Avenue.** Restripe the southbound shared through/right-turn lane to a southbound through lane. This improvement is programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the impacts of the project at this intersection. • **Redlands Boulevard/Fir Avenue-Eucalyptus Avenue.** Pay the fair share (calculated to be 10.84%) to add a southbound right-turn lane. • **Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane. These improvements are programmed in the City's DIF program. In addition, add a northbound left-turn lane, northbound through lane, southbound left-turn lane, and a southbound through lane. These improvements are programmed in the TUMF program. Therefore, payment of the DIF and TUMF fees would fully mitigate the impact of the project at this intersection. • **Moreno Beach Drive/Encilia Avenue.** Install a traffic signal and add a northbound through lane, southbound left-turn lane, and a southbound through lane. This improvement is programmed in the						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
City's DIF program. Therefore, payment of the DIF fee would mitigate the impacts of the project at this intersection.						
GREENHOUSE GASES AND GLOBAL CLIMATE CHANGE						
4.13.6.1A. Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following: • Exterior windows shall utilize window treatments for efficient energy conservation. • Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used. • Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, and water heating) shall be commissioned by the Commissioning Authority.	City of Moreno Valley Building and Safety Planning Division	Once prior to construction	Prior to issuance of building permits	Review of construction documents and on-site inspection		Withhold Building Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.						
4.13.6.1B. Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been incorporated into the design and construction of the project: • Use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions. • Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment. This would reduce GHG emissions because electricity can be produced	City of Moreno Valley Building and Safety Planning Division	Once prior to construction Once during on-site inspection	Prior to issuance of building permits	Review of construction documents/building plans and on-site inspection		Withhold Building Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
more efficiently at centralized power plants. • Design the project building to exceed the California Building Code's (CBC) Title 24 energy standard, including, but not limited to, any combination of the following: o Increase insulation such that heat transfer and thermal bridging is minimized. o Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. o Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment. • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. • Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings. • Install reflective roof material (SRI >45) and cool pavements. • Install energy-efficient heating and cooling systems, appliances and						

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
equipment, and control systems. • Install solar or light-emitting diodes (LEDs) for outdoor lighting for auto parking areas.						
4.13.6.1C. Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project: • The project applicant shall use less than 3,900 Global Warming Potential (GWP) hydrofluorocarbon (HCF) refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment. • Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing windows. • Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate: o Install drought-tolerant plants for landscaping. o Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed	City of Moreno Valley Building and Safety Planning Division	Once Prior to construction Once during on-site inspection	Prior to issuance of occupancy permit	Review of construction documents and on-site inspection		Withhold Occupancy Permit

Mitigation Measure No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
water. o Install water-efficient irrigation systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance. • Provide employee education about reducing waste and available recycling services.						

Table 1.D: Air Quality Measure 4.3.6.2M Best Available Control Measures for Fugitive Dust (Apply to All Construction Activities)

Source Category	Control Measures	Guidance
Backfilling	• Stabilize backfill material when not actively handling; and • Stabilize backfill material during handling; and • Stabilize soil at completion of activity.	• Mix backfill soil with water prior to moving; and • Dedicate water truck or high capacity hose to backfilling equipment; and • Empty loader bucket slowly so that no dust plumes are generated; and • Minimize drop height from loader bucket.
Clearing and grubbing	• Maintain stability of soil through pre-watering of site prior to clearing and grubbing; and • Stabilize soil during clearing and grubbing activities; and • Stabilize soil immediately after clearing and grubbing activities.	• Maintain live perennial vegetation where possible; and • Apply water in sufficient quantity to prevent generation of dust plumes.
Clearing forms	• Use water spray to clear forms; or • Use sweeping and water spray to clear forms; or • Use vacuum system to clear forms.	• Use of high pressure air to clear forms may cause exceedance of Rule requirements.
Crushing	• Stabilize surface soils prior to operation of support equipment; and • Stabilize material after crushing.	• Follow permit conditions for crushing equipment; and • Pre-water material prior to loading into crusher; and • Monitor crusher emissions opacity; and • Apply water to crushed material to prevent dust plumes.
Cut and fill	• Pre-water soils prior to cut and fill activities; and • Stabilize soil during and after cut and fill activities.	• For large sites, pre-water with sprinklers or water trucks and allow time for penetration; and • Use water trucks/pulls to water soils to depth of cut prior to subsequent cuts.
Demolition – mechanical/manual	• Stabilize wind erodible surfaces to reduce dust; and • Stabilize surface soil where support equipment and vehicles will operate; and • Stabilize loose soil and demolition debris; and • Comply with AQMD Rule 1403.	• Apply water in sufficient quantities to prevent the generation of visible dust plumes.

Table 1.D: Air Quality Measure 4.3.6.2M Best Available Control Measures for Fugitive Dust (Apply to All Construction Activities)

Source Category	Control Measures	Guidance
Disturbed soil	• Stabilize disturbed soil throughout the construction site; and • Stabilize disturbed soil between structures.	• Limit vehicular traffic and disturbances on soils where possible; and • If interior block walls are planned, install as early as possible; and • Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes.
Earthmoving activities	• Pre-apply water to depth of proposed cuts; and • Re-apply water as necessary to maintain soils in a damp condition and to ensure that visible emissions do not exceed 100 ft in any direction; and • Stabilize soils once earth-moving activities are complete.	• Grade each Project phase separately, timed to coincide with construction phase; and • Upwind fencing can prevent material movement on site; and • Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes.
Importing/exporting of bulk materials	• Stabilize material while loading to reduce fugitive dust emissions; and • Maintain at least 6 inches of freeboard on haul vehicles; and • Stabilize material while transporting to reduce fugitive dust emissions; and • Stabilize material while unloading to reduce fugitive dust emissions; and • Comply with CVC Section 23114.	• Use tarps or other suitable enclosures on haul trucks; and • Check belly-dump truck seals regularly and remove any trapped rocks to prevent spillage; and • Comply with track-out prevention/mitigation requirements; and • Provide water while loading and unloading to reduce visible dust plumes.
Landscaping	• Stabilize soils, materials, slopes	• Apply water to materials to stabilize; and • Maintain materials in a crusted condition; and Maintain effective cover over materials; and • Stabilize sloping surfaces using soil binders until vegetation or ground cover can effectively stabilize the slopes; and Hydroseed prior to rain season.
Road shoulder maintenance	• Apply water to unpaved shoulders prior to clearing; and • Apply chemical dust suppressants and/or washed gravel to maintain a stabilized surface after completing road shoulder maintenance.	• Installation of curbing and/or paving of road shoulders can reduce recurring maintenance costs; and • Use of chemical dust suppressants can inhibit vegetation growth and reduce future road shoulder maintenance costs.

Table 1.D: Air Quality Measure 4.3.6.2M Best Available Control Measures for Fugitive Dust (Apply to All Construction Activities)

Source Category	Control Measures	Guidance
Screening	• Pre-water material prior to screening; and • Limit fugitive dust emissions to opacity and plume length standards; and • Stabilize material immediately after screening.	• Dedicate water truck or high capacity hose to screening operation; and • Drop material through the screen slowly and minimize drop height; and • Install wind barrier with a porosity of no more than 50 percent upwind of screen to the height of the drop point.
Staging areas	• Stabilize staging areas during use; and • Stabilize staging area soils at project completion.	• Limit size of staging area; and • Limit vehicle speeds to 15 miles per hour; and • Limit number and size of staging area entrances/exits.
Stockpiles/bulk material handling	• Stabilize stockpiled materials, and stockpiles within 100 yards of off-site occupied buildings must not be greater than 8 ft in height; or must have a road bladed to the top to allow water truck access or must have an operational water irrigation system that is capable of complete stockpile coverage.	• Add or remove material from the downwind portion of the storage pile; and • Maintain storage piles to avoid steep sides or faces.
Traffic areas for construction activities	• Stabilize all off-road traffic and parking areas; and • Stabilize all haul routes; and • Direct construction traffic over established haul routes.	• Apply gravel/paving to all haul routes as soon as possible to all future roadway areas; and • Barriers can be used to ensure vehicles are only used on established parking areas/haul routes.
Trenching	• Stabilize surface soils where trencher or excavator and support equipment will operate; and • Stabilize soils at the completion of trenching activities.	• Pre-watering of soils prior to trenching is an effective preventive measure. For deep trenching activities, pre-trench to 18 inches, soak soils via the pre-trench and resuming trenching; and • Washing mud and soils from equipment at the conclusion of trenching activities can prevent crusting and drying of soil on equipment.
Truck loading	• Pre-water material prior to loading; and • Ensure that freeboard exceeds 6 inches (CVC 23114).	• Empty loader bucket such that no visible dust plumes are created; and • Ensure that the loader bucket is close to the truck to minimize drop height while loading.
Turf overseeding	• Apply sufficient water immediately prior to conducting turf vacuuming activities to meet opacity and plume length standards; and • Cover haul vehicles prior to exiting the site.	• Haul waste material immediately off site.
Unpaved roads/parking lots	• Stabilize soils to meet the applicable performance standards; and • Limit vehicular travel to established unpaved roads (haul routes) and unpaved parking lots.	• Restricting vehicular access to established unpaved travel paths and parking lots can reduce stabilization requirements.

Table 1.D: Air Quality Measure 4.3.6.2M Best Available Control Measures for Fugitive Dust (Apply to All Construction Activities)

Source Category	Control Measures	Guidance
Vacant land	• In instances where vacant lots are 0.10 acre or larger and have a cumulative area of 500 sf or more that are driven over and/or used by motor vehicles and/or off-road vehicles, prevent motor vehicle and/or off-road vehicle trespassing, parking and/or access by installing barriers, curbs, fences, gates, posts, signs, shrubs, trees, or other effective control measures.	

ac = acre(s) AQMD = Air Quality Management District CVC = California Vehicle Code ft = feet sf = square feet

Table 1.E: Air Quality Measure 4.3.6.2M Contingency Control Measures for Fugitive Dust (During High Winds in Excess of 25 MPH)

Fugitive Dust Source Category	Control Measures
Earthmoving	• Cease all active operations; or • Apply water to soil not more than 15 minutes prior to moving such soil.
Disturbed surface areas	• On the last day of active operations prior to a weekend, holiday, or any other period when active operations will not occur for not more than 4 consecutive days: apply water with a mixture of chemical stabilizer diluted to not less than $^{1}/_{20}$ of the concentration required to maintain a stabilized surface for a period of 6 months; or • Apply chemical stabilizers prior to wind event; or • Apply water to all unstabilized disturbed areas 3 times per day. If there is any evidence of wind driven fugitive dust, watering frequency is increased to a minimum of 4 times per day; or • Establish a vegetative ground cover within 21 days after active operations have ceased. Ground cover must be of sufficient density to expose less than 30 percent of unstabilized ground within 90 days of planting, and at all times thereafter; or • Utilize any combination of these control actions such that, in total, these actions apply to all disturbed surface areas.
Unpaved roads	• Apply chemical stabilizers prior to wind event; or • Apply water 2 times per hour during active operation; or • Stop all vehicular traffic.
Open storage piles	• Apply water 2 times per hour; or • Install temporary coverings.
Paved road track-out	• Cover all haul vehicles; or • Comply with the vehicle freeboard requirements of Section 23114 of the CVC for both public and private roads.
All categories	• Executive Officer and the USEPA as equivalent to the methods specified in this table may be used.

CVC = California Vehicle Code
USEPA = United States Environmental Protection Agency

APPENDIX A

ATTACHMENTS TO JOHNSON & SEDLACK COMMENT LETTER DATED SEPTEMBER 4, 2012

APPENDIX B

SB 18 CONSULTATION DOCUMENTATION

SENATE BILL 18 (SB18) NATIVE AMERICAN CONTACT RECORD

Proposed Eucalyptus Industrial Park Project, City of Moreno Valley, Riverside County, California

Date LSA Requested a Sacred Lands File Search from the Native American Heritage Commission (NAHC): July 13, 2011.
Date the NAHC Replied: July 20, 2011.
Results of Sacred Lands File Search: Native American cultural resources were *not* identified in the USGS coordinates specified for the project area; however, the NAHC recommended that 10 tribes/individuals be contacted for information regarding cultural resources that could be impacted.

Groups Contacted	Date LSA Sent Letter to Tribes	Date a Response to the Letter was Received by LSA (if Applicable)	Date and Results of LSA Follow-up Telephone Calls and/or emails
Los Coyotes Band of Mission Indians Spokesperson *Cahuilla*	07-25-11	No response received.	08-09-11: A follow up email was sent. 08-16-11: A message was left with an administrator. The Tribe will return the call if there are concerns.
Santa Rosa Band of Mission Indians Mayme Estrada, Chairwoman *Cahuilla*	07-25-11	No response received.	08-09-11: A follow up email was sent to Ms. Estrada, and also to Steven Estrada in Cultural Resources. 08-10-11: An email was received from Gabriella Rubalcava, Tribal Council. The email stated that the Band does not have specific concerns and deferred further consultation to Joe Ontiveros, Soboba Band of Luiseño Indians.
Pala Band of Mission Indians Tribal Historic Preservation Office/Shasta Gaughen *Luiseño, Cupeño*	07-25-11	No response received.	08-09-11: A follow up email was sent to Ms. Gaughen. She responded to say that the project is outside of their area and they have no concerns. A letter is forthcoming. 08-10-11: A letter stating the above dated August 5, 2011 was received.
Morongo Band of Mission Indians Robert Martin, Chairperson *Cahuilla, Serrano*	07-25-11	No response received.	08-09-11: A follow up email was sent to Michael Contreras. He is the spokesperson for cultural resources. 08-17-11: Mr. Contreras responded by telephone to state that they have no concerns at this time. He requested a copy of the final report and a City contact should the Tribe wish to engage in formal consultation.
Ramona Band of Cahuilla Mission Indians Joseph Hamilton, Chairman *Cahuilla*	07-25-11	No response received.	08-09-11: A follow up email was sent to Mr. Hamilton, and also to John Gomez in Cultural Resources. 08-16-11: A second follow up email was sent to Mr. Hamilton and Mr. Gomez.
Pechanga Band of Mission Indians Mark Macarro, Chairperson *Luiseño*	07-25-11	No response received.	08-09-11: A follow email was sent to Terrie Brown, Executive Secretary, and also to Paul Macarro and Anna Hoover in Cultural Resources. Ms. Hoover

Groups Contacted	Date LSA Sent Letter to Tribes	Date a Response to the Letter was Received by LSA (if Applicable)	Date and Results of LSA Follow-up Telephone Calls and/or emails
			responded to say that they do have comments and will send an official comment letter directly to the City.
San Manuel Band of Mission Indians James Ramos, Chairperson *Serrano*	07-25-11	No response received.	08-09-11: A follow up email was sent to Mr. Ramos, and also to Ann Brierty in Cultural Resources. 08-16-11: A voicemail was left for Ms. Brierty.
Serrano Nation of Indians Goldie Walker *Serrano*	07-25-11	No response received.	08-16-11: Mark Lee Cochrane, Ms. Walker's son who is also on the Tribal Council, spoke for the Tribe. They would like to be notified of any discoveries and also request a copy of the final report.
Soboba Band of Mission Indians Scott Cozaet, Chairperson; Attn. Carrie Garcia *Luiseño*	07-25-11	No response received.	08-09-11: A follow up email was sent to Darren Hill (the email contact provided by the NAHC) and also to Joe Ontiveros in Cultural Resources. The email to Mr. Hill was returned. 08-16-11: A voicemail was left for Carrie Garcia, the Executive Secretary for Chairman Cozaet as shown on the NAHC list. 08-17-11: A letter was received via email from Joe Ontiveros, Cultural Resources Department. The letter stated that the project is within the Tribe's Traditional Use Area and is very sensitive to the people of Soboba. The Tribe requests government to government consultation in accordance with SB18; that Soboba continue to be the lead consulting Tribe for the project; that project construction be monitored by a Soboba monitor; and that the proper procedures be taken and the requests of the Tribe are honored.
Cahuilla Band of Indians Luther Salgado, Sr., Chairperson *Cahuilla*	07-25-11	No response received.	08-09-11: A follow up email was sent to Mr. Salgado, and also to Environmental Officer Yvonne Markel. Ms. Markel responded to say that the Tribe presently has no knowledge of cultural resources within the project area. However, due to the possibility of encountering cultural resources during construction, they request monitoring by a Native American and can provide trained monitors. They also would like to request copies of any cultural resource documentation.

08/23/11 (P:\PLO1101\SB 18 NA Consultation\cons rec 08-23-11.doc)

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APPENDIX C

REGIONAL AGRICULTURE REPORTS

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ProLogis Eucalyptus Industrial Park

JULY 2012

DRAFT
ENVIRONMENTAL IMPACT REPORT

CITY OF MORENO VALLEY
RIVERSIDE COUNTY, CALIFORNIA

LSA

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DRAFT

ENVIRONMENTAL IMPACT REPORT
STATE CLEARINGHOUSE NO. 2008021002

PROLOGIS EUCALYPTUS INDUSTRIAL PARK

(formerly PROLOGIS PARK MORENO VALLEY EUCALYPTUS PROJECT)

CITY OF MORENO VALLEY
RIVERSIDE COUNTY, CALIFORNIA

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LSA Project No. PLO1101

LSA

July 2012

The City of Moreno Valley has independently reviewed, analyzed, and exercised its judgment in the analysis contained in this Environmental Impact Report and supporting documentation pursuant to Section 21082 of the California Environmental Quality Act.

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1.0 EXECUTIVE SUMMARY

1.1 INTRODUCTION

The Draft Environmental Impact Report (EIR) (State of California Clearinghouse No. 2008021002) for the Eucalyptus Industrial Park, formerly known as the "ProLogis Park Moreno Valley Eucalyptus Project" (proposed project or project) has been prepared by LSA Associates, Inc. on behalf of the City of Moreno Valley (City) to: 1) identify the proposed project's impacts on the environment; 2) to discuss alternatives to the proposed project; and 3) to propose mitigation measures that will offset, minimize or otherwise avoid significant environmental impacts. This EIR has been prepared in accordance with the California Environmental Quality Act[1] (CEQA) and Sections 15120 through 15131 and 15161 of the *Guidelines for California Environmental Quality Act,*[2] both of which regulate the preparation of EIRs. Based on the potential impacts of the proposed project, including cumulative impacts, and the comments received during the public review of the Initial Study (IS) and public scoping meeting, the City determined that an EIR should be prepared to analyze potential impacts of the proposed project with respect to the following environmental issues:

- Aesthetics;
- Agricultural Resources;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Hazards and Hazardous Materials;
- Hydrology, Drainage, and Water Quality;
- Land Use;
- Noise;
- Population and Housing;
- Traffic and Circulation;
- Utilities and Service Systems; and
- Greenhouse Gas Emissions and Global Climate Change.

These thirteen environmental issues are individually addressed in Section 4.0 (Environmental Analysis). Based on the analysis provided in the IS (contained in Appendix A) for the proposed project, all impacts associated with the following five environmental issues were determined to be "Effects Not Found to be Significant" according to Section 15128 of the *CEQA Guidelines* and are not addressed in detail in Section 4 of this EIR:

- Forest Resources;
- Geology and Soils;
- Mineral Resources;
- Public Services; and
- Recreation.

[1] *California Environmental Quality Act*, as of January 1, 2011, §§21000–21178, Public Resources Code, State of California.
[2] *Guidelines for California Environmental Quality Act*, as amended January 1, 2008, §§15000–15387, California Code of Regulations, Title 14, Chapter 3, State of California.

The site does not contain forest or mineral resources, so there is no need for the EIR to evaluate these resources. The project is industrial in nature, will provide appropriate development impact fees, and there are adequate existing services to the surrounding area, so there is no need for the EIR to evaluate public services and recreation. Finally, there are no earthquake faults or unusual geologic or soil conditions in the project area, the project would experience ground shaking similar to the region as a whole, and the project will have to comply with City and State seismic guidelines, so the EIR does not need to evaluate geological and soil impacts. Additional discussion of these issues is provided in the IS (Appendix A).

1.2 PROPOSED PROJECT

The proposed project site is located in the eastern portion of the City of Moreno Valley, Riverside County (Figure 1.1). The 122.8-acre project site is generally located south of State Route 60 (SR-60), east of Moreno Valley Auto Mall, and adjacent to and west of the Quincy Channel.

The proposed development would result in the construction and operation of a warehouse facility comprising six buildings consisting of approximately 2,244,638 square feet. As indicated in Figure 1.2, the project site is divided into northern and southern areas. The northern area, north of Fir Avenue/future Eucalyptus Avenue would contain approximately 1,030,377 square feet of warehouse uses divided between two buildings (Building One = approximately 168,342 square feet; Building Two = approximately 862,035 square feet). Development in the southern portion of the site, south of Fir Avenue/future Eucalyptus Avenue would consist of approximately 1,214,261 square feet of warehouse uses divided among four buildings (Building Three = approximately 160,106 square feet; Building Four = approximately 339,015 square feet; Building Five = approximately 390,102 square feet; and Building Six = approximately 325,038 square feet). Since the proposed uses are not consistent with the current General Plan and zoning, implementation of the project would require amendments to the City's General Plan and zoning designations for the project site. The EIR evaluated "worst-case" conditions of the project operating 24 hours per day, 7 days per week.

It is important to note that the proposed project would require and proposes the following changes:

- Approval of a General Plan Amendment to change the land use designation of 71.2 acres of the project site from Residential (R15, R5, and R2) to Business Park.
- Approval of a Zone Change of the entire 122.8 acres from its current zoning of Business Park (BP), Business Park/Mixed Use (BPX), Multi-Family Residential (R15), Suburban Residential (R5), and Residential Agriculture (RA-2) to Light Industrial (LI).
- Approval of an amendment to the Circulation Element of the General Plan that would be consistent with the proposed site plan as identified in Figure 3.3 (q.v.):
    - Eliminate the undeveloped Quincy Street from State Route 60 (SR-60) south to Cottonwood Avenue; and
    - Eliminate the undeveloped portion of Encilia Avenue between the Quincy Street Channel and Eucalyptus Avenue to the north, and an unnamed connection between Encilia and Moreno Beach Drive to the west.
- Approval of an amendment to the Master Plan of Trails to relocate the Eucalyptus Avenue Trail to the north side of Eucalyptus Avenue and/or eliminate the planned trail segment on Quincy Avenue from SR-60 to Fir Avenue.

The proposed project is designed to be consistent with a recent Municipal Code Amendment that establishes a minimum clearance or setback of 250 feet between any residential zoning district and a truck court or primary truck circulation driveway of an adjacent industrial use (Ordinance #830).

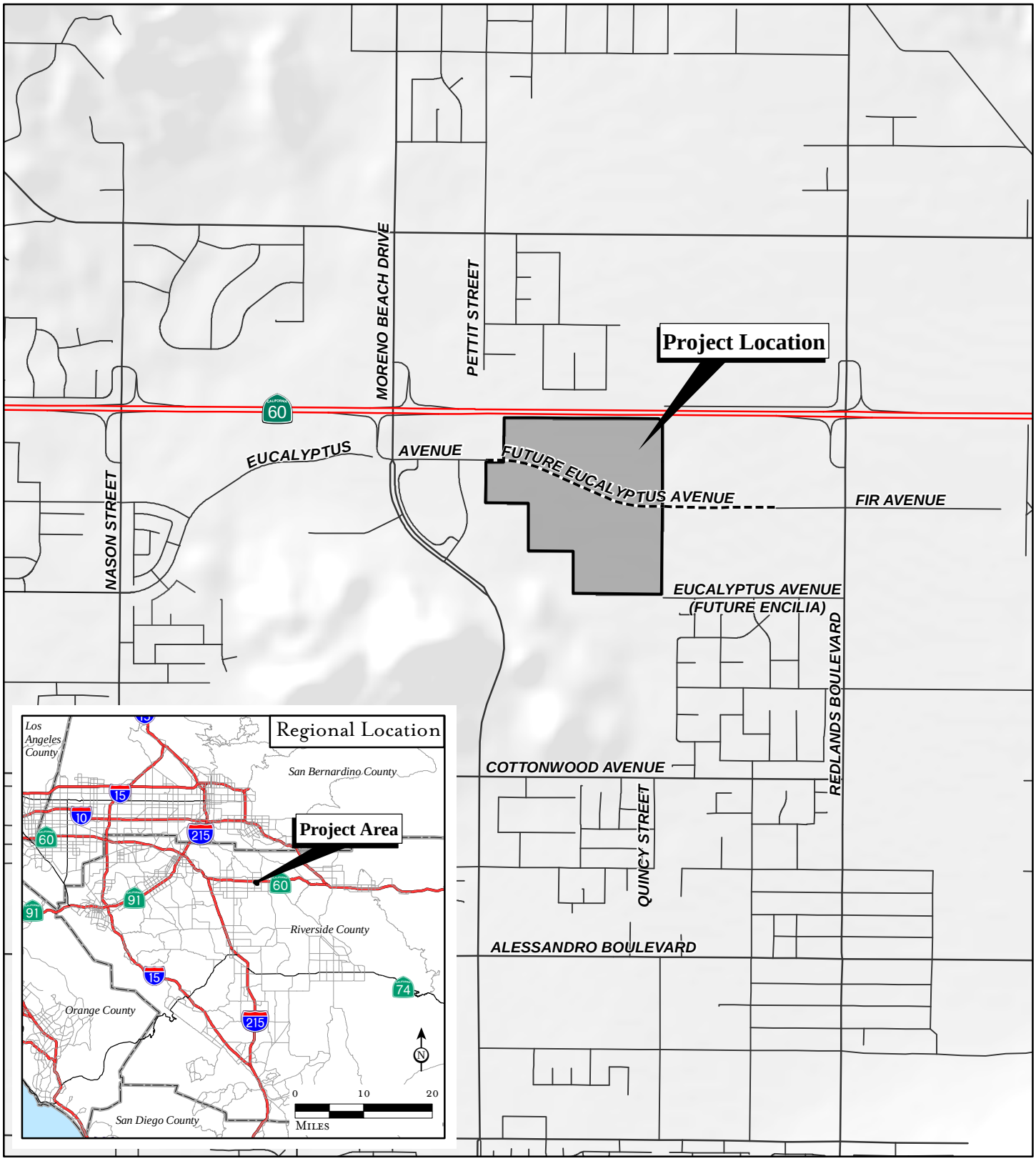

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FIGURE 1.1

SOURCE: County of Riverside, 2011.

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Eucalyptus Industrial Park
Environmental Impact Report

Regional and Project Location

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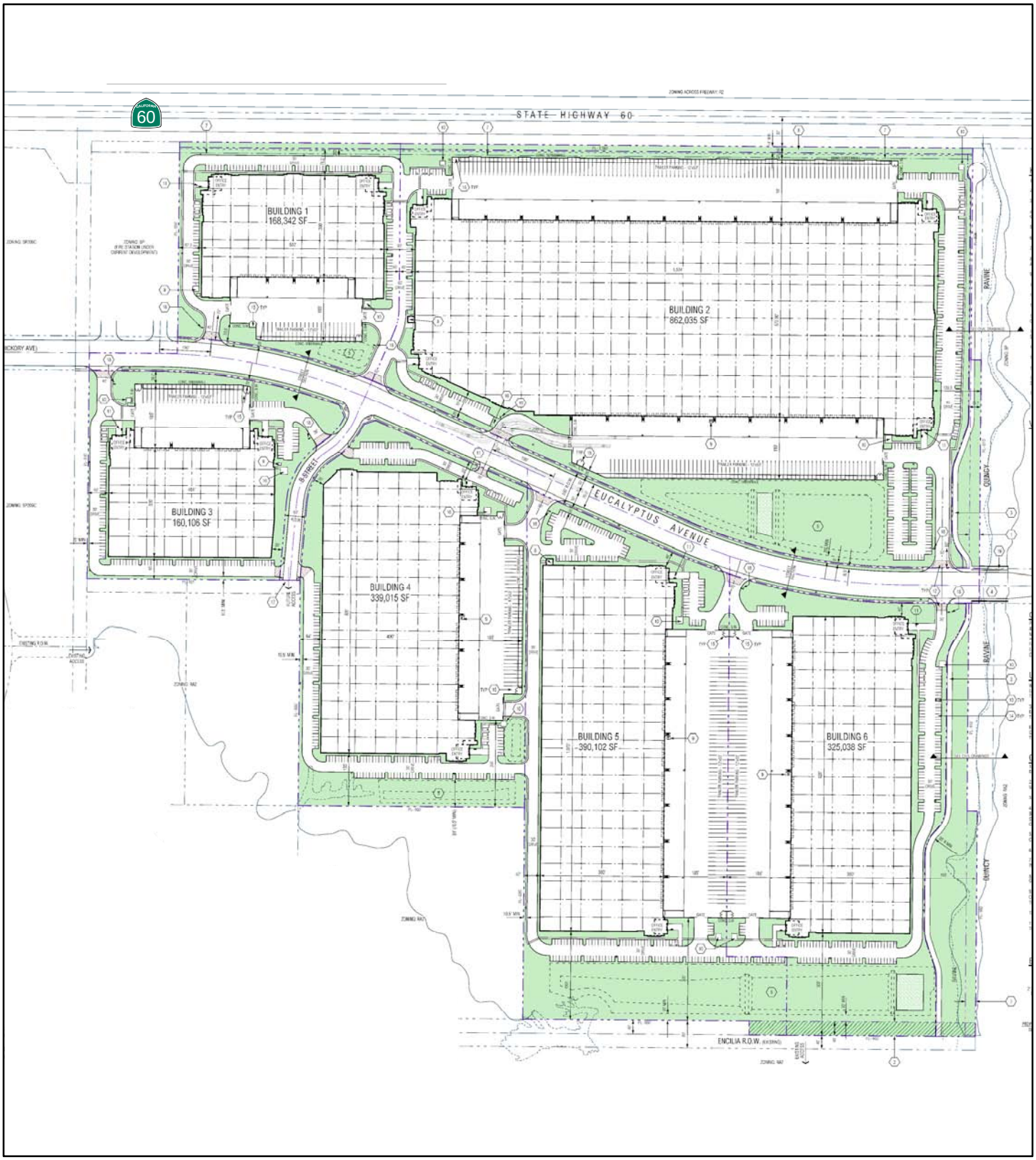

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FIGURE 1.2

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SOURCE: RGA, 2011

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Eucalyptus Industrial Park
Environmental Impact Report

Site Plan

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1.3 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

The EIR discusses impacts that would occur to on-site and off-site uses as a result of implementation of the proposed project. This EIR also includes proposed mitigation measures that have been identified to reduce or avoid significant effects that would result from the construction and operation of the proposed on-site uses. *CEQA Guidelines* Section 15123(b)(2) requires that areas of controversy known to the Lead Agency (City of Moreno Valley) be stated in the EIR summary. The following discussion identifies issues raised by other agencies and the public during the 30-day public comment period of the IS and Notice of Preparation (NOP), as well as comments received during the public scoping meeting that was held for the proposed project at the City of Moreno Valley City Council Chambers on February 13, 2008, at 6:00 p.m.

Local residents indicated they understand the desire of the City to add employment during these economic times, but also expressed strong concerns about the following potential impacts associated with the new industrial uses in the general area, including the proposed project:

- Change in use from established General Plan and zoning designations. This issue is discussed in Section 4.1, *Aesthetics,* and Section 4.8, *Land Use,* of this EIR*;*
- Short-term and long-term air pollutant emissions including dust and diesel particulates from truck exhaust that could negatively affect nearby residential uses. This issue is discussed in Section 4.3, *Air Quality,* of this EIR;
- Short-term and long-term noise impacts that could affect nearby residential uses. These issues are discussed in Section 4.9, *Noise,* of this EIR;
- Potential impacts to future planned school sites are addressed in Section 4.8, *Land Use,* of this EIR;
- Potential water-related impacts (drainage, water quality of runoff from the project) are addressed in Section 4.7, *Hydrology and Water Quality*, in the EIR;
- Project truck traffic causing congestion on local roads, intersections, and freeway ramps, primarily on Redlands Boulevard, and impacts to vehicular, bicycle, and pedestrian safety. These issues are discussed in Section 4.11, *Transportation,* of this EIR;
- Impacts to aesthetics from loss of views, loss of neighborhood character, and increased night lighting as this area transitions from previously planned residential and business park uses to industrial uses along the south side of SR-60. These issues are discussed in Section 4.1, *Aesthetics,* and 4.8, *Land Use,* of this EIR*;* and
- Potential loss of biological or cultural (archaeological) resources by grading and development of the site, and suggestions to consult with local Native American tribes per SB 18. These issues are discussed in Section 4.4, *Biological Resources*, and 4.5, *Cultural Resources*, of this EIR.

1.3.1 Notice of Preparation

The objective of distributing an NOP is to solicit public comment in order to identify and determine the full range and scope of issues of concern so that these issues might be fully examined in the EIR. An IS was distributed in tandem with the NOP. The NOP was distributed to the State Clearinghouse, as well as to the organizations and persons considered likely to be interested in the project and its potential impacts. Comments received regarding the NOP were used to help identify impacts that could result from implementation of the proposed project. An NOP for the Draft EIR was distributed to state, regional, and local agencies on February 4, 2008, for a 30-day review period ending on March 4, 2008. Some time has passed since circulation of the NOP, mainly due to poor economic conditions since that time. However, the applicant recently decided to continue the EIR process for this project.

The IS, NOP, distribution list, Notice of Public Scoping Meeting, and response letters are included in Appendix A of the Draft EIR. As of the close of the 30-day NOP public review period, 22 responses to

the NOP had been received. Table 1.A summarizes the comments received regarding the NOP. An additional three responses were received after the close of the 30-day NOP public review period. Although received after the close of the NOP public review period, these three responses are included in Table 1.B.

Table 1.A: Notice of Preparation Comment Letters Received

Agency/Organization	Date	Comments
Moreno Valley Unified School District	February 24, 2008	Request to discuss overall cumulative impacts associated with long-term warehousing development on the community and schools; conflicts with existing agricultural zoning; the transport, use, and handling of hazardous materials around school sites; air quality associated with truck traffic and impacts to schools; mobile and stationary noise impacts to nearby schools; change of land use and impacts to nearby schools; increase in traffic impacts to nearby schools; storm water impacts to nearby schools.
Riverside County Transportation Commission	March 5, 2008	Recommendation of coordination with Caltrans District 8 for project's local traffic and circulation impacts. Identifies concern regarding potential impacts to SR-60 interchanges at Moreno Beach Drive and Redlands Boulevard.
South Coast Air Quality Management District	February 6, 2008	Request to discuss air pollutant emissions for construction and operational phases; calculation of $PM_{2.5}$ emissions using $PM_{2.5}$ significance thresholds; calculation of localized significance thresholds; and inclusion of a mobile source health risk assessment.
State of California Governor's Office of Planning and Research	February 1, 2008	Explanation of Notice of Preparation procedures.
Riverside County Flood Control and Water Conservation District	February 14, 2008	Request to address impacts to the Moreno Master Drainage Plan within the proposed project area.
Native American Heritage Commission	February 13, 2008	Explanation of SB18 Consultation Process (e.g. sacred lands file search and associated mitigation measures).
Pechanga, Temecula Band of Luiseño Mission Indians	March 4, 2008	Explanation of SB18 Consultation Process; request for mitigation measures associated with uncovered cultural resources; request that Pechanga tribal monitors be present during ground-disturbing activities. Native American Heritage Commission procedures (e.g., sacred lands file search and mitigation measures).
Morongo Band of Mission Indians	February 26, 2008	Request the contact of Tribe in the event that Native American cultural resources are found on site.
Pala Band of Mission Indians	February 7, 2008	Explanation that the project site is not within the recognized Pala Indian Traditional Use Area.
Soboba Band of Luiseño Indians	February 12, 2008	Explanation of SB18 Consultation Process; explanation that the project site is within the recognized Soboba Traditional Use Area. Request for a Native American monitor to be present during any and all grounding-disturbing activities.
Southern California Edison	March 4, 2008	Explanation of California Public Utilities Commission CEQA requirements; request for analysis in the event that the project requires relocation of existing SCE facilities.
Sierra Club, San Gorgonio Chapter	February 29, 2008	Request more information pertaining to City Master Plan of Trails; changes to General Plan; aesthetic impacts; green building standards; discussion of hazardous waste and impacts to nearby schools; truck traffic patterns; discussion of PM_{10} and $PM_{2.5}$; storm water impacts; traffic impacts; global warming discussion; request for cumulative impact discussion.
Center for Community Action and Environmental Justice	March 3, 2008	Concerns about proximity to schools and diesel sources; request discussion of cumulative impacts; green building standards; and type of hazardous materials that would be present at the project.

Table 1.A: Notice of Preparation Comment Letters Received

Agency/Organization	Date	Comments
Friends of the Northern San Jacinto Valley	February 27, 2008	Explanation of proposed project's potential impacts to the San Jacinto Wildlife Area; discussion of MSHCP and biological impacts; discussion of loss of night-sky; and concern regarding the loss of agricultural land and the loss of raptor foraging habitat.
Jan Beyers	March 4, 2008	Request to discuss General Plan changes; discussion of air quality impacts with emphasis on diesel trucks; discussion of traffic impacts; request to analyze alternative off-site location; discussion of cumulative impacts.
Margie Breitkreuz	February 29, 2008	Request to discuss change in zoning; increased traffic; freeway congestion; truck traffic impacts; alternative fuels; diesel exhaust; socio/economic impacts of project; proximity to future schools.
Melody Lardner	February 13, 2008	Request for a discussion about air quality impacts; diesel trucks and associated truck traffic patterns; cumulative impacts; change in General Plan zoning and land use designation; aesthetics of the proposed project.
Bob and Marti Orth	March 2, 2008	Concerns about proximity to school; air quality impacts to surrounding land uses; zoning changes and impacts associated with zoning changes; traffic on SR-60 and surrounding roadways.
Martha Orth	March 1, 2008	Concerns about industrial uses and proximity to schools; changes in zoning and General Plan land uses; air quality impacts; noise impacts; diesel trucks and associated truck traffic; traffic impacts on SR-60; cumulative projects and cumulative impacts; land use impacts.
Charles Hale	February 19, 2008	Concerns about existing land uses versus proposed land uses; truck related traffic on surface streets and highways; changes in General Plan.
Suthep Charoonratana	February 20, 2008	Statement of benefits coming from increased job opportunities, greater tax revenues, and stimulation of City's economy.
Susan Gilchrist	February 26, 2008	Concerns about aesthetics; air quality; biological resources; hydrology and water quality; existing versus proposed land use; traffic impacts; and job opportunities.

Note: All NOP response letters (along with the Initial Study) are included in Appendix A of the Draft EIR.

Table 1.B: Late-Arriving Notice of Preparation Comment Letters Received

Agency/Organization	Date	Comments
California Department of Transportation, District 8	April 1, 2008	Recommendation of conducting a traffic impact study to determine the proposed project's near-term and long-term impacts to the regional transportation system.
California Department of Transportation, District 8	April 15, 2008	Recommendation of providing mitigation measures for impacts freeway interchanges; the provision of a traffic impact study that identifies near-term and long-term impacts to the regional transportation system; analysis of ramp metering and cumulative impacts to State Route 60.
County of Riverside Transportation and Land Management Agency	April 24, 2008	Concerns of increases in traffic volumes in the area. Recommendation for the traffic study to include analysis of impacts and identification of mitigation measures on any County roadways in the area and cumulative traffic impacts.

Note: All NOP response letters (along with the Initial Study) are included in Appendix A of the Draft EIR.

It should be noted that subsequent to circulation of the NOP, the State added "forest resources" and "greenhouse gas emissions" as issues to be considered on the standard environmental checklist (Initial Study form). The proposed project and the existing conditions of the site and surrounding area have not changed since the NOP was issued in 2008, so there is no need to revise and recirculate

the NOP. Section 1.1 explains that the EIR will address greenhouse gas emissions and why forest resources do not need to be evaluated for this project site.

1.3.2 Public Scoping Meeting

In compliance with *State CEQA Guidelines*, the City of Moreno Valley has taken steps to maximize opportunities for individuals, parties, and agencies to participate in the environmental process. During circulation of the NOP, various federal, state, regional, and local government agencies, and other interested parties were contacted to solicit comments and to inform the public of the proposed project. A public scoping meeting was held to solicit public comment on direction and scope of the analysis necessary for the Draft EIR. The public scoping meeting was held on February 13, 2008, at 6:00 p.m., at the City of Moreno Valley City Council Chambers, Moreno Valley California. Copies of the IS, NOP, and the conceptual site plan were available to the public for review. City staff, the project applicant, and the EIR consultant (LSA Associates, Inc.) were present to provide information regarding the project and collect public comment. The proposed project and the existing conditions of the site and surrounding area are similar to those when the scoping meeting was held in 2008, except that the large Skechers industrial warehouse project has been completed east of Redlands Boulevard, and the West Ridge industrial warehouse project has been approved just east of the proposed project. The City determined there was no need to conduct another scoping meeting, and input from the scoping meeting in 2008 will be used to prepare the Draft EIR prior to circulation for public comment.

1.4 ALTERNATIVES TO THE PROPOSED PROJECT

In compliance with *CEQA Guidelines* (Section 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 project objectives, and would avoid or substantially lessen significant effects of the project. The EIR need not consider every conceivable alternative; rather it must consider a reasonable range of potentially feasible alternatives. This EIR evaluates a “No Project – No Build” as well as a “No Project” alternative (i.e., development according to the General Plan and zoning) in order to allow decision-makers to compare the effect of approving the project to the effect of not approving the project. A more detailed description of each project alternative as well as an analysis of the potential environmental impacts associated with the construction and operation of each is provided in Section 6.0.

1.4.1 No Project Alternative

Pursuant to CEQA (§15126.6[e][2]), the No Project Alternative should discuss what would reasonably be expected to occur on the site based on current plans and consistent with available infrastructure and community services, in the foreseeable future. The project site is currently zoned Business Park (BP) on the northern portion of the site, Medium-High Residential (R15) on the western portion of the project site, Suburban Residential (R5) on the eastern portion of the project, and Residential Agricultural (RA-2) on the southernmost section of the project site. The project site is currently designated by the General Plan for Business Park/Light Industrial uses on the northern portion of the site and Residential uses on the southern portion of the site. Given the goals and objectives of the City of Moreno Valley, it is highly reasonable in the event the proposed project were not approved that the site would be developed with some type of business park and residential uses. For analysis purposes, it is assumed that the No Project Alternative would be developed with approximately 665,300 square feet of business park uses, 548 multiple-family residential units, and 138 single-family residential units as would be allowed under the existing zoning designation.

1.4.2 No Project, Previously Approved Tentative Tract Map 32255

Given the goals and objectives of the City of Moreno Valley, in the event the proposed project was not approved, it is reasonable to expect that the site would be developed with some type of business park and residential uses. For analysis purposes, this alternative assumes that the project site would be developed with a previously approved Tentative Tract Map for a business park and single-family residential development. The City Planning Commission approved Tentative Tract Map No. 32255 on February 13, 2007, which consisted of a subdivision of the project site into 83 single-family lots in the R5 zone, 16 single-family lots in the RA-2 zone, two R15 zoned lots, a BP zoned lot, and a Business Park Mixed Use (BPX) zoned lot. Under this alternative, it is anticipated that approximately 101 single-family residential units, 548 multi-family residential units, and up to 574,000 square feet of business park uses[1] would be developed.

1.4.3 Reduced Intensity Alternative

With the intent of avoiding or substantially reducing significant impacts created by the project traffic, air quality, and noise, the City has considered a Reduced Intensity Warehouse Alternative. This alternative includes four warehouse buildings covering approximately 1,683,314 square feet on approximately 92 acres of the site. Under this alternative, the proposed warehouse uses would represent a net decrease of approximately 25 percent (561,105 square feet) of building area compared with the proposed project. This alternative would also allow continued or expanded agriculture on 31 acres in the southeastern portion of the site to eliminate significant impacts to agriculture.

1.4.4 Mixed Commercial/Office/Residential Alternative

The Mixed Commercial/Office/Residential Alternative would result in the development of commercial, office, and residential uses on the project site. The existing residential zoning of the project site (71.3 acres) would be retained and the development of 548 multiple-family residential units and 138 single-family residential units would occur. The balance of the site (33.75 acres) would be developed with up to approximately 441,000 square feet of commercial uses and 441,000 square feet of office uses for a total of approximately 882,000 square feet of commercial and office uses. The commercial component of this alternative would require a zone change similar to the proposed project.

1.4.5 Off-Site Location Alternative

This alternative would result in the development of approximately 2.2 million square feet of warehouse uses on approximately 123 acres. The alternative project site identified by the City is bounded by Grove View Road on the north, Perris Boulevard to the east, Oleander Avenue to the south, and Indian Avenue on the west. The off-site location is currently zoned Industrial Specific Plan 208 (SP 208 I) and is designated Business Park/Light Industrial (BP) in the City's General Plan. Since the proposed uses are consistent with the uses identified for the off-site location, no zone change or General Plan Amendment would be required. It should be noted that the VIP Moreno Valley project (PA09-0004 Plot Plan and PA09-0012 [TPM 36162]) is a 1,616,133-square foot warehouse that has been proposed on 80 acres at the same location as the off-site alternative. This project currently has a DEIR in review.

1.4.6 Summary of Impacts of Alternatives

The No Project-No Development Alternative would eliminate any development-related impacts of the project. The No Project, TTM32255 Alternative reduces the significant aesthetic, land use, and population/housing impacts to less than significant levels. The Reduced Intensity Alternative would

[1] Based on a 30.94-acre BP zoned lot, a 2.02-acre BPX zoned lot, and 60% coverage of site.

reduce but not eliminate aesthetic, air quality, and land use impacts, and reduce the agricultural impacts to less than significant levels. The Mixed-Use Alternative reduces the aesthetic and population/housing impacts to less than significant, but increases the already significant air quality and traffic impacts. The Off-Site Location Alternative would reduce aesthetic, land use, and population and housing impacts to less than significant levels compared to the proposed project, but significant agricultural, air quality, and traffic impacts would remain.

1.5 IMPACTS, MITIGATION, AND LEVEL OF IMPACTS SUMMARY TABLE

Table 1.C provides a summary of the proposed project impacts, proposed mitigation measures, and the level of significance of each impact following the application of identified mitigation measures.

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
4.1 AESTHETICS		
Less than Significant Impacts		
Light and Glare: While the proposed project would add new lighting sources to the project area, City standards for the design of outdoor lighting require the design of lighting to reflect away from residential areas and public roadways. The review and approval of lighting fixtures would occur during the City's design review. Since all development in the City is required to adhere to these lighting requirements contained in the City's Zoning Code, impacts associated with light or glare impacts would be less than significant.	No mitigation required	Less than Significant
Significant Impacts		
Impact 4.1.6.1 Existing Visual Character or Quality of Site and Its Surroundings: Implementation of the proposed project would replace the undeveloped character of the project site with an urban setting containing warehouse uses. Therefore, the change in the character of the site would be recognizable and would constitute a permanent alteration of the existing visual character of the project site. Although the visual characteristic of the project site would change, the proposed project would replace the existing vacant parcel with an attractive, well designed development through the use of architectural elements, landscaping, and design of the project site. In addition, the proposed project would be designed and constructed per applicable City Municipal Code and General Plan standards. A less than significant impact related to this issue would occur.	No feasible mitigation is available	Significant and Unavoidable
Impact 4.1.6.2 Scenic Vistas: Implementation of the proposed project would obstruct or partially obstruct existing background views of the distant Box Springs Mountains for residences southeast of the project and existing background views of the mount Russell Range for residences north of SR-60 and along Pettit Street. This is a significant impact requiring mitigation.	No feasible mitigation is available	Significant and Unavoidable.
Impact 4.1.6.3 Scenic Resources and Scenic Highways: The proposed project would result in the obstruction of most of the Mount Russell Range for motorists traveling on SR-	No feasible mitigation is available	Significant and Unavoidable.

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
60. Although the incorporation of project façades and landscaping design features would soften the visual appearance of the proposed buildings from SR-60, the obstruction of the Mount Russell Range is considered significant.		
Impact 4.1.6.4 Cumulative Impacts: Changes in the visual character of the site resulting from the development of the proposed project, in combination with existing and planned development in the project vicinity, would include similar distribution uses. Therefore, it can be anticipated that such uses would have a similar design and massing as the proposed project. Since the proposed project would obstruct views of the surrounding mountains, it is reasonable to conclude that similar warehouse distribution uses would also obstruct views of the surrounding mountains. Therefore, the proposed project in combination with other cumulative projects in the eastern portion of the City and along SR-60 would have a cumulatively significant and unavoidable impact on scenic viewsheds. Cumulative lighting-related impacts would be reduced through the adherence to applicable City lighting standards. No cumulatively significant lighting impact would result from implementation of the proposed project.	No feasible mitigation is available	Significant Contribution to Cumulatively Considerable Impact.
4.2 AGRICULTURAL RESOURCES		
Less than Significant Impacts		
None		
Significant Impacts		
Impact 4.2.6.1 Conflict with an Existing Agricultural Zone: The proposed project would not conflict with an existing agricultural zone. An approximately 12-acre portion of the project site is zoned Residential Agriculture (R-A-2) located near the southern border. With the development of the project, this portion of the site would be rezoned to Light Industrial to allow for the proposed warehouse distribution uses. While this zone change would conflict with the existing zone for this area of the project site, this type of change is expected and planned for within the City and is consistent with the City's overall vision. Impacts are less than	No feasible mitigation is available	Significant and Unavoidable

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
significant.		
Impact 4.2.6.2 Conversion of State Designated Farmland: The project site is designated as 67 percent Prime Farmland (82.5 acres) and 12 percent (39.8 acres) as Farmland of Local Importance (5.3 acres). While farmland conservation measures have been implemented in other areas of the State, neither the City of Moreno Valley nor Riverside County maintains a program that developers and property owners can participate in to offset agricultural resource impacts; therefore, the conversion of State designated Prime Farmland is a significant impact.	No feasible mitigation is available	Significant and Unavoidable
Impact 4.2.6.3 Conversion of an Agricultural Operation to a Non-Agricultural Use: The northern portion of the project site currently has active orange groves. Based on the proposed project's LESA score of 83 out of 100 points, impacts associated with conversion of agricultural operations to a non-agricultural use is a significant impact on agricultural resources.	No feasible mitigation is available	Significant and Unavoidable
Cumulative Impacts: The cumulative area for agricultural resource impacts is Riverside County. No local or regional program to mitigate for the cumulative impacts to agricultural resources is available. Because agricultural land, including Prime Farmland is a finite resource, and because neither the City of Moreno Valley nor the County of Riverside maintains a program to offset agricultural resource impacts, the conversion of the project site to warehouse uses, in conjunction with planned and future development in the City and region, would contribute to a further reduction in the amount of land available for agricultural uses. This reduction in agricultural land represents a significant impact.	No feasible mitigation is available	Significant Contribution to Cumulatively Considerable Impact
4.3 AIR QUALITY		
Less than Significant Impacts		
Impact 4.3.5.1 Construction-Chronic Health Risk Impacts: The estimated construction-related health risk is below the cancer threshold of 10 in 1 million and the chronic threshold of 1.0; therefore, both health risks would be less than significant and no mitigation is required.	No mitigation is required	Less than Significant

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
Impact 4.3.5.2 Operational-Acute Health Risk Impacts: The only air pollution emissions in any significant quantity associated with the operation of the project occur from diesel-powered equipment exhaust. Currently, the health risk associated with diesel exhaust PM_{10} only has a carcinogenic and chronic effect; no short-term acute effect is recognized. Therefore, the potential for short-term acute exposure from project-related toxic emissions will be less than significant.	No mitigation is required	Less than Significant
Impact 4.3.5.3 Operational-Chronic Health Risk Impacts: Long-term operational emissions would result from the operation of diesel-powered trucks delivering and removing supplies and materials to and from the project site. The primary health risk from heavy-duty trucks emissions is diesel particulate exhaust. The nearest existing residence to the southeast would be exposed to an unmitigated inhalation cancer risk of no more than 1.1 in 1 million, which is below the threshold of 10 in 1 million. In addition, the chronic health risk index for the closest existing residences is 0.003, which is less than the threshold of 1.0. The nearest sensitive receptor would experience a non-cancer risk less than the threshold of 1.0. No significant health risk from project-related truck traffic would occur.	No mitigation is required	Less than Significant
Impact 4.3.5.4 Air Quality Impacts to Adjacent Future Development: The future residential units south of the project site would be exposed to an unmitigated inhalation cancer risk of approximately 3 in 1 million, which is less than the threshold of 10 in 1 million. The corresponding chronic and acute hazard indices would be approximately 0.002 and 0.000018, which is less than the threshold of 1.0 for the chronic hazard index and acute hazard index. Since overall project health risks are below the threshold, a less than significant impact to future uses would occur. No mitigation is required.	No mitigation is required	Less than Significant
Impact 4.3.5.5 Long-Term Microscale (CO Hotspot) Impacts: Under the existing year (2012), opening year (2013) and future year (2030) scenarios, none of the intersections analyzed would exceed either the State or Federal one-hour or the eight-hour CO standard. The	No mitigation is required	Less than Significant

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
proposed project would contribute, at most, a 0.2 ppm increase to the one-hour CO concentrations and an increase in 0.1 ppm to the eight-hour CO concentrations at these intersections, which is below the one-hour and eight-hour threshold of 20.0 ppm and 9.0 ppm, respectively. Because no CO hot spots would occur at intersections with the highest potential for CO hotspot formation, impacts associated with issue are less than significant.		
Impact 4.3.5.6 Odors: During construction, various diesel-powered vehicles and equipment in use on the site would create odors. With the exception of short-term construction-related odors, the proposed uses do not include uses that are generally considered to generate offensive odors. Solid waste generated by the proposed on-site uses will be collected by a contracted waste hauler, ensuring that any odors resulting from on site would be adequately managed. No significant impact related to this issue would occur.	No mitigation is required	Less than Significant
Significant Impacts		
Impact 4.3.6.1 Air Quality Management Plan Consistency: The project was not considered when the General Plan was prepared and therefore is inconsistent with the AQMP. Amendments to the City of Moreno Valley General Plan, zoning reclassification, and plan approval are required before the affected portion of the proposed project can be implemented. This is a significant impact requiring mitigation.	Please refer to **Mitigation Measures 4.3.6.2A** through **4.3.6.2M** and **Mitigation Measures 4.3.6.3A** through **4.3.6.3C**	Significant and unavoidable until the proposed project is included in the next SCAG and SCAQMD AQMP projections.
Impact 4.3.6.2 Equipment Exhaust Emissions From Construction Activities Impacts: Grading and other construction activities would result in combustion emissions from heavy-duty construction vehicles, haul trucks, utility engines, and vehicles transporting the construction crew. Construction equipment/vehicle emissions during proposed on-site grading periods would exceed the SCAQMD daily thresholds for CO and NO_X. This remains a significant impact requiring mitigation.	**4.3.6.2A.** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least 200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. **4.3.6.2B.** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel generators.	Implementation of identified mitigation measures would reduce construction-related emissions; however, it is not possible to quantify emission reductions for all pollutants, so impact remains significant and unavoidable.

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. **4.3.6.2C.** Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City. **4.3.6.2D.** All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions. **4.3.6.2E.** 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. **4.3.6.2F.** The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes. **4.3.6.2G.** Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive	

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	for ten days or more). **4.3.6.2H.** The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law). **4.3.6.2I.** The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less). **4.3.6.2J.** Grading plans, construction specifications and bid documents shall also include the following notations: • Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty; • Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads; • Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect; • The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site; • The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action	

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	within 24 hours; • High-pressure injectors shall be provided on diesel construction equipment where feasible; • Engine size of construction equipment shall be limited to the minimum practical size; • Substitute gasoline-powered for diesel powered construction equipment where feasible; • Use electric construction equipment where feasible; • Install catalytic converters on gasoline-powered equipment where feasible; • Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement; • Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs; • Lunch vendor services shall be provided on site during construction to minimize the need for off-site vehicle trips; and • All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered. **4.3.6.2K.** Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air	

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	quality issues. **4.3.6.2L.** All project entrances 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 (3) minutes; and • Telephone numbers of the building facilities manager and CARB, to report violations. These measures shall be enforced by the on-site facilities manager (or equivalent). **4.3.6.2M.** During project grading and construction, the various project contractors shall adhere to the control measures listed in Tables 1.D and 1.E.	
Impact 4.3.6.3 Localized Construction Equipment Exhaust Emissions Impacts: Emissions of PM_{10} and $PM_{2.5}$ exceed the localized threshold that would occur for construction activity. PM_{10} and $PM_{2.5}$ emissions are a significant impact requiring mitigation.	**4.3.6.3A.** Prior to the issuance of grading permits, the project applicant shall require by contract specifications that all trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and top of the trailer). **4.3.6.3B.** Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that construction access roads shall be paved at least 100 feet onto the site from the main road. **4.3.6.3C.** Prior to the issuance of grading permits, the project applicant shall require by contract specifications that all streets within the construction site shall be swept once per day if visible soil materials are carried to adjacent streets.	Although **Mitigation Measures 4.3.6.3A** through **4.3.6.3C** would reduce localized emission rates up to 50 percent, the localized construction thresholds are exceeded at the nearest residences for PM_{10} and $PM_{2.5}$. Therefore, even with implementation of **Mitigation Measures 4.3.6.3A** through **4.3.6.3C**, impacts associated with localized construction emissions for PM_{10} and $PM_{2.5}$ would remain significant and unavoidable.
Impact 4.3.6.4 Architectural Coating Impacts: The amount of VOC generated per day (591 pounds) during the	**4.3.6.4A.** The project applicant shall use "Low-Volatile Organic Compounds" paints, coatings, and	Adherence to **Mitigation Measure 4.3.6.4A** would reduce the project's

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
application of architectural coatings would exceed the SCAQMD VOC threshold of 75 lbs/day. This is a significant impact requiring mitigation.	solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.	architectural coatings emissions impact. However, even with adherence to Mitigation Measure **4.3.6.4A**, the SQAQMD VOC threshold would still be exceeded. Therefore, impacts associated with this issue would remain significant and unavoidable
Impact 4.3.6.5 Long-Term Project-Related Emissions Impacts: Project-related emissions for CO, ROG, NO_X, PM_{10}, and $PM_{2.5}$ would exceed the SCAQMD daily emissions thresholds during the operational phase of the project. This is a significant impact requiring mitigation.	**4.3.6.5A.** Prior to issuance of building permits, the project applicant shall provide evidence to the City that applicable (as determined by the City) Transportation Demand Management (TDM)/ Transportation Control Measure (TCM) strategies such as preferential parking for employee vanpooling/carpooling, bicycle parking facilities (such as bicycle lockers and racks), bus turnouts, and other strategies are incorporated into the design of the proposed project. **4.3.6.5B.** Prior to issuance of building permits, the project applicant shall provide evidence to the City that energy-efficient and low-emission methods and features of building construction shall be incorporated into the project design. These methods and features may include (but are not limited to) the following: • Construction of buildings that exceed statewide energy requirements beyond 20 percent of that identified in Title 24: o Use of low-emissions water heaters; o Use of central water-heating systems; o Use of energy-efficient appliances; o Use of increased insulation; o Use of automated controls for air conditioners; o Use of energy-efficient parking lot lighting;	Although implementation of **Mitigation Measures 4.3.6.5A** through **4.3.6.5B** may reduce vehicle trips associated with the proposed project, it is not possible to quantify the reduction in the amount of emissions that may occur. In the absence of mitigation to reduce the proposed project's emission of contribution of ROC and NOx to below SCAQMD thresholds, long-term air quality impacts resulting from the operation of the proposed project would remain significant and unavoidable.

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	and o Use of lighting controls and energy-efficient lighting. • Utilize low-VOC interior and exterior coatings during project repainting. • Provide on-site improvements such as sidewalks or pedestrian walkways to promote pedestrian activity and reduce the number of vehicle trips. • Installation of skylights and energy-efficient lighting that exceeds California Title 24 standards where feasible, including electronic dimming ballasts and computer-controlled daylight sensors in the buildings. • Shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and building shall be planted at the proposed project site. These strategies will minimize the heat island effect and thereby reduce the amount of air conditioning required. • Strategies to be considered include fans to assist natural ventilation, centralized water and space conditioning systems, high efficiency individual heating and cooling units, and automatic setback thermostats. • Reduction of energy demand associated with potable water conveyance through the following methods: o Incorporating drought-tolerant plants into the landscaping palette; and o Use of water-efficient irrigation techniques. • Energy-efficient low-pressure sodium parking lot lights or equivalent as determined by the	

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	City shall be used; • Buildings shall be oriented north-south where feasible; • Implement an on-site circulation plan in parking lots to reduce vehicle queuing; • Develop a trip reduction plan to achieve 1.5 average vehicle ridership (AVR) for businesses with fewer than 100 employees or multi-tenant worksites; • Include bicycle parking facilities such as bicycle lockers and racks; • Include showers for bicycling employees use; and • Construct on-site pedestrian facility improvements such as building access that is physically separated from street and parking lot traffic and walk paths.	
Impact 4.3.6.6: Localized Project Operational Emissions. All localized operational emissions for the proposed project, with the exception of PM_{10} and $PM_{2.5}$ emissions, are below the localized significance threshold. Since PM_{10} and $PM_{2.5}$ emissions exceed the localized significance thresholds, operational activities associated with the proposed project may cause long-term localized air quality impacts and mitigation is required.	**4.3.6.6A.** Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent: • Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City. • Increase in insulation such that heat transfer and	

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	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 shall be installed, as deemed acceptable by the City. Automatic devices to turn off lights when they are not needed shall be implemented. • To the extent that they are compatible with landscaping guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site. • Paint and surface color palette for the project shall emphasize light and off-white colors which reflect heat away from the buildings. • All buildings shall 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 shall implement the following: o Landscaping palette emphasizing drought-tolerant plants; o Use of water-efficient irrigation techniques;	

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	and, o EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads. • The project shall provide secure, weather-protected, on-site bicycle storage/parking. • The project shall provide on-site showers (one for males and one for females). Lockers for employees shall be provided. • The project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information. • The project shall provide preferential parking for carpools and vanpools. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the project site plan. • The project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the	

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	project building plans. • Lease/purchase documents shall identify that tenants are encouraged to promote the following: o Implementation of compressed workweek schedules. o SmartWay partnership; o Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long haul trips carried by SmartWay 1.0 or greater carriers. o Achievement of at least 15 percent 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 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers. o Use of fleet vehicles conforming to 2010 air quality standards or better. o Installation of catalytic converters on gasoline-powered equipment. o Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets. o Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles. o Provision of preferential parking for EV and	

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	CNG vehicles. o Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance. o Use of electric (instead of diesel or gasoline-powered) yard trucks. o Use of SmartWay 1.25 rated trucks. **4.3.6.6B.** The project shall 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 are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.	
Cumulative Impacts: The cumulative area for air quality impacts is the Basin. The project would contribute criteria pollutants to the area during project construction. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. This would be a contribution to short-term cumulatively significant air quality impacts. The Basin is in nonattainment for PM_{10} and ozone at the present time; therefore, the construction and operation of the proposed project would exacerbate nonattainment of air quality standards within the Basin and contribute to adverse cumulative air quality impacts. Implementation of the proposed project would unavoidably contribute to significant cumulative air quality impacts. The health risk assessment conducted for the proposed	The project-specific measures will help reduce project-related air pollutants; however, no feasible mitigation is available to reduce cumulative air quality impacts to a less than significant level.	Significant Contribution to a Cumulatively Considerable Impact

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
project identified the increase in health risks to the nearby sensitive receptors from the proposed project's air emissions. The CARB web site "Maps of Estimated Cancer Risk From Air Toxics" identifies a carcinogenic risk of over 250 in 1 million for the Riverside area. This HRA identified that the project's incremental increase is only a very small fraction of the ambient condition. Therefore, the concentration of diesel particulates at the project site is below the established risk threshold. Individuals living and working in southern California may be exposed to levels of diesel emissions that are cumulatively significant; however, that circumstance is not created by the project. It is reasonable to anticipate that advancements in truck/ transportation technology would reduce the amount of particulate matter in future years. However, a determination of the amount and extent of that reduction in diesel particulate matter from these types of activities is not available at this time. Therefore, in an overabundance of caution, because other cumulative projects in the area would also contribute diesel particulates in the area and because the Riverside area has a level of particulate matter that is above the SCAQMD's recommended cancer risk threshold of 10 in one million, cumulative impacts associated with diesel particulate matter are considered significant and unavoidable.		
4.4 BIOLOGICAL RESOURCES		
Less than Significant Impacts		
Endangered and Threatened Species: No species listed by the State and/or Federal government as endangered or threatened was identified on site during the field surveys, but Swainson's hawk, a State-listed species, and Stephens' kangaroo rat, a federally and State-listed species, have a low potential to occur on the site. Impacts to Swainson's hawk would, at most, consist of impacts to foraging habitat of migrating individuals. Impacts to Swainson's hawk are covered by the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and no mitigation would be required other than participation in the MSHCP.	No mitigation is required	Less than Significant

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
The project site is within the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP) fee area, but is not within an SKR Core Area. The SKR HCP provides Take Authorization for the SKR within its boundaries, and no surveys or additional measures are required for potential impacts to SKR other than paying a development fee prior to issuance of a grading permit by the City. The project may affect one or more non-listed special status species. However, the species potentially affected are all relatively widespread and the site does not contain high quality habitat for any of them. Therefore, any impacts to these species by the project would not be considered significant. Neither additional surveys nor additional conservation measures for these species will be required for the proposed project.		
Habitat Fragmentation/Wildlife Movement: The project site does not serve as a wildlife nursery site (e.g., no bat roosting sites or bird rookeries were identified on or adjacent to the project site). Due to its location and condition, the development of the proposed project would not fragment habitat or interfere with wildlife movement. No impact related to this issue would occur.	No mitigation is required	Less than Significant
Adopted Policies and/or Ordinances: The project is generally consistent with County and local policies and ordinances protecting biological resources, including implementation of the County's MSHCP and SKR HCP by payment of impact fees. The project also provides a buffer along the riparian corridor (Quincy Channel) consistent with City General Plan requirements. Therefore, less than significant impacts would occur from implementation of the project.	No mitigation is required	Less than Significant
Adopted Habitat Conservation Plans: While the project site is located within the MSHCP, the project site is not within any MSHCP criteria cell or habitat linkage. Furthermore, the project site is not located within an MSHCP mammal or amphibian survey area, a Narrow Endemic Plant Species Survey Area, or a Criteria Area Plant Species Survey Area, and the site does not contain	No mitigation is required	Less than Significant

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
habitat that would require surveys for sensitive vernal pool or riparian species. Development of the proposed project will require payment of the MSHCP fee prior to issuance of a building permit, and the project will not conflict with the provisions of the MSHCP. The project will also pay an SKR HCP impact fee prior to issuance of a grading permit to mitigate regional impacts to that species. A less than significant impact would occur and no mitigation is required.		
Cumulative Impacts: The proposed project would not make a cumulatively considerable contribution to impacts on endangered or threatened species, riparian habitat or natural plant communities, jurisdictional waters, habitat fragmentation, wildlife movement, local policies and ordinances, or habitat conservation plans. There are no projects that would, in combination with the proposed project, produce a significant impact to non-listed sensitive species. Therefore, there are no significant cumulative impacts anticipated to occur that are associated with biological resources. With implementation of project-level **Mitigation Measures 4.4.6.1** through **4.4.6.3**, the project's contribution to cumulative biological impacts will not be cumulatively considerable.	No additional mitigation is required	Less than Significant with project mitigation
Significant Impacts		
Impact 4.4.6.1 Candidate, Non-listed Sensitive, or Special Interest Species: Although no burrowing owls were observed during site reconnaissance, the project site contains habitat suitable to support the burrowing owl. This species requires additional surveys by the MSHCP since the burrowing owl is a highly mobile species and may occupy the site in the future. This is a potentially significant impact requiring mitigation.	**4.4.6.1A.** If tree removal or clearing and grubbing activities must take place during the general nesting season (February 1 through August 31), a nesting bird survey shall be conducted within seven (7) days prior to any vegetation disturbance activities. If passerine birds are found to be nesting or there is evidence of nesting behavior inside the impact area, an exclusion buffer, to be determined by the appropriate agency (e.g. the City, County, and/or CDFG), shall be set in place around the nest where no vegetation disturbance will be permitted. For raptor species, such as hawks and owls, this buffer may be as large as 500 feet. A qualified biologist shall closely monitor nests until it is determined that they are no longer active, at which time construction	Less than Significant with Mitigation

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	activity in the vicinity of nests may continue. **4.4.6.1B.** Prior to site grading, a pre-construction survey shall be required for the burrowing owl to confirm the presence/absence of this species from the site. The survey shall be conducted by a qualified biologist within 30 days prior to ground disturbance, and in accordance with MSHCP survey requirements, to avoid direct take of burrowing owls. If burrowing owls are determined to occupy the project site or immediate vicinity, the City of Moreno Valley Planning Department shall be notified and avoidance measures as identified in **Mitigation Measure 4.4.6.1C**, shall be implemented. Implementation of avoidance measures shall be executed pursuant to the MSHCP, the California Fish and Game Code, and the MBTA, and according the *Burrowing Owl Survey Protocol and Mitigation Guidelines* (California Burrowing Owl Consortium 1993) and reviewed the City of Moreno Valley, the County of Riverside, and/or by the CDFG. **4.4.6.1C.** As recommended in the *BUOW Survey and Mitigation Guidelines* prepared by the California BUOW Consortium, no disturbance to an occupied burrow shall occur within approximately 160 feet of an occupied burrow during the non-breeding season (September 1 through January 31), or within approximately 250 feet of an occupied burrow during the breeding season (February 1 through August 31). For unavoidable impacts, passive relocation of burrowing owls shall be implemented. Passive relocation shall be conducted by a qualified biologist in accordance with procedures set forth by the MSHCP and California Burrowing Owl Consortium. Passive relocation of occupied burrows supporting a breeding pair of burrowing owls shall be conducted outside of the breeding season pursuant to the California Fish and Game Code and the MBTA.	
Impact 4.4.6.2 Riparian Habitat or Other Sensitive	**4.4.6.2A.** As outlined in the project's Determination of	Less than Significant with Mitigation

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
Natural Communities: The three on-site drainages, including the Quincy Channel, contain riparian/riverine area. While the proposed project would incorporate the design standards identified in the City's Municipal Code, the development of the proposed project may result in the elimination of habitat for special-status plant species (mule fat scrub) or reduce population size of sensitive plant species below self-sustaining levels. Therefore, a potentially significant impact would occur and mitigation is required.	a Biologically Equivalent or Superior Preservation (DBESP) report, the project applicant shall compensate for the permanent impact on and loss of jurisdictional waters and streambeds by providing a minimum 2:1 off-site replacement of equivalent riverine/riparian habitat (0.36 acre impact = 0.72 acre replacement). This off-site replacement shall be accomplished through the contribution of in-lieu fees to the Santa Ana Watershed Association (SAWA) for its efforts in removal of invasive plants and restoration of riparian habitat adjacent to the tributaries of the San Jacinto River or within the Santa Ana River watershed. Documentation of acceptance of the SAWA contribution shall be provided to the City prior to issuance of a grading permit. **4.4.6.2B.** The project applicant shall retain qualified personnel to prepare and implement a Habitat Mitigation and Monitoring Plan (HMMP) to oversee restoration of temporarily affected areas (0.35 acre of riverine/riparian habitat) to their pre-construction contours and vegetation. The HMMP will be approved by USACE and CDFG prior to the City issuing any occupancy permits.	
Impact 4.4.6.3 Jurisdictional Waters/Wetlands: Implementation of the proposed project would result in permanent impacts to 0.051 acre (354 linear feet) of non-wetland waters of the United States and waters of the State and 0.362 acre (440 linear feet) of State streambed associated with the eastern, southern, and western drainages In addition to permanent impacts, the proposed project would result in temporary impacts to 0.054 acre (332 linear feet) of non-wetland waters of the United States and waters of the State and 0.33 acre (547 linear feet) of State streambed associated with construction activities. This is a significant impact requiring mitigation.	**4.4.6.3A.** The project applicant shall obtain a Section 404 Nationwide or Individual Permit, as appropriate, from the USACE and a Section 1602 Streambed Alteration Agreement from the CDFG. Direct temporary impacts to more than 0.1 acre of jurisdictional area that are regulated by the USACE, CDFG, and RWQCB shall be mitigated at a 2:1 ratio, including enhancement and/or creation of wetlands or the contribution of in-lieu fees to the Santa Ana Watershed Association (SAWA) for its efforts in removal of invasive plants and restoration of offsite riparian habitat, as outlined in **Mitigation Measure 4.4.6.2A**.	Less than Significant with Mitigation

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
4.5 CULTURAL RESOURCES		
Less than Significant Impacts		
Historic Structures and Features: No evidence of past structures or unique features was identified, nor was evidence of such structures identified during the on-site cultural resource survey. As no evidence has been identified to suggest the presence of past or current structures on site, potential impacts related to historic structures or features will not occur and further mitigation is not needed.	No mitigation is required	Less than Significant
Human Remains: Adherence to provisions of Health and Safety Code §7050.5 is required of all development projects; therefore, adherence to the requirements in State law sufficiently mitigates for potential impacts to human remains, no significant impact related to this issue will occur.	No mitigation is required	Less than Significant
Cumulative Impacts: The cumulative area for cultural resources is the City of Moreno Valley. There is no existing evidence of pre-European contact or usage of the project site. Implementation of the proposed project will require measures to identify, recover, and/or record any cultural resource that may occur within the project limits. There are no projects that would, in combination with the proposed project, result in any significant cumulative impacts on historical, archaeological, or paleontological resources, or in impacts to human remains. Therefore, the proposed project would have no significant cumulative impacts associated with cultural resources.	No mitigation is required	Less than Significant
Significant Impacts		
Impact 4.5.6.1 Prehistoric Cultural Resources: The cultural resources survey indicates there are no recorded cultural sites or surface evidence that cultural resources are present on the project site. Correspondence from Native American groups represents appropriate consultation under SB 18. The site's location within the Moreno Hills Complex indicates a potential exists that excavation and construction activities may uncover previously undetected prehistoric or historic cultural resources. This is a significant impact requiring mitigation.	**4.5.6.1A.** If cultural resources are found during grading, the applicant shall immediately retain a qualified archaeological monitor to oversee subsequent ground-altering activities (e.g., removal of debris, de-vegetation, and grading). This monitor shall ensure that any buried or previously unidentified resources are adequately identified, recorded, and evaluated in accordance with applicable standards. The archaeological monitor shall be trained in both prehistoric and historic archaeology and have the	Less than Significant with Mitigation

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	authority to temporarily redirect any ground-disturbing activities affecting potentially significant cultural resources. **4.5.6.1B.** Prior to the issuance of a grading permit, the local Native American representatives (Soboba, Morongo, and Pechanga) shall be notified in writing of the pending activities. If any evidence of Native American resources is discovered during grading, the archaeological monitor identified in **Mitigation Measure 4.5.6.1A** shall invite one or more Native American monitors to participate in the monitoring program. The Native American monitor shall work with the archaeological monitor to aid in the identification of resources and assist in the preliminary evaluation of any Native American resources. **4.5.6.1C.** If cultural artifacts and resources are discovered during ground disturbance activities and are historic in nature (not Native American in origin), the archaeological monitor/consultant shall make recommendations for the appropriate handling and evaluation of the resources. If cultural artifacts and resources are discovered during ground disturbance activities are determined to be of Native American origin (but not involving burials or grave goods), the archaeological monitor/consultant shall notify the applicant, City, and local Native American representatives and complete consultation for the handling of the resources. All archaeological decisions shall be at the discretion of the professional archaeologist, taking the Native American concerns into account. Work may continue on other parts of the project site while historic or unique archaeological mitigation takes place (14 Cal. Code Regs. 15065.5(f)). **4.5.6.1D.** As a condition of approval, the property owner shall make all cultural resources (e.g., artifacts) discovered on site available for curation at a	

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	curation facility identified by the City (e.g., the UCR Archaeological Research Unit, the Western Center for Archaeology and Paleontology, or the Ya'i Heki' Regional Indian Museum). All artifacts shall be inventoried and prepared for curation per standard professional requirements. If neither repository is available to accept the collections, the cultural resources shall be temporarily curated at a facility identified through consultation with all stakeholders. **4.5.6.1E.** Should resources determined to be of sacred or religious significance to Native Americans be identified within the project area, the resources shall be protected from adverse impacts until consultation among the Applicant, City, the Most Likely Descendant (MLD) as determined by the Native American Heritage Commission, and the archaeological consultant, occurs at which time the responsibility for the care and disposition of the cultural resources shall be determined and recorded to the satisfaction of all parties involved.	
Impact 4.5.6.2 Paleontological Resources: The project site is located in an area identified as having a "high sensitivity" for paleontological resources. Construction of the proposed project has the potential to result in significant impacts to nonrenewable paleontological resources, requiring mitigation.	**4.5.6.2A.** Prior to the issuance of grading permits, the project applicant shall submit to and receive approval from the City, a Paleontological Resource Impact Mitigation Program (PRIMP). The PRIMP shall include the provision of a trained paleontological monitor during on-site soil disturbance activities. The monitoring for paleontological resources shall be conducted during the rough-grading phase of the project. In the event that paleontological resources are unearthed or discovered during excavation, **Mitigation Measure 4.5.6.2C** shall apply. Conversely, if no paleontological resources are unearthed or discovered on site during excavation, no additional action is required. **4.5.6.2B.** The paleontological monitor shall be equipped to rapidly remove any large fossil specimens encountered during excavation. During	Less than Significant with Mitigation

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	monitoring, samples of soil shall be collected and processed to recover microvertebrate fossils. Processing shall include wet screen washing and microscopic examination of the residual materials to identify small vertebrate remains. **4.5.6.2C.** If paleontological resources are unearthed or discovered during excavation of the project site, the monitoring for paleontological resources shall be conducted on a full-time basis for the duration of the rough-grading of the project site. The following recovery processes shall apply: • Upon encountering a large deposit of bone, salvage of all bone in the area shall be conducted with additional field staff and in accordance with modern paleontological techniques. • All fossils collected during the project shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of all material collected and identified shall be provided to the museum repository along with the specimens. • A report documenting the results of the monitoring and salvage activities and the significance of the fossils shall be prepared. • All fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a museum repository for permanent curation and storage.	
4.6 HAZARDS AND HAZARDOUS MATERIALS		
Less than Significant Impacts		
Routine Transport, Use, and Disposal of Hazardous Materials and Reasonable Foreseeable Accident Conditions Impacts: During construction activities, the project will require limited transport of potentially hazardous	No mitigation is required	Less than Significant

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
materials (e.g., fuels, lubricants, solvents, cleansers, paints) to and from the project site. Additionally, operation of the project could involve the temporary storage and handling of potentially hazardous materials such as petroleum products, pesticides, fertilizer, and other household hazardous products such as paint products, solvents, and cleaning products that are pre-packaged for distribution and use. This type of storage, transfer, use, and disposal of potentially hazardous materials is extensively regulated at the local, State, and Federal levels. It is not anticipated that the development of the project would result in conditions that are not currently addressed by existing regulations. On this basis, potential impacts due to routine transport, use, or disposal of hazardous materials are considered less than significant.		
Located on a List of Hazardous Materials Sites: The project site has not been identified by the Department of Toxic Substance Site (DTSC) as being on or within a site on its Hazardous Waste and Substance Site (Cortese) list. In addition, the results of the site investigations performed by RM Environmental indicate that no significant amount of any hazardous material exists on site. Therefore, impacts associated with this issue are less than significant and no mitigation would be required.	No mitigation is required	Less than Significant
Existing or Proposed School: At the time the NOP for the proposed project was released, the Moreno Valley Unified School District (MVUSD) had identified three potential school sites within the project vicinity. These potential school sites were for High School #5, Elementary School #24, and Middle School #7. Of these potential school sites, High School #5 was the closest planned school to the project site as it was to be located on the adjacent parcel east of the project site. Due to MVUSD concerns regarding the placement of schools in areas that may be rezoned with warehousing uses, MVUSD has made a decision to abandon the development of these school facility projects on the previously identified sites. No planned school facilities would be located within 0.25 mile of the project site, and there are no existing schools within 0.25 mile of the	No mitigation is required	Less than Significant

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
project site. Therefore, no impacts would occur.		
Emergency Response Plan: 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. The proposed project will be designed and conditioned to provide required circulation and fire access to allow for ingress and emergency vehicles and egress of employees and patrons. Therefore, the proposed project would not be in conflict in any way with the City's emergency response or emergency evacuation plans.	No mitigation is required	Less than Significant
Wildland Fires: The project site is not located within or adjacent to a City-designated "High Fire Hazard Area" as indicated in the City's General Plan EIR Figure 5.5-2. Due to the location of the fire station adjacent to the project in the northwest corner and the low probability that the project site would be subject or susceptible to wildland fires, no significant impact related to this issue would occur. No mitigation is required.	No mitigation is required	Less than Significant
Cumulative Impacts: Significant cumulative impacts associated with the routine transport, use, and disposal of hazardous materials would not occur as these risks are largely site-specific and localized and therefore limited to the project site. Since site-specific investigations would be conducted at sites where hazardous materials are released and since accidental spills and leaks are unplanned occurrences, it is impossible to predict the occurrences of such events. As with the proposed project, it is anticipated that future development projects will be required to adhere to applicable local, State, and Federal requirements that regulate the use, release, storage, sale, and transport of hazardous materials. Such compliance would ensure that cumulative impacts are less than significant.	No mitigation is required	Less than Significant
4.7 HYDROLOGY, DRAINAGE, AND WATER QUALITY		
Less than Significant Impacts		
Groundwater: It is anticipated that the proposed project would primarily utilize imported water purchased from Metropolitan. This imported water would be supplemented	No mitigation is required	Less than Significant

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
by local groundwater sources. The implementation of the existing West San Jacinto Groundwater Basin Management Plan would ensure that local groundwater resources are conserved and groundwater overdraft does not occur. The proposed project would not interfere with groundwater recharge as the project site is not identified as a groundwater recharge area. The development of the proposed project would reduce the amount of pervious surfaces that could facilitate percolation on site. However, the proposed project would consist of other project design features such as detention basins that would be designed to offset the conversion of pervious surfaces to impervious surfaces. Therefore, the proposed project would not interfere with groundwater recharge activities. Impacts associated with this issue are less than significant and no mitigation is required.		
Flooding-Related Impacts: Based on FIRM maps, the project site does not fall within a 100-year floodplain. Because the project site does not lie within a 100-year floodplain and does not include housing, impacts related to this issue are less than significant and no mitigation would be required.	No mitigation is required	Less than Significant
Drainage Pattern-Related Impacts: Development of the project site would result in an increase in the amount of impervious surfaces in the form of roadways, parking lots, and buildings. To reduce the flows leaving the project site to below or equal to pre-development conditions, the anticipated on-site flows must be routed to basins to reduce flows leaving the site to pre-development flow rates. Because the proposed project would maintain existing drainage patterns on site, impacts associated with this issue are less than significant and no mitigation measures are required.	No mitigation is required	Less than Significant
Cumulative Impacts: Cumulatively, development within the watershed would result in an increase in impervious surfaces in addition to changes in land use and associated pollutant runoff characteristics. Increased impervious surfaces are likely to alter existing hydrology and increase potential pollutant loads. However, all proposed and future	No mitigation is required	Less than Significant

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
development in the City and throughout the Santa Ana RWQCB jurisdiction must comply with the NPDES permit program requirements. Each new development is required to mitigate its own specific impacts on water quality and drainage. Therefore, there would be no significant cumulative impacts to water quality.		
Significant Impacts		
Impact 4.7.6.1 Construction-Related Water Quality Impacts: The construction and grading phases of the project site would require temporary disturbance of surface soils and removal of vegetative cover which could potentially result in erosion and sedimentation on site. This is a significant impact requiring mitigation.	**4.7.6.1A.** Prior to grading plan approval and the issuance of a grading permit by the City, the project applicant shall provide evidence to the City that a Notice of Intent (NOI) has been filed with the Regional Water Quality Control Board for coverage under the State NPDES General Construction Permit for discharge of storm water associated with construction activities. **4.7.6.1B.** Prior to grading plan approval and the issuance of a grading permit by the City, the project applicant shall submit to the State Water Quality Control Board a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and nonvisible discharges from the site. BMPs to be implemented in the SWPPP may include, but shall not be limited to, the following: • Sediment discharges from the site may be controlled by the following: gravel bags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.	Less than Significant with Mitigation

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	• No materials of any kind shall be placed in drainage ways. • Materials that could contribute non-visible pollutants to storm water must be contained, elevated, and placed in temporary storage containment areas. • All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected per RWQCB standards to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences. • The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance. • Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary. • The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time. In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site. **4.7.6.1C.** Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that the following provisions have been added to construction contracts for the project: • The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP.	

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.	
Impact 4.7.6.2 Operational-Related Water Quality Impacts: The proposed project would result in the conversion of permeable surfaces to impermeable surfaces. During the operational phase of the proposed project, the major source of pollution in storm water runoff would be contaminants that have accumulated on the land surface over which runoff passes. This is a significant impact requiring mitigation.	**4.7.6.2A.** Prior to grading plan approval and the issuance of a grading permit by the City, the project applicant shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollution prevention, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable. BMPs to be implemented in the F-WQMP may include (but shall not be limited to) the following: • Required landscaped areas shall not use decorative concrete or impervious surfaces. • Landscape plans shall incorporate native and drought-tolerant plants, trees, and shrubs. Landscaping shall be maintained weekly and maintenance contractor will properly dispose of all landscape wastes. • Irrigation systems shall be inspected monthly by the landscape contractor to check for over-watering, leaks, or excessive runoff to paved areas. Timers will be used to prevent over-watering. • Signage will be inspected and maintained twice a year for legibility. • Outdoor Loading/Unloading truck docks shall be kept in a clean and orderly condition with weekly inspections, continuous monitoring, and	Less than Significant with Mitigation

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	immediate clean up of spills. • Parking area maintenance shall be swept or vacuumed at least quarterly, if there is any trash or debris in between the routine sweeping, it shall be swept or vacuumed immediately. • Trash enclosures will be inspected and maintained weekly or as needed by maintenance contractor. • On-site extended detention/sedimentation basins and sand filters will treat all of the site's runoff via vegetated swales and will be maintained and inspected at least twice a year and prior to October 1. • Additional BMPs will be documented in the WQMP and utilized if necessary. In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.	
Impact 4.7.6.3 Drainage Capacity-Related Impacts: Because the development of the site would introduce a greater percentage of impervious surfaces, the post-development flows that would be generated on site are anticipated to be significantly higher than the pre-development flows. To avoid significant impacts to existing storm drain facilities and water quality, on-site storm drain facilities must be sized to accept and handle site drainage flows that would result from the development of the project including any detention necessary. To ensure the implementation of drainage improvements and the corresponding reduction in the significance of drainage related impact, mitigation is required.	**4.7.6.3A.** Prior to grading plan approval, the project proponent shall receive approval on a project-specific Final Hydrology Study, with supporting engineering calculations, from the City Engineer. The Final Hydrology Study shall incorporate relevant requirements identified by the City, and/or site-specific geotechnical investigations. A Preliminary Hydrology Study will be required prior to approval of the associated project tentative tract map.	Less than Significant with Mitigation
4.8 LAND USE AND PLANNING		
Less than Significant Impacts		
Physically Divide an Established Community: The	No mitigation is required	Less than Significant

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
project site does not contain any existing housing, nor does the site constitute part of an established community or neighborhood. The site is just south of SR-60 and the area has built and approved industrial warehouse uses. The construction and operation of the proposed project would neither displace residents nor divide an existing established community. No impact related to this issue would occur.		
Conflict with Any Applicable Habitat or Natural Community Conservation Plan: While the project site is not within any conservation area delineated in the MSHCP or SKR HCP, the project is still subject to provisions of these plans. The payment of the mitigation fees and compliance provisions of the MSHCP and SKR HCP provides full mitigation under the CEQA, FESA, and CESA for impacts to the species and habitats covered by these plans; therefore, no significant impact related to this issue would occur.	No mitigation is required	Less than Significant
Cumulative Impacts: The project is not consistent with existing on-site General Plan or zoning designations and a General Plan Amendment and Zone Change are required to achieve consistency. It is also not consistent with the zoning of land adjacent to the east (RA-2). Other development projects in the surrounding area, including recently built (Skechers) or approved (West Ridge) industrial warehouse projects, would have cumulatively considerable land use impacts for the project area, and the proposed project will make a significant contribution to that cumulative impact.	No mitigation is required	Less than Significant
Significant Impacts		
Impact 4.8.6.1 Conflict with Applicable Land Use Plans, Policies, or Regulations: Based on a review of regional SCAG, SCAQMD, UWMP, and Basin Plan policies, the proposed project is generally consistent with these regional plans, except for some population/housing projections in the SCAG Regional Transportation Plan, growth management policies in the SCAG Compass Blueprint Plan, and the Air Quality Management Plan. The project would remove 12.1 acres of RA-2 zoned land within the Primary Animal Keeping Overlay (PAKO) designation, which represents 0.4	No feasible mitigation available	Significant

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
percent of the PAKO-designated land in the City. The project is not consistent with existing General Plan land use or zoning designations. A General Plan Amendment (GPA) is required so the proposed project will be consistent with the land use designations and policies in the General Plan. The project would remove the potential for a maximum of 681 multifamily residential units on the property, 80 percent of which could contribute to the City's affordable housing goals, so the project is not consistent with the City's Housing Element. Since the project cannot replace the loss of MFR zoning elsewhere in the City, these land use impacts are considered significant and no feasible mitigation is available to reduce them to less than significant levels.		
4.9 NOISE		
Less than Significant Impacts		
Airport Noise Impacts: The proposed project site is located approximately 5 miles northeast of the March Air Reserve Base. However, the proposed project is not identified as being within the noise or safety contours delineated for the March Air Reserve Base Airport. The proposed project is not located within two miles of a public or private airport; therefore, it would not have the potential to expose people to excessive noise levels from airport operations and no impact regarding this issue would occur with implementation of the proposed project.	No mitigation is required	Less than Significant
Groundborne Vibration: While heavy-duty earthmoving equipment would be used during the construction phase of the project, the level of vibration would not be excessive or permanent, nor would it exceed the level at which building damage typically occurs. Therefore, impacts from construction-related groundborne vibration construction would be less than significant and no mitigation is required.	No mitigation is required	Less than Significant
Long-Term Traffic-Related Noise Impacts: The largest project-related increase in traffic noise would be along Eucalyptus Avenue between Auto Mall Drive and Redlands Boulevard. This segment would experience a 13.3 dBA increase over the baseline (without the project) scenario in	No mitigation is required	Less than Significant

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
the Opening Year (2016). However, no noise-sensitive uses exist or are planned in the vicinity of this roadway segment. All other roadway segments would have an increase in noise of less than 3.0 dBA, which would not be perceptible to the human ear in an outdoor environment.		
Long-Term Operational Noise Impacts: Potential long-term stationary noise impacts would primarily be associated with operations at the proposed warehouse and the light industrial uses. The proposed on-site warehouses and light industrial uses would generate noise from truck delivery, loading/unloading activities at the loading areas, and other noise-producing activities within the parking lots. Most of these noise events are intermittent in nature and are typically short in duration. However, since these noise generators would generate noise that is below the City identified thresholds at the nearest existing sensitive receptor, impacts associated with this issue are less than significant.	No mitigation is required	Less than Significant
Noise Impacts to Adjacent Future Development: Future development would result in the occupation of residential units in close proximity to noise-generating industrial uses located on the proposed project site. However it is anticipated that the proposed project site would be fully developed prior to the occupation of any new dwelling units; therefore, no construction-related noise impacts to future adjacent sensitive receptors would result from development of the proposed project. Operational noise at the nearest future sensitive receptors is anticipated to be below City identified thresholds. Therefore, noise impacts associated with this issue would be less than significant.	No mitigation is required	Less than Significant
Cumulative Noise Impacts: It is not possible to predict if contiguous properties may be constructed at the same time and create cumulative noise impacts that would be greater than if developed at separate times, However, in the event that adjacent properties are developed at the same time as the proposed project, implementation of the required mitigation at each development site would reduce the cumulative impacts of the proposed project to less than	No mitigation is required	Less than Significant

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
significant levels. The increases over existing traffic volume are attributable to cumulative development projects in the project vicinity and region. Cumulative noise impacts associated with roadway noise have been addressed based on the projected future traffic volumes. Comparing cumulative noise levels that would occur both with and without the project, the proposed project would not expose sensitive uses located adjacent to area roadways to excessive noise levels. Therefore, the proposed project's contribution to cumulative noise impacts at sensitive uses would not be significant.		
Significant Impacts		
Impact 4.9.6.1: Short-Term Construction Noise Impacts: Construction activities would include grading, excavation, and installation activities generating noise levels up 91 dBA L_{max} at 50 feet from an active construction area. These noise levels would diminish rapidly with distance from the construction site at a rate of approximately 6 dBA per doubling of distance. The worst-case scenario during construction would be a noise level of 91 dBA L_{max} at a distance of 50 feet from the noise source to the nearest existing sensitive receptor. However, compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures have been identified to reduce the noise levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards.	**4.9.6.1A.** During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards. **4.9.6.1B.** The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site. **4.9.6.1C.** 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 to the project site during all project construction. **4.9.6.1D.** During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer.	Less than Significant with Mitigation

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
4.10 POPULATION AND HOUSING		
Less than Significant Impacts		
Population Growth: Development of the proposed on-site uses would increase the number of jobs in the City by 1,532 positions based on data from a regional marketing study. The new employment opportunities resulting from development of the proposed industrial uses will improve the City's current jobs-to-housing ratio by providing jobs to local residents. While the place of residence of the persons accepting employment provided by the proposed uses is uncertain, due to the City's projected jobs/housing ratio, it is reasonable that a large percentage of these jobs would be filled by persons already living within the City or project area; therefore, no significant increase in population of the City would result from the development or operation of the proposed on-site uses. In the absence of a significant impact, no mitigation is required.	No mitigation is required	Less than Significant
Significant Impacts		
Displace Substantial Housing/People: No residential structures are currently located within the project limits. The construction and operation of the proposed on-site uses would neither displace existing housing or residents, nor require the construction of replacement housing elsewhere in the City. No significant impact related to this issue would occur and no mitigation is required. However, the project would eliminate 71.2 acres of multifamily residential uses planned for the site, which could result in as many as 681 units of which 80 percent are at a density sufficient for affordable housing programs (R15), which results in a significant housing impact. This impact is also evaluated in Section 4.8.6.1, *Consistency with Regional and Local Land Use Plans*.	No feasible mitigation is available	Significant
Cumulative Impacts: The project proposes development of industrial uses on a portion of the site that was planned for residential uses. Industrial uses would contribute jobs to the local some of which may be employment opportunities for the citizens of Moreno Valley. Loss of 681 units of potential	No feasible mitigation available	Contributes to a cumulatively considerable Impact on local housing

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Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
future housing will result in a cumulatively considerable housing impact, but it would not induce significant growth in areas where growth was not previously anticipated.		
4.11 TRANSPORTATION		
Less than Significant Impacts		
Air Traffic Pattern Impacts: The proposed project does not consist of any uses that would cause changes to air traffic volumes or otherwise affect air traffic patterns. Additionally, the proposed project does not include any visual, electronic, or physical hazards to aircraft in flight and is not anticipated to disrupt or alter air traffic patterns, including either an increase in traffic levels or a change in location. As such, no impacts associated with this issue would occur.	No mitigation is required	Less than Significant
Design Features or Incompatible Uses: Roadway improvements in and around the project site would be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control as well as incorporate design standards tailored specifically to site access requirements. Adherence to applicable existing requirements of the City of Moreno Valley and other agencies would reduce impacts associated with this issue to a less than significant level. Since no proposed schools would be located next to the proposed project, there would not be an incompatible use associated with the proposed project and the traffic associated with the proposed project on school facilities in the area. Similarly, for the existing residences to the southeast, it is anticipated that there would not be an incompatible use associated with traffic generated by the proposed project since there would be no truck or vehicle access to the project site on Encilia Avenue. Therefore, impacts associated with this issue are less than significant.	No mitigation is required	Less than Significant
Inadequate Emergency Access: The developers of the proposed project would be required to design, construct, and maintain structures, roadways, and facilities to provide for adequate emergency access and evacuation. Adherence to applicable existing requirements of the City of	No mitigation is required	Less than Significant

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
Moreno Valley and other agencies would reduce impacts associated with this issue to a less than significant level.		
Inadequate Parking Capacity: The preliminary site plan indicates that 1,091 automobile parking spaces are provided, which includes spaces for employees, drivers, and handicap spaces, and is well above the minimum requirement of 562 spaces. Adherence to parking standards contained in the *Zoning Code* would ensure that the proposed project would not result in inadequate parking capacity. Impacts associated with parking capacity are less than significant.	No mitigation is required	Less than Significant
Alternative Transportation: The design of the proposed project would be required to adhere to applicable City of Moreno Valley standards that support and/or facilitate alternative modes of transportation. Through the City's project review process, policies, plans, and/or programs supporting alternative transportation would be reviewed and incorporated as applicable. Consequently, a less than significant impact would occur.	No mitigation is required	Less than Significant
Significant Impacts		
Impact 4.11.6.1A Existing (2011) with project Conditions (Intersection) Traffic and Level of Service Impacts: The addition of project traffic to this scenario would result in conditions exceeding the established LOS standard at the following intersections: • Redlands Boulevard/SR-60 Westbound Ramps (a.m. and p.m. peak hours); and • Redlands Boulevard/Eucalyptus Avenue-Fir Avenue (p.m. peak hour). The project would contribute toward the worsening of the already unsatisfactory LOS at the intersection of Redlands Boulevard/SR-60 Westbound Ramps and would create a significant impact at the intersection of Redlands Boulevard/Eucalyptus Avenue-Fir Avenue. Therefore, mitigation is required at both intersections.	**4.11.6.4A.** Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program: • **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is listed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Redlands Boulevard/Fir Avenue/Eucalyptus Avenue.** Install a traffic signal. This improvement is listed in the City's DIF program. Add a northbound left-turn lane and a southbound left-turn lane. These improvements are listed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the	With the implementation of the recommended improvements, the minimum level of service standards would be maintained for the Existing (2011) with project condition and impacts would be reduced to a less than significant level for all identified intersections. However, improvements to freeway facilities are under the authority of Caltrans. Since the City has no control over when and how the improvements will be in place, impacts associated with SR-60 ramp intersections would remain significant and unavoidable until such improvement is constructed.

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	significant impact at this location.	
Impact 4.11.6.4B Opening Year (2016) with project conditions (Intersection) Traffic and Level of Service Impacts: The addition of project traffic to this scenario would result in conditions exceeding the established LOS standard at the following intersections: • Moreno Beach Drive/SR-60 WB Ramps (p.m. peak hour) • Redlands Boulevard/SR-60 WB Ramps (a.m. and p.m. peak hours) • Redlands Boulevard/Eucalyptus Avenue-Fir Avenue (p.m. peak hour). The project would have a significant impact at all three intersections, and therefore mitigation would be required.	**4.11.6.4B.** Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program: • **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is listed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Redlands Boulevard/Fir Avenue/Eucalyptus Avenue.** Install a traffic signal. This improvement is listed in the City's DIF program. Add a northbound left-turn lane and a southbound left-turn lane. These improvements are listed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location.	With the implementation of the recommended improvements, the minimum level of service standards would be maintained for the Opening Year (2016) with project condition and impacts would be reduced to a less than significant level for all identified intersections. In addition to the signalization of the Redlands Boulevard/SR-60 Westbound ramp intersection included in the City's DIF program, reconstruction of the Redlands Boulevard/SR-60 interchange is programmed in the TUMF program. As a result, there are programmed improvements at the deficient freeway ramp intersection identified in **Mitigation Measure 4.11.6.1B** in both the DIF and TUMF programs. Improvements to freeway facilities are under the authority of Caltrans. Although the City would collect fees that would be utilized for improvements to the Moreno Beach Drive/SR-60 Eastbound Ramps and Redlands Boulevard/SR-60 Westbound Ramps, improvements to these intersections are outside the City's jurisdiction. Since the City has no control over when and how the improvements will be in place, impacts associated with these identified intersections would remain significant and unavoidable until such improvements are constructed.
Impact 4.11.6.4C: Opening Year (2016) cumulative with project conditions (Intersection) Traffic and Level of Service Impacts: The addition of project traffic to this scenario would result in conditions exceeding the established LOS standard at the following intersections:	**4.11.6.4C.** Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program:	With the implementation of the recommended improvements, the minimum level of service standards would be maintained for the opening year (2016) cumulative with project and impacts would

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
• Moreno Beach Drive/SR-60 Eastbound Ramps (p.m. peak hour); • Moreno Beach Drive/Cottonwood Avenue (p.m. peak hour); • Moreno Beach Drive/Alessandro Avenue (p.m. peak hour); • Redlands Boulevard/SR-60 Westbound Ramps (a.m. and p.m. peak hours); • Redlands Boulevard/SR-60 Eastbound Ramps (a.m. and p.m. peak hours); • Redlands Boulevard/Fir Avenue-Eucalyptus Avenue (a.m. and p.m. peak hours); • Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue (p.m. peak hour); and • Redlands Boulevard/Alessandro Boulevard (p.m. peak hour). These intersections are forecast to exceed satisfactory levels of service in opening year (2016) cumulative without-project conditions, with the exception of the intersection of Redlands Boulevard/Eucalyptus Avenue-Fir Avenue and Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue; these intersections already exceeded established LOS standards in the opening year (2016) cumulative without-project condition. Because the proposed project would contribute to and would cause intersections to operate at unsatisfactory levels, mitigation is required.	• **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/Cottonwood Avenue.** Add a southbound through lane. This improvement is listed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/Alessandro Boulevard.** Add a southbound through lane. This improvement is listed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is listed in the City's DIF program. Add a northbound through lane. The Redlands Boulevard/SR-60 Interchange reconstruction would implement the northbound through lane. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/SR-60 Eastbound Ramps.** The Redlands Boulevard/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the TUMF fee would mitigate the significant impact at this location.	be reduced to a less than significant level for all identified intersections. In addition, reconstruction of the interchanges at the location of the deficient freeway ramp intersections identified in **Mitigation Measure 4.11.6.1C** are already programmed into the TUMF program. However, as noted previously, improvements to freeway facilities are under the authority of Caltrans. Although the City would collect fees that would be utilized for improvements to the Moreno Beach Drive/SR-60 Eastbound Ramps, Redlands Boulevard/SR-60 Westbound Ramps, and Redlands Boulevard/SR-60 Eastbound Ramps intersections, improvements to these intersections are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified intersections would remain significant and unavoidable until such improvements are constructed.

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	• **Redlands Boulevard/Fir Avenue/Eucalyptus Avenue.** Install a traffic signal. Add a westbound right-turn lane and provide overlap phasing for the westbound right turns. Add a westbound left-turn lane and an eastbound left-turn lane. These improvements are programmed in the City's DIF program. Add a northbound left-turn lane, a southbound through lane, and a southbound left-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/Eucalyptus Avenue.** Add a southbound right-turn lane. This improvement is programmed in the TUMF. Therefore, payment of the TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/Alessandro Boulevard.** Add a southbound left-turn lane. This improvement is programmed in the TUMF. Therefore, payment of the TUMF fees would mitigate the significant impact at this location.	
Impact 4.11.6.4D: Future Year (2035) with project conditions (Intersection) Traffic and Level of Service Impacts: The addition of project traffic to this scenario would result in conditions exceeding the established LOS standard at the following intersections: • Nason Street/Eucalyptus Avenue (a.m. and p.m. peak hours); • Nason Street/Alessandro Boulevard (a.m. and p.m. peak hours); • Moreno Beach Drive/SR-60 Westbound Ramps (a.m. peak hour); • Moreno Beach Drive/SR-60 Eastbound Ramps (p.m. peak hour);	**4.11.6.4D.** Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program. At some locations, the DIF and TUMF fees would not fully mitigate the project's impact. For these locations, additional improvements shall be implemented by the project applicant prior to the issuance of a certificate of occupancy for the project: • **Nason Street/Eucalyptus Avenue.** Add a northbound right turn lane. This improvement is programmed in the City's DIF; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In	With the implementation of the recommended improvements, the minimum level of service standards would be maintained for the future year (2035) with project scenario and impacts would be reduced to a less than significant level for all identified intersections. In addition, reconstruction of the interchanges at the location of the deficient freeway ramp intersections identified in **Mitigation Measure 4.11.6.2D** are already programmed into the TUMF program. It is anticipated that by future year (2035) improvement to the identified freeway ramps and intersections would be built through the TUMF process and

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
• Moreno Beach Drive/Eucalyptus Avenue (p.m. peak hour); • Moreno Beach Drive/Cottonwood Avenue (p.m. peak hour); • Moreno Beach Drive/Alessandro Avenue (a.m. and p.m. peak hours); • Redlands Boulevard/SR-60 Westbound Ramps (a.m. and p.m. peak hours); • Redlands Boulevard/SR-60 Eastbound Ramps (a.m. and p.m. peak hours); • Redlands Boulevard/Fir Avenue-Eucalyptus Avenue (a.m. and p.m. peak hours); • Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue (a.m. and p.m. peak hours); and • Redlands Boulevard/Alessandro Boulevard (a.m. and p.m. peak hours). All of the intersections that are forecast to experience a deficient LOS with the proposed project would also operate with a deficient LOS without the proposed project. Although the proposed project does not cause these intersections to operate at an unsatisfactory LOS, it does contribute to the worsening of the intersections' LOS and therefore mitigation would be required to offset the cumulative impact of the project.	addition, the project shall contribute a fair share (calculated to be 1.76%) toward restriping the westbound approach to provide dual left-turn lanes. • **Nason Street/Alessandro Boulevard.** Add an eastbound through lane and a westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, the project shall contribute a fair share (calculated to be 1.4%) toward modification of the traffic signal to provide overlap phasing for the eastbound right-turn lane. • **Moreno Beach Drive/SR-60 Westbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/Eucalyptus Avenue.** Convert the existing eastbound through lane to a left-turn lane and the eastbound right-turn lane to a shared through/right-turn lane. These	coordination by Caltrans, WRCOG, and the City of Moreno Valley. Because the project would pay its fair-share cost associated with these improvements and because such improvements are anticipated to be constructed by the future year (2035), impacts associated with this issue are less than significant after the identified mitigation measures have been implemented.

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, the project shall contribute a fair share (calculated to be 8.63%) toward modification of the traffic signal to provide right-turn overlap phasing for the westbound right-turn lane. • **Moreno Beach Drive/Cottonwood Avenue.** Add a southbound through lane, This improvement is programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/Alessandro Boulevard.** Add 2 southbound through lanes, 2 northbound through lanes, an eastbound through lane, and a westbound through lane. These improvements are programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is programmed in the City's DIF program and will be installed before building occupancy since it was identified as a direct project impact. • **Redlands Boulevard/SR-60 Eastbound Ramps.** The Redlands Boulevard/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Redlands Boulevard/Fir Avenue-Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane, eastbound through	

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	lane, eastbound left-turn lane, and a westbound right-turn lane with overlap phasing. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a southbound through lane, southbound left-turn lane, northbound through lane, and northbound left-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a northbound left-turn lane and a southbound left-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/Alessandro Boulevard.** Install a traffic signal. This improvement is programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a southbound left-turn lane, a northbound left-turn lane, a westbound left-turn lane, an eastbound left-turn lane, a westbound right-turn lane, and a southbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location.	
Impact 4.11.6.4E: General Plan Build Out with project conditions (Intersection) Traffic and Level of Service	**4.11.6.4E.** Prior to issuance of building permits, the project applicant shall pay the fair-share contribution	With the implementation of the recommended improvements, the

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
Impacts: The addition of project traffic to this scenario would result in conditions exceeding the established LOS standard at the following intersections: • Nason Street/Eucalyptus Avenue (a.m. and p.m. peak hours); • Nason Street/Alessandro Boulevard (a.m. and p.m. peak hours); • Moreno Beach Drive/SR-60 Westbound Ramps (a.m. and p.m. peak hours); • Moreno Beach Drive/SR-60 Eastbound Ramps (a.m. and p.m. peak hours); • Moreno Beach Drive/Eucalyptus Avenue (a.m. and p.m. peak hours); • Moreno Beach Drive/Cottonwood Avenue (a.m. and p.m. peak hours); • Moreno Beach Drive/Alessandro Avenue (a.m. and p.m. peak hours); • Redlands Boulevard/SR-60 Westbound Ramps (a.m. and p.m. peak hours); • Redlands Boulevard/SR-60 Eastbound Ramps (a.m. and p.m. peak hours); • Redlands Boulevard/Fir Avenue-Eucalyptus Avenue (a.m. and p.m. peak hours); • Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue (a.m. and p.m. peak hours); • Redlands Boulevard/Cottonwood Avenue (a.m. and p.m. peak hours); and • Redlands Boulevard/Alessandro Boulevard (a.m. and p.m. peak hours). All of the intersections that are forecast to experience a deficient LOS with the proposed project would also operate	toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program, or through a fair-share contribution to the City of Moreno Valley as noted below: • **Nason Street/Eucalyptus Avenue.** Add a northbound right-turn lane and an eastbound right-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. Implementation of the improvements identified for this intersection in **Mitigation Measure 4.11.6.4D** would also partially mitigate the significant impact at this intersection. In addition, the project shall pay a fair share (calculated to be 1.6%) toward modification of the traffic signal to provide right-turn overlap phasing for the eastbound and northbound right turns. • **Nason Street/Alessandro Boulevard.** Add an eastbound through lane and westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. Implementation of the improvements identified for this intersection in **Mitigation Measure 4.11.6.4D** would also partially mitigate the significant impact at this intersection. In addition, the project shall pay a fair share (calculated to be 1.35%) toward the addition of an eastbound left-turn lane and modification of the traffic signal to provide overlap phasing for the westbound right-turn lane. • **Moreno Beach Drive/SR-60 Westbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate	minimum level of service standards would be maintained for the General Plan Build Out with project condition and impacts would be reduced to a less than significant level for all identified intersections. However, improvements to freeway facilities are under the authority of Caltrans. Since the City has no control over when and how the improvements will be in place, impacts associated with freeway ramp intersections would remain significant and unavoidable until such improvement is constructed.

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
with a deficient LOS without the proposed project. Although the proposed project does not cause these intersections to operate at an unsatisfactory LOS, it does contribute to the worsening of the intersections' LOS and therefore mitigation would be required to offset the cumulative impact of the project.	the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/Eucalyptus Avenue.** Restripe eastbound approach to dual left-turn lanes and add a northbound through lane, a westbound through lane, and a southbound right-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. Implementation of the improvements identified for this intersection in **Mitigation Measure 4.11.6.4D** would also partially mitigate the significant impact at this intersection. In addition, the project shall pay a fair share (calculated to be 5.17%) toward modification of the traffic signal to provide right-turn overlap phasing for the southbound right-turn lane. • **Moreno Beach Drive/Cottonwood Avenue.** Add a southbound through lane, a northbound through lane, an eastbound left-turn lane, an eastbound through lane, a westbound through lane, and a westbound left-turn lane. These improvements are programmed in the City's DIF	

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Moreno Beach Drive/Alessandro Boulevard.** Add 2 southbound through lanes, 2 northbound through lanes, an eastbound through lane, and a westbound through lane. These improvements are programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Auto Mall Drive/Eucalyptus Avenue.** Install a traffic signal. This improvement is programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is programmed in the City's DIF program and will be installed before building occupancy since it was identified as a direct project impact. Therefore, payment of the DIF fee would mitigate the significant impact at this location. • **Redlands Boulevard/SR-60 Eastbound Ramps.** The Redlands Boulevard/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the TUMF fee would mitigate the significant impact at this location. • **Redlands Boulevard/Fir Avenue-Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane, eastbound through lane, eastbound left-turn lane, a westbound right-turn lane with overlap phasing, and a southbound right-turn lane with overlap phasing. These improvements are programmed in the	

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a southbound through lane, a southbound left-turn lane, a northbound through lane, a northbound left-turn lane, and a northbound right-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the TUMF fee would also partially mitigate the significant impact at this location. In addition, the project shall pay a fair share (calculated to be 10.44%) of the cost of adding a southbound left-turn lane. • **Redlands Boulevard/Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a northbound left-turn lane, a northbound through lane, a southbound left-turn lane, and southbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/Cottonwood Avenue.** Add an eastbound through lane and westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, add a northbound through lane and a southbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location. • **Redlands Boulevard/Alessandro Boulevard.** Install a traffic signal. This improvement is	

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	programmed in the City's DIF program; therefore, payment of the DIF fee would partially mitigate the significant impact at this intersection. In addition, and add a southbound left-turn lane, a northbound left-turn lane, a westbound left-turn lane, an eastbound left-turn lane, a westbound right-turn lane, a southbound through lane, a westbound through lane, and an eastbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF fees would mitigate the significant impact at this location.	
Impact 4.11.6.4F General Plan Build Out conditions with the Quincy Street and Encilia Avenue connections (Intersection) Traffic and Level of Service Impacts: The addition of project traffic to this scenario would result in conditions exceeding the established LOS standard at the following intersections: • Moreno Beach Drive/SR-60 Westbound Ramps (a.m. and p.m. peak hours); • Moreno Beach Drive/SR-60 Eastbound Ramps (a.m. and p.m. peak hours); • Moreno Beach Drive/Eucalyptus Avenue (a.m. and p.m. peak hours); • Redlands Boulevard/SR-60 Westbound Ramps (a.m. and p.m. peak hours); • Redlands Boulevard/SR-60 Eastbound Ramps (a.m. and p.m. peak hours); • Redlands Boulevard/Eucalyptus Avenue-Fir Avenue (a.m. and p.m. peak hours); • Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue (a.m. and p.m. peak hours); • Moreno Beach Drive/Encilia Avenue (a.m. and p.m. peak hours); and	**4.11.6.4F.** If the Encilia Avenue and Quincy Street Connection plan is implemented as part of the proposed project, then prior to issuance of building permits, the project applicant shall implement the following improvements, in addition to those identified in **Mitigation Measure 4.11.6.4.E**, either through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program: • **Moreno Beach Drive/Eucalyptus Avenue.** Restripe the southbound shared through/right-turn lane to a southbound through lane. This improvement is programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the impacts of the project at this intersection. • **Redlands Boulevard/Fir Avenue-Eucalyptus Avenue.** Pay the fair share (calculated to be 10.84%) to add a southbound right-turn lane. • **Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane. These improvements are programmed in the City's DIF program. In addition, add a northbound left-turn lane, northbound through lane, southbound left-	With the implementation of the recommended improvements, the minimum level of service standards would be maintained for the General Plan Build Out with the Quincy Street and Encilia Avenue connections with project condition and impacts would be reduced to a less than significant level for all identified intersections. However, improvements to freeway facilities are under the authority of Caltrans. Since the City has no control over when and how the improvements will be in place, impacts associated with freeway ramp intersections would remain significant and unavoidable until such improvement is constructed.

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
• Quincy Street/Encilia Avenue-Eucalyptus Avenue (p.m. peak hour). All of the intersections that are forecast to experience a deficient LOS with the proposed project would also operate with a deficient LOS without the proposed project. Although the proposed project does not cause these intersections to operate at an unsatisfactory LOS, it does contribute to the worsening of the intersections' LOS and therefore mitigation would be required to offset the cumulative impact of the project.	turn lane, and a southbound through lane. These improvements are programmed in the TUMF program. Therefore, payment of the DIF and TUMF fees would fully mitigate the impact of the project at this intersection. • **Moreno Beach Drive/Encilia Avenue.** Install a traffic signal and add a northbound through lane, southbound left-turn lane, and a southbound through lane. This improvement is programmed in the City's DIF program. Therefore, payment of the DIF fee would mitigate the impacts of the project at this intersection.	
4.12 UTILITIES AND SERVICE SYSTEMS		
Less than Significant Impacts		
Solid Waste Facility Facilities: Because solid waste generated represents substantially less than one percent of the surplus daily capacity, and because the payment of fees would offset operation costs associated with solid waste collection and disposal, no significant solid waste impacts would result from the development of the proposed on-site uses and no mitigation would be required.	No mitigation is required	Less than Significant
Solid Waste Regulations: Solid waste disposal needs of the proposed project have been incorporated into local and regional waste management planning. Because the proposed project would be required to coordinate with the waste hauler to develop collection of recyclable materials for the project on a common schedule as set forth in applicable local, regional, and State programs, a less than significant impact related to this issue would occur.	No mitigation is required	Less than Significant
Cumulative Impacts to Solid Waste Services: With the implementation of AB 939 provisions, the amount of solid waste disposed of in landfills by County build out is projected to be 3.3 million tons per year. With planned expansion activities of County landfills and projected growth rates contained with a Landfill System Capacity Study prepared for the County, the Riverside County Integrated Project EIR concluded sufficient landfill capacity would exist	No mitigation is required	Less than Significant

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
to accommodate future disposal needs through County build out in 2040 (including the City of Moreno Valley). Therefore, build out of the County General Plan would not create demands for solid waste services that exceed the capabilities of the County's waste management system. Consequently, cumulative impacts associated with solid waste within the County would be considered less than significant.		
Construction of Expansion of Water Treatment Facilities: The proposed project would not require the construction of new water treatment facilities or expansion of existing facilities, which could cause significant environmental effects; and impacts related to this issue would be less than significant.	No mitigation is required	Less than Significant
Adequate Water Supply: According to the project's Water Supply Assessment (EMWD 2012), project water consumption represents substantially less than one percent of the consumption yearly capacity. In addition, the EMWD indicates that water to service the project's proposed industrial uses is available, so no significant water supply impacts would occur with implementation of the proposed industrial uses.	No mitigation is required	Less than Significant
Cumulative Water Supply Impacts: The cumulative area for water supply-related issues is the EMWD service area. Increases in population, square footage, and intensity of uses would contribute to increases in the overall regional water demand. Because the EWMD will have water supplies for projected growth through 2030 in wet, dry, and multiple-dry years, cumulative impacts to water supply would be less than significant. Because the proposed project will connect to existing conveyance infrastructure and adequate treatment capacity is available, no cumulatively significant effect on water infrastructure will result from the development of the proposed project.	No mitigation is required	Less than Significant
Wastewater Treatment Requirements: Compliance with condition or permit requirements established by the City, and waste discharge requirements at the MVRWRF and PVRWRF would ensure that discharges into the wastewater	No mitigation is required	Less than Significant

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
treatment facility system from the operation of the proposed project would not exceed applicable Santa Ana Regional Water Quality Control Board wastewater treatment requirements. Therefore, no significant impact related to this issue would occur.		
Wastewater Treatment Capacity: The amount of wastewater generated by the proposed project would be within the existing surplus treatment capacity at the MVRWRF. In addition, planned expansion of the MVRWRF would occur prior to the project's opening year, thus increasing capacity further. Therefore, the proposed project would not require the construction of new wastewater treatment facilities or expansion of existing facilities, which could cause significant environmental effects; impacts associated with wastewater facilities would be less than significant.	No mitigation is required	Less than Significant
Cumulative Impacts to Wastewater Services: Because the combined projected wastewater generation of the proposed project represents one percent of the average wastewater surplus capacity, and because there are no projects that would, in combination with the proposed industrial uses, result in any significant impact related to wastewater treatment or cause significant environmental effects, no significant cumulative impacts associated with wastewater would occur with payment of adequate development impact fees.	No mitigation is required	Less than Significant
Significant Impacts		
Impact 4.12.2.6.1 Storm water Drainage Requirements: Due to the installation of impervious surfaces on the project site, the post-development flows that would be generated on the project site are higher than the pre-development flows. To avoid a significant impact to the existing drainage capacity, the post-development flows coming from the proposed project site are required to not be greater than pre-development flows. This is a significant impact requiring mitigation.	Previously referenced **Mitigation Measure 4.7.6.3A**	Less than Significant

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
4.13 GLOBAL CLIMATE CHANGE		
Less than Significant Impacts		
Energy Consumption: The proposed project would utilize approximately 14.6 million kilowatt-hours of electricity per year and 4.5 million cubic feet of natural gas per year. The supply of natural gas and electricity is demand responsive. Because the proposed project would be required to adhere to standards contained in Title 24 in addition to requirements set forth by the respective utility providers, development of the proposed project would not result in the wasteful, inefficient, or unnecessary consumption of energy. Consequently, impacts associated with this issue are considered to be less than significant.	No mitigation is required	Less than Significant
Greenhouse Gas Emissions and Climate Change: Construction of the project would emit approximately 37.5 tons per day of CO_2 equivalent emissions, while occupancy of the project will emit 61,000 tons of CO_2 equivalent emissions per year. The carbon dioxide, methane, and nitrous oxide emissions that would be associated with the proposed project is approximately 0.0024 percent of California's 2004 total emissions for carbon dioxide, methane, and nitrous oxide (492 Tg CO_2 Eq). The proposed project would be consistent with all feasible and applicable strategies to reduce greenhouse gas emissions in California. Therefore, the impact of the proposed project, based on these specifications, would be less than significant. The SCAQMD currently recommends that potential GHG emissions be addressed through energy efficiency.	**4.13.6.1A.** Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following: • Exterior windows shall utilize window treatments for efficient energy conservation. • Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used. • Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, and water heating) shall be commissioned by the Commissioning Authority. • Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.	Less than Significant with Mitigation Since the project is consistent with the strategies to reduce California's emissions to the levels proposed by Executive Order S-3-05, the project's incremental contribution to climate change at the project level is less than significant.

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	4.13.6.1B. Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project: • Use of locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project. • Use of "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project. • Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions. • Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants. • Design the project building to exceed the California Building Code's (CBC) Title 24 energy standard, including, but not limited to, any combination of the following: o Increase insulation such that heat transfer and thermal bridging is minimized. o Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. o Incorporate ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or	

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	other applicable electrical equipment. • Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping. • Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings. • Install light-colored "cool" roof and cool pavements. • Install energy-efficient heating and cooling systems, appliances and equipment, and control systems. • Install solar or light-emitting diodes (LEDs) for outdoor lighting. **4.13.6.1C.** Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project: • The project applicant shall use less than 3,900 Global Warming Potential (GWP) hydrofluorocarbon (HCF) refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment. • Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows. • Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate:	

Table 1.C: Eucalyptus Industrial Park Environmental Summary

Issues/Impacts	Mitigation Measures	Level of Significance after Mitigation
	o Install drought-tolerant plants for landscaping. o Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water. o Install water-efficient irrigation systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance. • Provide employee education about reducing waste and available recycling services.	
Cumulative Greenhouse Gas Emissions and Climate Change: The proposed project would contribute 0.012 Tg CO_2 Eq, which is 0.0024 percent of California's 2004 total emissions for carbon dioxide, methane, and nitrous oxide (492 Tg CO_2 Eq). Without mitigation, the project's emissions of greenhouse gases may be considered cumulatively considerable, within the meaning of *CEQA Guidelines* Sections 15065(a)(3) and 15130.	Implementation of **Mitigation Measures 4.13.6.1A** through **4.13.6.1C** are consistent with the CARB's Scoping Plan measures and will effectively reduce the potential impact of the project's greenhouse gases relative to global (cumulative) climate change.	Less than Significant with Mitigation Given the findings of AB 32 and the requirements of CEQA, the Lead Agency must determine whether a project will or will not have a cumulatively considerable contribution. Due to the lack of guidance for determining the significance of cumulative impacts to climate change from projects, and out of an overabundance of caution, the project has been evaluated to determine whether emissions of greenhouse gases have been minimized to the extent feasible with current technology and measures. Based on the threshold of the project's consistency with these measures contained in Executive Order S-3-05, the project has a less than significant impact as it does comply with these measures. Inherently, the issue of climate change is cumulative in nature. Therefore, although the project would contribute some GHG emissions to existing conditions, its contribution to climate change is cumulatively less than significant.

Table 1.D: Air Quality Measure 4.3.6.2M Best Available Control Measures for Fugitive Dust (Apply to All Construction Activities)

Source Category	Control Measures	Guidance
Backfilling	• Stabilize backfill material when not actively handling; and • Stabilize backfill material during handling; and • Stabilize soil at completion of activity.	• Mix backfill soil with water prior to moving; and • Dedicate water truck or high capacity hose to backfilling equipment; and • Empty loader bucket slowly so that no dust plumes are generated; and • Minimize drop height from loader bucket.
Clearing and grubbing	• Maintain stability of soil through pre-watering of site prior to clearing and grubbing; and • Stabilize soil during clearing and grubbing activities; and • Stabilize soil immediately after clearing and grubbing activities.	• Maintain live perennial vegetation where possible; and • Apply water in sufficient quantity to prevent generation of dust plumes.
Clearing forms	• Use water spray to clear forms; or • Use sweeping and water spray to clear forms; or • Use vacuum system to clear forms.	• Use of high pressure air to clear forms may cause exceedance of Rule requirements.
Crushing	• Stabilize surface soils prior to operation of support equipment; and • Stabilize material after crushing.	• Follow permit conditions for crushing equipment; and • Pre-water material prior to loading into crusher; and • Monitor crusher emissions opacity; and • Apply water to crushed material to prevent dust plumes.
Cut and fill	• Pre-water soils prior to cut and fill activities; and • Stabilize soil during and after cut and fill activities.	• For large sites, pre-water with sprinklers or water trucks and allow time for penetration; and • Use water trucks/pulls to water soils to depth of cut prior to subsequent cuts.
Demolition – mechanical/manual	• Stabilize wind erodible surfaces to reduce dust; and • Stabilize surface soil where support equipment and vehicles will operate; and • Stabilize loose soil and demolition debris; and • Comply with AQMD Rule 1403.	• Apply water in sufficient quantities to prevent the generation of visible dust plumes.
Disturbed soil	• Stabilize disturbed soil throughout the construction site; and • Stabilize disturbed soil between structures.	• Limit vehicular traffic and disturbances on soils where possible; and • If interior block walls are planned, install as early as possible; and • Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes.

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Table 1.D: Air Quality Measure 4.3.6.2M Best Available Control Measures for Fugitive Dust (Apply to All Construction Activities)

Source Category	Control Measures	Guidance
Earthmoving activities	• Pre-apply water to depth of proposed cuts; and • Re-apply water as necessary to maintain soils in a damp condition and to ensure that visible emissions do not exceed 100 ft in any direction; and • Stabilize soils once earth-moving activities are complete.	• Grade each Project phase separately, timed to coincide with construction phase; and • Upwind fencing can prevent material movement on site; and • Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes.
Importing/exporting of bulk materials	• Stabilize material while loading to reduce fugitive dust emissions; and • Maintain at least 6 inches of freeboard on haul vehicles; and • Stabilize material while transporting to reduce fugitive dust emissions; and • Stabilize material while unloading to reduce fugitive dust emissions; and • Comply with CVC Section 23114.	• Use tarps or other suitable enclosures on haul trucks; and • Check belly-dump truck seals regularly and remove any trapped rocks to prevent spillage; and • Comply with track-out prevention/mitigation requirements; and • Provide water while loading and unloading to reduce visible dust plumes.
Landscaping	• Stabilize soils, materials, slopes	• Apply water to materials to stabilize; and • Maintain materials in a crusted condition; and Maintain effective cover over materials; and • Stabilize sloping surfaces using soil binders until vegetation or ground cover can effectively stabilize the slopes; and Hydroseed prior to rain season.
Road shoulder maintenance	• Apply water to unpaved shoulders prior to clearing; and • Apply chemical dust suppressants and/or washed gravel to maintain a stabilized surface after completing road shoulder maintenance.	• Installation of curbing and/or paving of road shoulders can reduce recurring maintenance costs; and • Use of chemical dust suppressants can inhibit vegetation growth and reduce future road shoulder maintenance costs.
Screening	• Pre-water material prior to screening; and • Limit fugitive dust emissions to opacity and plume length standards; and • Stabilize material immediately after screening.	• Dedicate water truck or high capacity hose to screening operation; and • Drop material through the screen slowly and minimize drop height; and • Install wind barrier with a porosity of no more than 50 percent upwind of screen to the height of the drop point.

Table 1.D: Air Quality Measure 4.3.6.2M Best Available Control Measures for Fugitive Dust (Apply to All Construction Activities)

Source Category	Control Measures	Guidance
Staging areas	• Stabilize staging areas during use; and • Stabilize staging area soils at project completion.	• Limit size of staging area; and • Limit vehicle speeds to 15 miles per hour; and • Limit number and size of staging area entrances/exits.
Stockpiles/bulk material handling	• Stabilize stockpiled materials, and stockpiles within 100 yards of off-site occupied buildings must not be greater than 8 ft in height; or must have a road bladed to the top to allow water truck access or must have an operational water irrigation system that is capable of complete stockpile coverage.	• Add or remove material from the downwind portion of the storage pile; and • Maintain storage piles to avoid steep sides or faces.
Traffic areas for construction activities	• Stabilize all off-road traffic and parking areas; and • Stabilize all haul routes; and • Direct construction traffic over established haul routes.	• Apply gravel/paving to all haul routes as soon as possible to all future roadway areas; and • Barriers can be used to ensure vehicles are only used on established parking areas/haul routes.
Trenching	• Stabilize surface soils where trencher or excavator and support equipment will operate; and • Stabilize soils at the completion of trenching activities.	• Pre-watering of soils prior to trenching is an effective preventive measure. For deep trenching activities, pre-trench to 18 inches, soak soils via the pre-trench and resuming trenching; and • Washing mud and soils from equipment at the conclusion of trenching activities can prevent crusting and drying of soil on equipment.
Truck loading	• Pre-water material prior to loading; and • Ensure that freeboard exceeds 6 inches (CVC 23114).	• Empty loader bucket such that no visible dust plumes are created; and • Ensure that the loader bucket is close to the truck to minimize drop height while loading.
Turf overseeding	• Apply sufficient water immediately prior to conducting turf vacuuming activities to meet opacity and plume length standards; and • Cover haul vehicles prior to exiting the site.	• Haul waste material immediately off site.
Unpaved roads/parking lots	• Stabilize soils to meet the applicable performance standards; and • Limit vehicular travel to established unpaved roads (haul routes) and unpaved parking lots.	• Restricting vehicular access to established unpaved travel paths and parking lots can reduce stabilization requirements.
Vacant land	• In instances where vacant lots are 0.10 acre or larger and have a cumulative area of 500 sf or more that are driven over and/or used by motor vehicles and/or off-road vehicles, prevent motor vehicle and/or off-road vehicle trespassing, parking and/or access by installing barriers, curbs, fences, gates, posts, signs, shrubs, trees, or other effective control measures.	

ac = acre(s) AQMD = Air Quality Management District CVC = California Vehicle Code ft = feet sf = square feet

Table 1.E: Air Quality Measure 4.3.6.2M Contingency Control Measures for Fugitive Dust (During High Winds in Excess of 25 MPH)

Fugitive Dust Source Category	Control Measures
Earthmoving	• Cease all active operations; or • Apply water to soil not more than 15 minutes prior to moving such soil.
Disturbed surface areas	• On the last day of active operations prior to a weekend, holiday, or any other period when active operations will not occur for not more than 4 consecutive days: apply water with a mixture of chemical stabilizer diluted to not less than $^{1}/_{20}$ of the concentration required to maintain a stabilized surface for a period of 6 months; or • Apply chemical stabilizers prior to wind event; or • Apply water to all unstabilized disturbed areas 3 times per day. If there is any evidence of wind driven fugitive dust, watering frequency is increased to a minimum of 4 times per day; or • Establish a vegetative ground cover within 21 days after active operations have ceased. Ground cover must be of sufficient density to expose less than 30 percent of unstabilized ground within 90 days of planting, and at all times thereafter; or • Utilize any combination of these control actions such that, in total, these actions apply to all disturbed surface areas.
Unpaved roads	• Apply chemical stabilizers prior to wind event; or • Apply water 2 times per hour during active operation; or • Stop all vehicular traffic.
Open storage piles	• Apply water 2 times per hour; or • Install temporary coverings.
Paved road track-out	• Cover all haul vehicles; or • Comply with the vehicle freeboard requirements of Section 23114 of the CVC for both public and private roads.
All categories	• Executive Officer and the USEPA as equivalent to the methods specified in this table may be used.

CVC = California Vehicle Code
USEPA = United States Environmental Protection Agency

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2.0 INTRODUCTION AND PURPOSE

This section of the Draft EIR describes the purpose and type of EIR, the intended uses of the EIR, documents incorporated by reference, and the process and procedures governing the preparation of the environmental document. Included in this section is a discussion of issues determined to be less than significant. This section also identifies topic areas of discussion and analysis in the Draft EIR and provides an outline of the document format.

2.1 DOCUMENT FORMAT

To assist the reader's review of the document, the following describes the format of this EIR.

Section 1.0 *Executive Summary* provides a summary of the EIR document and (in Table 1.C) the proposed project impacts, proposed mitigation measures, and the level of significance of each impact following the application of identified mitigation measures.

Section 2.0 *Introduction and Purpose* provides a discussion of the EIR's purpose, focus, legal requirements, and an outline of the document's format and content.

Section 3.0 *Project Description* provides a detailed description of the proposed project, discretionary actions required to implement the project, and objectives of the proposed project.

Section 4.0 *Existing Setting, Impacts, and Mitigation Measures* evaluates the impacts associated with the proposed project. This section is organized by issue area and follows the following framework:

- *Existing Setting*. Information in the existing setting contains a discussion of the local and regional environment conditions (environmental and man-made) in existence at the time the NOP was circulated for public review. Existing setting information provides the reader with the "baseline" from which future impacts are analyzed, and provides a standard against which to measure these impacts.
- *Existing Policies and Regulations.* Regulatory requirements and policies (Federal, State, and local) applicable to the issue area are summarized.
- *Methodology.* Identification of methods and techniques utilized for analysis.
- *Thresholds of Significance*. Determinations regarding the significance of potential impacts resulting from implementation of the proposed project are provided. These thresholds represent the criteria used in this EIR to determine whether identified impacts are significant.
- *Impacts*. Potential impacts are identified based on implementation of the proposed project. An analysis of potential impacts of the proposed project is presented in this section. This discussion focuses on the impacts of implementation of the proposed project, and includes potential short-term/long-term and direct/indirect project impacts, and consistency with applicable planning documents or regulations.
    - *Mitigation Measures*. The measures proposed to mitigate any potential impacts of the proposed project.
    - *Level of Significance after Mitigation.* Discussion that provides a conclusion as to whether implementation of the proposed project will reduce the project-related and cumulative impacts to a level that is less than significant.

- *Cumulative Impacts.* This discussion focuses on the potential environmental effect of the proposed project combined with the effects of reasonably foreseeable development within the project study area.

Section 5.0 *Additional Topics Required by CEQA* contains discussions of additional topics required by CEQA, including unavoidable effects of the proposed project and significant irreversible environmental changes.

Section 6.0 *Alternatives* contains discussion of alternatives to development of the proposed project. As allowed by CEQA, the impacts of these alternatives are evaluated at a more general level than the analyses of the proposed project that is contained in Section 4.0. This section also evaluates the proposed effects of the No Project Alternative and identifies the environmentally superior alternative.

Sections 7.0–9.0 Contain listings of organizations and persons consulted in preparation of the EIR, references cited, a list of the EIR preparers, and acronyms used in the document.

The *Appendices* contain a copy of the NOP, NOP mailing list, NOP comment letters and responses, public scoping meeting information, technical reports, and other relevant correspondence received during the course of the analysis of the proposed project.

2.2 PURPOSE OF THE DRAFT ENVIRONMENTAL IMPACT REPORT

Approval of the proposed project requires the following discretionary actions by the City:

- Approval of a General Plan Amendment;
- Approval of a Zone Change;
- Approval of an amendment to the City's Master Plan of Trails;
- Approval of a Master Plot Plan application and five related Plot Plan applications;
- Approval of a Tentative Parcel Map; and
- Certification of the EIR.

Because of these discretionary actions to be considered by the City, CEQA requires that the proposed project be reviewed to determine the environmental effects that would result if the project is approved and implemented. The City is the Lead Agency and has the responsibility for preparing and certifying this EIR prior to consideration of the proposed project. The City has the authority to make decisions regarding discretionary actions relating to implementation of the proposed project. Ministerial actions include approval of a Preliminary Water Quality Management Plan (P-WQMP) and Final WQMP (F-WQMP), Preliminary and Final Drainage Studies, Grading Plans, and Improvement Plans.

The objective of the Draft EIR is to inform City decision-makers, representatives of other affected/ responsible agencies, the public, and other interested parties of the potential environmental consequences that may be associated with the approval and implementation of the proposed project. The Draft EIR also examines various alternatives to the proposed project and describes potential impacts relating to a variety of environmental issues and methods in which these impacts would be mitigated or avoided. This Draft EIR has been prepared in accordance with CEQA, California Public Resources Code Section 21000 *et seq.*; the *Guidelines for California Environmental Quality Act* (California Code of Regulations, Title 14, Chapter 3); and the rules, regulations, and procedures for implementing CEQA as adopted by the City.

2.2.1 Purpose of the California Environmental Quality Act

According to Section 15002 of *CEQA Guidelines*, the basic purposes of CEQA are to:

- Inform government decision-makers and the public about the potential significant environmental effects of proposed activities;
- Identify ways that environmental damage can be avoided or significantly reduced;
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governing agency finds the changes to be feasible; and
- 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.

2.2.2 Intended Use of This EIR

The City, as the Lead Agency, has the responsibility for reviewing and approving the project-related actions. Under contract to the City and as permitted under *CEQA Guidelines* (§ 15084[d-e]), LSA Associates, Inc. (LSA), an independent environmental consulting firm, has prepared the Draft EIR. Prior to certification, this EIR must be subjected to the City's independent review and analysis. The information and conclusions must represent the City's independent judgment. This Draft EIR has been prepared utilizing information from City planning and environmental documents, applicant-provided technical studies; and other publicly available data. This Draft EIR is intended to provide the City with relevant information to use in considering approval of the proposed project by the City, and will serve as an informational document to assess the environmental effects of the proposed project and mitigation measures recommended to avoid or minimize identified significant impacts. As a public disclosure document, the Draft EIR has been made available to public agencies and the public for review prior to the City's consideration of the discretionary actions required for project approval.

2.2.3 Incorporated Documents

CEQA[1] permits the incorporation by reference of all or portions of other documents that are generally available to the public. Any document incorporated by reference shall be made available to the public for inspection at a public place or public building and requires that the EIR state where the incorporated documents will be made available for public inspection. The following documents have been incorporated by reference:

- *City of Moreno Valley General Plan*, adopted June 11, 2006.
- *City of Moreno Valley General Plan Final Environmental Impact Report – SCH#:* 2000091075*,* July 2006.

Information from these documents relates to the condition of the natural and built environment; the type and level of services provided; City objectives, goals, and policies; thresholds for the evaluation of potential environmental impacts; and mitigation measures incorporated into the analysis contained in this Draft EIR.

[1] CEQA Section 15150.

All of the project-related documents are available for review at the following locations:

City of Moreno Valley
Community Development Department
Planning Division
14177 Frederick Street
Moreno Valley, California 92553
(951) 413-3206
Hours:
Monday through Thursday: 7:30 a.m. to 5:30 p.m.
(closed Fridays)

Moreno Valley Main Library
25480 Alessandro Boulevard
Moreno Valley, California 92553
(951) 413-3880
Hours:
Monday–Thursday: 9:00 a.m. to 8:00 p.m.
Saturday: 9:00 a.m. to 6:00 p.m.
Friday and Sunday: closed

The Draft EIR and technical studies is available online at the City's website: http://www.moval.org/.

2.2.4 Technical Reports

Various technical reports have been prepared to assess specific issues that may result from the construction and operation of the proposed project. As relevant, information from these technical reports has been incorporated into the Draft EIR. The technical reports and other information included as appendices to this EIR include the following:

- Appendix B: *Air Quality Impact Analysis*, LSA Associates, Inc., September 2011.
- Appendix C: 3 Biological Resource Reports:
    - *MSHCP Consistency Analysis and Burrowing Owl Habitat Assessment and Focused Survey for the Eucalyptus Industrial Project,* Jones & Stokes, original July 2011, updated January 2012.
    - *Jurisdictional Delineation Report for the ProLogis Eucalyptus Project Site*, Jones & Stokes, original July 2011, updated January 2012.
    - *Determination of Biologically Equivalent or Superior Preservation Report*, Jones & Stokes, original July 2011, updated January 2012.
- Appendix D: *Eucalyptus Industrial Park Cultural Resources Assessment*, LSA Associates, Inc., August 2011.
- Appendix E: *Eucalyptus Industrial Park Paleontological Resources Assessment*, LSA Associates, Inc., August 2011.
- Appendix F: 3 Separate Environmental Evaluations of the Site or portions thereof:
    - *Phase I Preliminary Environmental Site Assessment prepared for APN 477-120-001 and 477-120-006,* RM Environmental, Inc., October 20, 2003.
    - *Phase I Preliminary Environmental Site Assessment prepared for APN 477-120-007, 008, 014, 015,* RM Environmental, Inc., November 25, 2003.
    - *Report for Removal of Abandoned 13,400 Gallon Diesel Underground Storage Tank, APN 477-120-001*, RM Environmental, Inc., January 28, 2004.
- Appendix G: 2 Separate Environmental Evaluations of the Site:
    - *Preliminary Hydrology Calculations for Moreno Valley Eucalyptus*, Thienes Engineering, July 2011.
    - Preliminary Water Quality Management Plan for Moreno Valley-Eucalyptus, Thienes Engineering, Inc., approved 2009.
- Appendix H: *Noise Study*, LSA Associates, Inc., August 2011.

- Appendix I: *Traffic Impact Analysis*, LSA Associates, Inc., original August 2011, updated January 2012.
- Appendix J: *Water Supply Assessment*, Eastern Municipal Water District, original June 4, 2008, updated February 23, 2012.

In addition to these technical studies, this Draft EIR includes the Initial Study, NOP, Distribution List, and public responses to the NOP, which are included as Appendix A.

2.3 PUBLIC REVIEW OF THE DRAFT ENVIRONMENTAL IMPACT REPORT

This Draft EIR will be distributed to responsible and trustee agencies, other affected agencies, and interested parties. Additionally, in accordance with Public Resources Code 21092(b)(3), the Draft EIR will be provided to all parties who have previously requested copies. Notice of Completion and Availability of the Draft EIR will be distributed as required by CEQA. During the 45-day public review period, the Draft EIR and technical appendices will be made available for review.

Written comments regarding this Draft EIR should be addressed to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley, Planning Division
14177 Frederick Street • Post Office Box 88005
Moreno Valley, California 92553
Phone: (951) 413-3224 • Email: jeffreyb@moval.org

After the 45-day public review period, written responses to all significant environmental issues raised will be prepared. These responses will be available for review for a minimum of 10 days prior to the public hearing before the City Council, at which time the certification of the Final EIR will be considered. The Final EIR, which includes the Draft EIR, the public comments and responses to the Draft EIR, Mitigation Monitoring and Reporting Plan, and findings will be included as part of the environmental record for consideration by the City decision-makers.

2.3.1 Initial Study and Notice of Preparation

The City formally initiated the environmental process with circulation of an NOP, which it sent to responsible agencies and interested individuals for a 30-day review period from February 4 to March 4, 2008. At the close of the public review period, the City had received 22 letters on the NOP. An additional three NOP letters were received after the close of the 30-day review period. Summaries of the comments received during the NOP comment period have been identified in Section 1.3.1 of this Draft EIR. The NOP and the responses to the NOP from agencies and individuals are included in Appendix A of this EIR. Since the proposed project and project site conditions have not changed appreciably since 2008, the NOP will not be recirculated.

2.3.2 Public Scoping Meeting

A public scoping meeting was held to solicit public comment as to the scope of the EIR. This meeting was held on February 13, 2008, at 6:00 p.m. at the City of Moreno Valley City Council Chambers. Since the proposed project and project site conditions have not changed appreciably since 2008, an additional scoping meeting will not be held.

2.4 POTENTIAL SIGNIFICANT IMPACTS OF THE PROPOSED PROJECT DISCUSSED IN THE EIR

As identified in the NOP, this Draft EIR includes an analysis of potential environmental effects associated with the following issues:

- Aesthetics
- Agricultural and Forest Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Noise
- Population and Housing
- Transportation
- Utilities and Service Systems
- Greenhouse Gases and Global Climate Change

2.5 EFFECTS FOUND NOT TO BE SIGNIFICANT

As required under CEQA (§ 15128), an EIR is to contain a statement supporting the Lead Agency's determination that some of the possible effects of a project are not significant and, therefore, are not discussed in detail in the EIR. The City has determined that that potential impacts related to the following issue areas are less than significant.

2.5.1 Geology and Soils

The proposed project site is not located within the boundaries of an earthquake fault zone for fault-rupture hazard as defined by the Alquist-Priolo Earthquake Fault Zoning Act. The nearest fault is the San Jacinto Fault Zone,[1] located approximately 1.7 miles from the project site. The maximum event on the San Jacinto Fault zone affecting the project site would measure magnitude 7.2.[2] The maximum credible earthquake (MCE) is generally less than or equal to design levels as defined by the Uniform Building Code (UBC). The California Building Code (California Code of Regulations, Title 24) established engineering standards appropriate for the seismic zone in which development may occur. Adherence to the Uniform Building Code (UBC) and the California Building Code standards would ensure potential ground shaking impacts are reduced to a less than significant level and therefore no mitigation is required.

2.5.2 Mineral Resources

The project site is not located within an area identified by the California Department of Mines and Geology (CDMG) as having substantial mineral resources. Consequently, impacts to Statewide or regional mineral resources would not occur. Additionally, there are no identified Mineral Resource Zones (MRZ) located with the General Plan Study Area.[3] The project site has been historically and is currently being utilized for agricultural production and does not harbor any known mineral resource. Implementation of the proposed project would not result in the loss of availability of a known mineral resource. Therefore, no impact associated with mineral resources would occur.

2.5.3 Public Services

2.5.3.1 Fire Protection

The fire station nearest the project site is Station No. 58, located at 28040 Eucalyptus Avenue,, adjacent to and northwest of the proposed project site. The proximity of Station No. 58 to the project

[1] California Geological Survey, 2002 and 2005.
[2] *Table 5.6-1 Potential Earthquake Scenarios for Moreno Valley*, Moreno Valley General Plan Final Program EIR, July 2006.
[3] *Section 5.14 Mineral Resources*, City of Moreno Valley General Plan EIR, July 2006.

site is sufficient to meet the City's General Plan performance standard requiring a response time of five minutes or less.[1] As with any new development, the proposed project would increase the need for fire protection services within the City. However, the proposed project would be required to adhere to all standards and conditions required by the City and the Riverside County Fire Department including, but not limited to, restrictions on project design and the imposition of construction standards. Adherence to these standards would reduce potential impacts related to the provision of fire protection services and the need for the construction of new facilities that would result in adverse physical impacts to a less than significant level and no mitigation is required.

2.5.3.2 Police Protection

The Moreno Valley Police Department (MVPD) operates out of the Central Police Station, located at 22850 Calle San Juan de Los Lagos. As with any new development, the proposed project would increase the need for police protection services within the City. The proposed project would be required to adhere to all standards and conditions required by the City and the MVPD, including the payment of fees, and result in a less than significant impact associated with police services.

2.5.3.3 Schools

The proposed project site is located within the Moreno Valley Unified School District (MVUSD). The nearest elementary school is Moreno Elementary located at 26700 Cottonwood Avenue, approximately 1.5 miles west of the project site. The nearest middle school is Mountain View Middle School located at 13130 Morrison Street, approximately 1.6 of a miles west of the project site. The nearest high school is Valley View High School located at 13135 Nason Street, approximately 1.2 miles west of the project site. The proposed project does not include the construction of residential dwelling units. Future proposed school sites in vicinity of the project and potential impacts associated with these future sites are discussed in respective technical sections of this EIR. During the NOP process, the MVUSD identified several potential future school sites in the vicinity of the project site, but subsequently moved or eliminated the sites proximate to the project site.

Per California Government Code (§ 65995[h]), "The payment or satisfaction of a fee, charge, or other requirement levied or imposed … are hereby deemed to be full and complete mitigation of the impacts … on the provision of adequate school facilities." Upon payment of required fees, a less than significant impact to school services and/or facilities would occur.

2.5.3.4 Parks

The proposed project does not include a residential component and would not contribute to a direct increase in population. As there is no direct increase in population resulting from the proposed project, no new significant demand on existing park facilities would occur. Therefore, impacts associated with an increased use of existing park facilities are considered to be less than significant.

2.5.3.5 Other Public Facilities

The proposed project does not include a residential component and would not contribute to a direct increase in population. As there is no direct increase in population resulting from the proposed project, no new significant demand on library or medical facilities would occur. In the absence of a significant impact, the construction of new facilities that would result in a significant environmental impact would not occur. All on-site access, parking areas, utilities, and structures would be maintained by the project applicant or operator of the proposed facility. Maintenance of public facilities and infrastructure would not be significantly altered by the development of the proposed project. The applicant would pay all developmental fees required by the City of Moreno Valley.

[1] *Section 5.13 Public Services and Utilities*, The City of Moreno Valley General Plan Final EIR, July 2006.

Additionally, as with any commercial or industrial operation, the proposed project would be required to provide revenue to the City in the form of fees, property taxes, etc. It is anticipated that the payment of such monies would offset any increased maintenance burden associated with the development of project site; therefore, potential impacts associated with this issue are anticipated to be less than significant.

2.5.4 Recreation

The proposed project would develop a multi-use trail along the east side of Building #6 on the west side of Quincy Channel. This multi-use trail would continue over Quincy Channel on the north side of Eucalyptus Avenue enabling the proposed trail to connect to the Fir Avenue/future Eucalyptus Avenue trail segment. The City's Master Plan of Trails references a proposed trail segment and freeway crossing at proposed Quincy Street. However, since the adoption of the City's Master Plan of Trails, the adoption of an updated General Plan has occurred. The updated General Plan Circulation Element no longer identifies a freeway crossing and therefore a proposed trail segment at this location may not be needed. Construction of the trail would be required to adhere to the City's standards, which include California Code of Regulations Title 24 and the City's Park and Community Services Specification Guide. Adherence to these standards would result in a less than significant impact associated with the construction of the multi-use trail.

2.5.5 Forest Resources

Since the NOP and Initial Study were circulated in 2008, the State added Forest Resources to the Agricultural Resources category of the Initial Study Checklist form. However, the proposed project site does not contain any forest resources, so this issue does not need to be evaluated in the EIR.

2.6 MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) will be prepared to comply with the requirements of State law (Public Resources Code, Section 21081.6). State law requires the adoption of an MMRP when mitigation measures are required to avoid significant impacts or reduce impacts to a less than significant level. The MMRP is intended to ensure compliance with mitigation measures during implementation of the proposed project. The MMRP will be adopted by the City Council concurrent with certification of the Final EIR for the proposed project.

3.0 PROJECT DESCRIPTION

The project description is provided in this section of the EIR in conformance with *CEQA Guidelines* Section 15124. It provides the location and boundaries and environmental setting of the project, the objectives of the project, and a description of the project, which is used as the basis for analysis in Section 4.0 of the EIR.

3.1 GEOGRAPHICAL SETTING

The proposed project site is located within Section 2, Township 3 South, and Range 3 West of the U.S. Geological Survey (USGS) 7.5-minute *Sunnymead, California* quadrangle in the City of Moreno Valley in Riverside County, California. The project site is located within the Perris Block area of the Peninsular Ranges geomorphic province of southern California.[1] The Perris Block is bounded on the northeast by the San Jacinto Fault, on the north by the Cucamonga Fault and the San Gabriel Mountains, and on the southwest by the Elsinore Fault and the Santa Ana Mountains. The proposed project site is located in the City of Moreno Valley, south of State Route 60 (SR-60). The Cities of Riverside and Perris border Moreno Valley to the northwest and south, respectively. The County of Riverside borders the City of Moreno Valley to the north, northeast, and southeast.

3.2 PROJECT LOCATION

The proposed project site is located in the eastern portion of the City of Moreno Valley. The 122.8-acre project site is generally located south of and adjacent to SR-60, east of Moreno Valley Auto Mall, and adjacent to and west of the Quincy Channel. The project site consists of ten parcels (Assessor's Parcel Numbers [APNs] 488-330-011, 488-330-012, 488-330-013, 488-330-017, 488-330-018, 488-330-019, 488-330-022, 488-330-023, 488-330-024, and 488-330-025). Previously referenced Figure 1.1 illustrates the location of the proposed project.

3.3 EXISTING SITE CONDITIONS

The proposed project site is bounded by SR-60 on the north, the Moreno Valley Auto Mall on the northwest, residential uses to the southeast, and vacant land to the west, east and south. The site has two citrus groves in the northeastern and northwestern portions of the site, while the central and southern portions are vacant and support mainly weedy vegetation. Elevations on site range from 1,795 feet above mean sea level (amsl) near the northeast corner of the site down to 1,720 feet amsl at the southeast corner of the site. There are three small natural drainage features on site, two ephemeral channels in the southwestern portion of the site and the larger Quincy Channel along the eastern edge of the property. Some minor amount of refuse is present in the southwest and southeast corners of the site from unauthorized dumping. The site is visible from the freeway and surrounding properties to the east, west, and south. The project area enjoys views of nearby hills to the southwest and northeast.

Land adjacent to the project site includes vacant land east and south of the proposed project site, SR-60 to the north, and the Moreno Valley Auto Mall and the City of Moreno Valley Fire Station No. 58 northwest of the project site. Existing single-family residential uses are located approximately 50 feet southeast of the southeastern corner of the project site. Table 3.A summarizes on-site and adjacent land uses.

[1] *Section 4.0 Environmental Setting, Moreno Valley General Plan Final Program EIR,* City of Moreno Valley, July 2006.

Table 3.A: On-site and Adjacent Land Uses and Land Use Designations

Location	Current Land Use	General Plan Land Use Designation	Zoning
On site	Undeveloped on south, citrus groves on north	Business Park/Light Industrial and Residential R15, R5, and R2	BP; BPX, R15; R5 and RA-2
North	State Route 60 and residential uses farther to the north (north of the freeway)	Residential R2 (north of the freeway)	R2 and RA-2 (north of the freeway)
South	Undeveloped	Residential R2, Hillside Residential HR	RA-2 and HR
East	Former agriculture (currently fallow)	Business Park/Light Industrial and Residential R2	BP and RA-2
West	Moreno Valley Auto Mall, City of Moreno Valley Fire Station 58, and vacant land	Commercial	SP209-CC

Notes: BP = Business Park; BPX = Business Park Mixed Use; SP209-CC = Specific Plan Area 209-Community Commercial; HR = Hillside Residential; R15 = Residential R15 District; R5 = Residential 5 District; R2 = Residential 2 District; and RA-2 = Residential Agriculture 2.
Source: Moreno Valley General Plan Land Use Map, August 2010; Moreno Valley Zoning Map, November 7, 2011

3.4 CITY GENERAL PLAN AND ZONING DESIGNATIONS

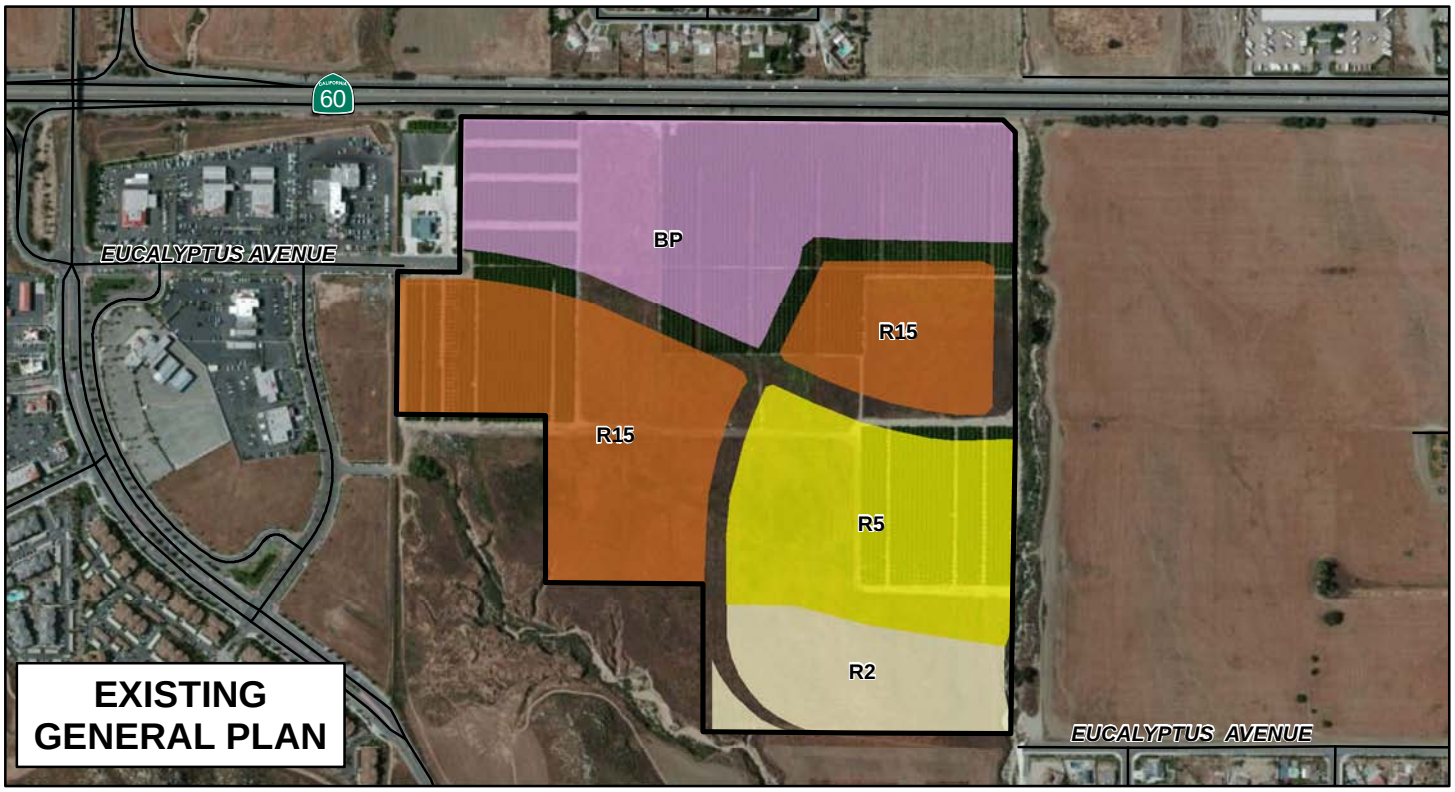
As identified in the City of Moreno Valley General Plan, the City designates the northern portion (50 acres) of the project site as Business Park/Light Industrial (BP) and the southern portion (71.3 acres) of the project site as Residential. The northern portion of the site is zoned Business Park (BP) and Business Park Mixed Use (BPX) in a small center portion of the project site, Residential 15 District (R15) in the western portion of the project site, Residential 5 District (R5) in the eastern portion of the project site, and Residential Agriculture (RA-2) on the southernmost section of the project site. Figure 3.1 illustrates existing and proposed zoning designations while Figure 3.2 illustrates the existing and proposed land uses. Previously referenced Table 3.A identifies General Plan/Zoning designations on the project site and on adjacent properties.

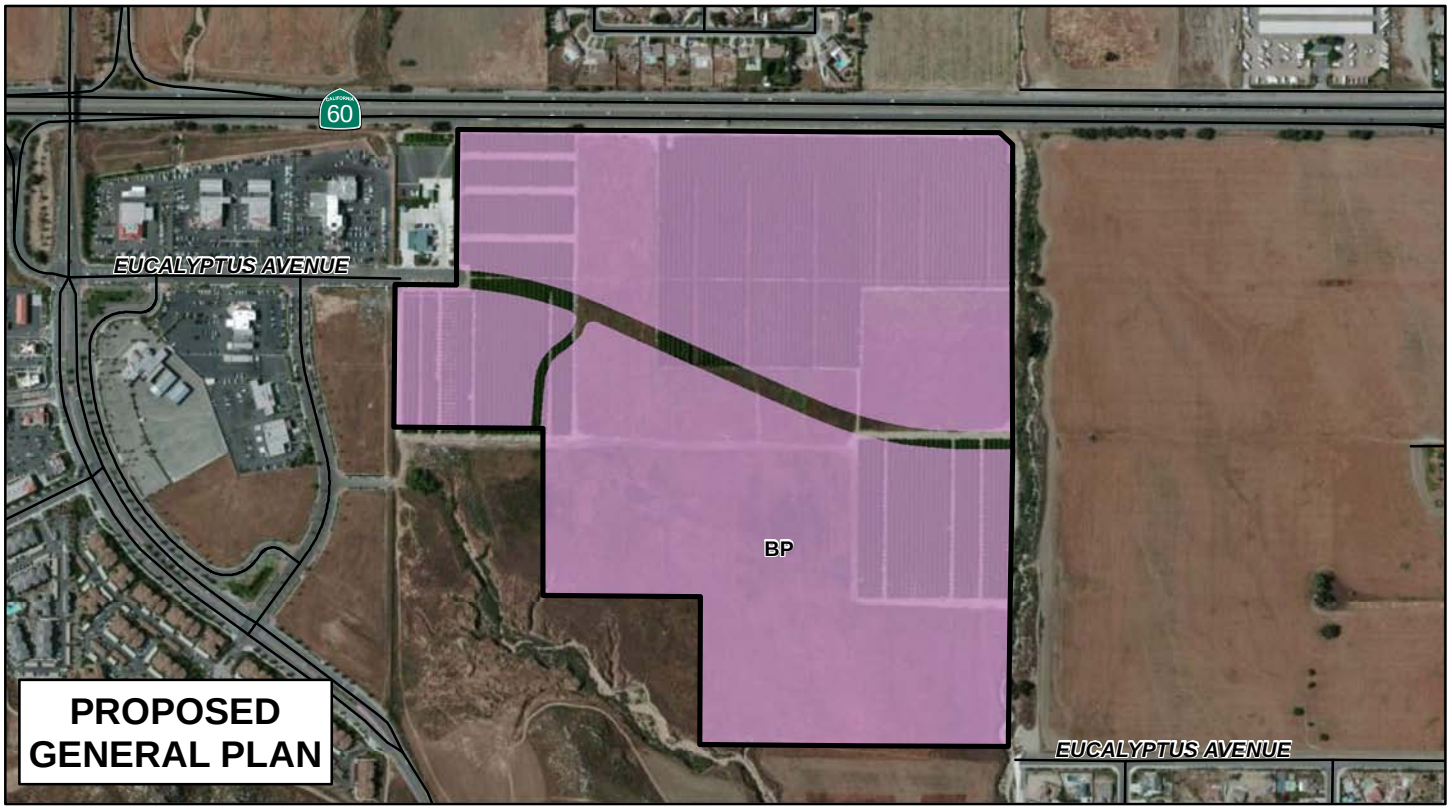
3.5 PROJECT CHARACTERISTICS

The project site is approximately 122.8 acres in size. The proposed project includes the construction and operation of a warehouse facility comprising six buildings consisting of a total of approximately 2,244,638 square feet. The project site is divided into northern and southern areas. The northern area, north of the future Eucalyptus Avenue, would contain approximately 1,030,377 square feet of warehouse uses divided between two buildings (No. 1 and 2). Development in the southern area, south of the future Eucalyptus Avenue, would consist of approximately 1,214,261 square feet of warehouse uses divided among four separate buildings (No. 3 through 6). The proposed conceptual site plan is illustrated in the previously referenced Figure 1.2. The master and individual building plans, including grading, landscaping, elevations, and selected line of sight plans are provided in Appendix K and exhibits at the end of this chapter.

All traffic and passenger vehicles will be accommodated by nine driveways onto Eucalyptus Avenue. The proposed project would also construct a roadway (“B” Street) between Buildings 3 and 4 to provide future access to the vacant parcel south of the project. The proposed project includes the construction of asphalt/concrete surfaces in parking and driving areas, and landscaping along the perimeter and roadway frontages (see Appendix K). It is important to note that the proposed project would also require the following changes:

- Approval of a General Plan Amendment to change the land use designation of 71.3 acres of the project site from Residential (R15, R5, and R2) to Business Park (BP) so the entire site would then be designated Business Park (BP).





LSA

Project Boundary

General Plan Designations

- BP, Business Park/Light Industrial
- R15, Residential (15 units/ac)
- R2, Residential (2 units/ac)
- R5, Residential (5 units/ac)

N

0 400 800

FEET

FIGURE 3.1A

Eucalyptus Industrial Park
Environmental Impact Report

General Plan and Zoning

SOURCE: Bing Maps Aerial, 2010; County of Riverside, 2011; City of Moreno Valley, 2007.

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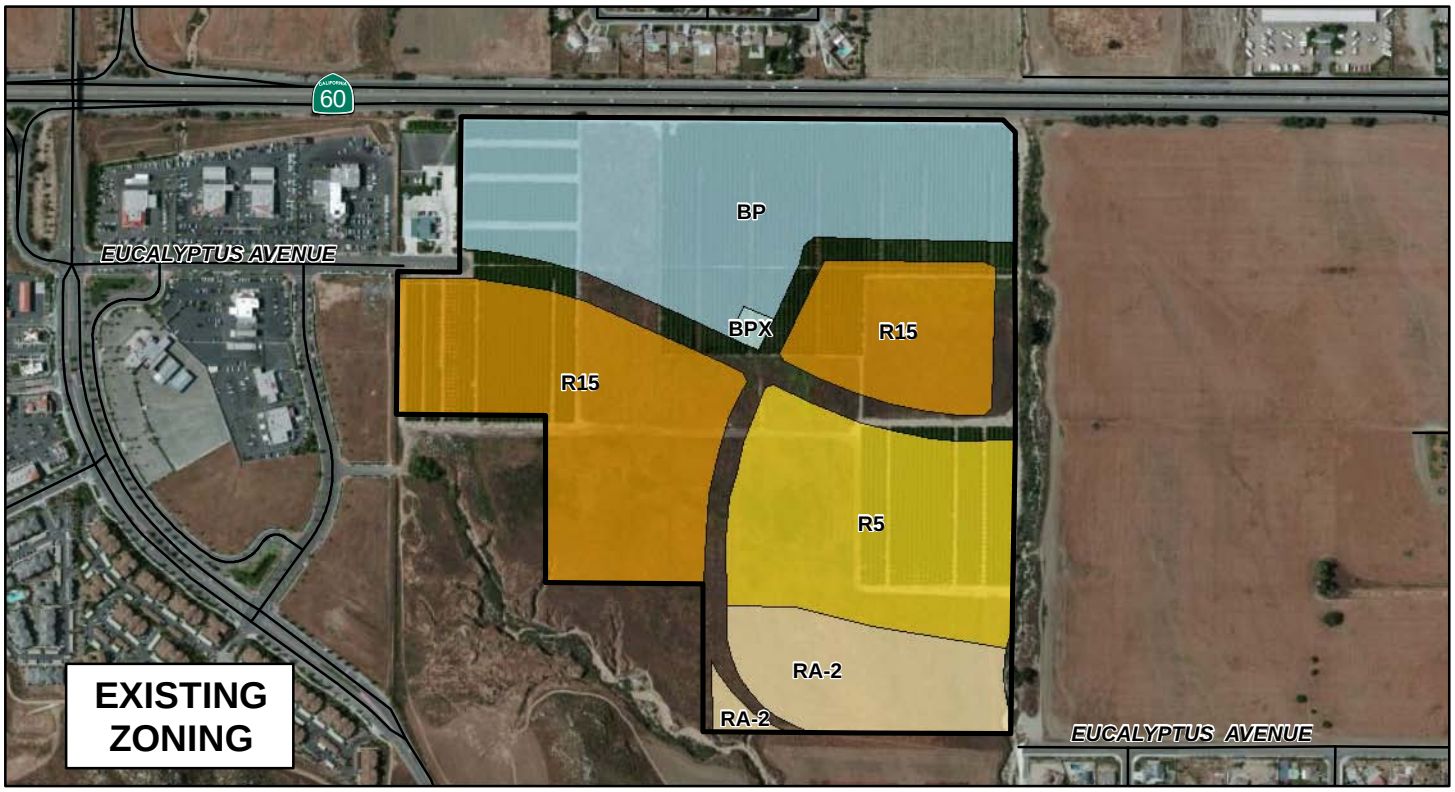

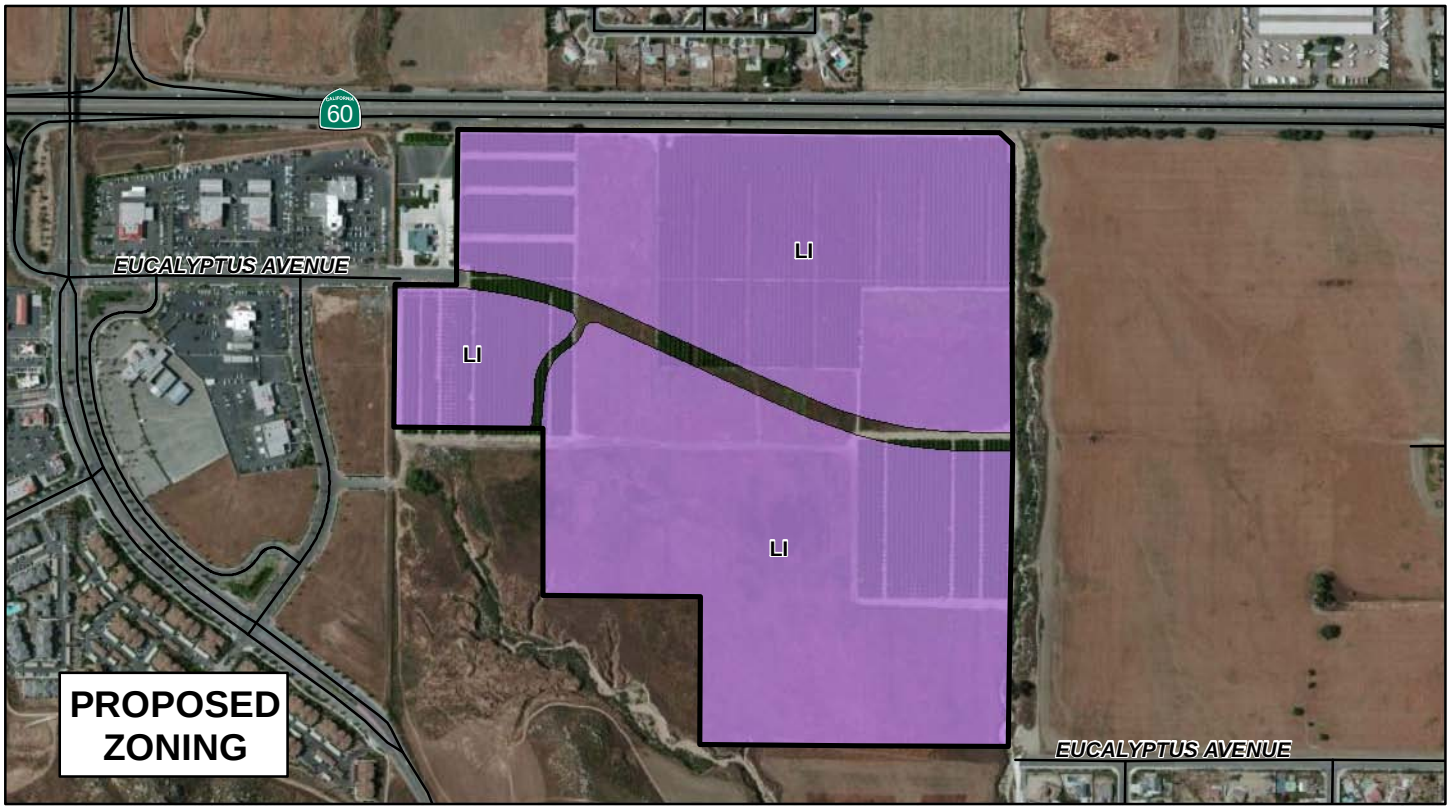

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Project Boundary

Zoning Designations

BP, Business Park

BPX, Business Park - Mixed Use

R15, Multi-family Residential (15 du/ac)

R5, Suburban Residential (5 du/ac)

RA-2, Residential Agricultural (2 du/ac)

LI, Light Industrial

FIGURE 3.1B

Eucalyptus Industrial Park
Environmental Impact Report

General Plan and Zoning

SOURCE: Bing Maps Aerial, 2010; County of Riverside, 2011; City of Moreno Valley, 2007.

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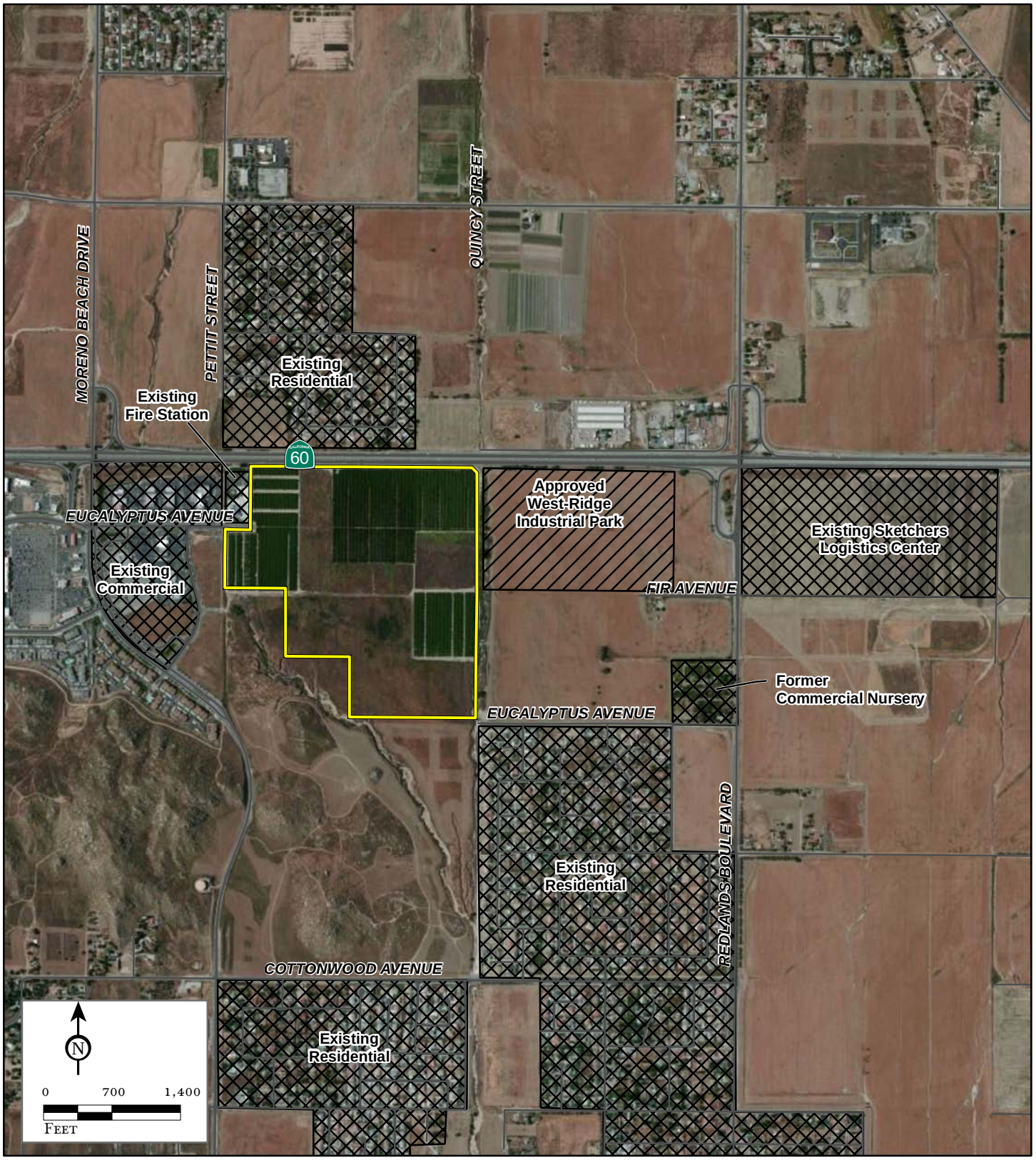

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FIGURE 3.2

Project Location

Existing Land Use

Proposed Land Use

Eucalyptus Industrial Park
Environmental Impact Report

Surrounding Land Uses

SOURCE: Bing Map Aerial, 2010; Riverside County, 2011.

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- Approval of a Zone Change of the entire 122.8 acres from its current zoning designations of Business Park (BP), Business Park/Mixed Use (BPX), Residential 15 District (R15), Residential 5 District (R5), and Residential Agriculture 2 (RA-2) to all Light Industrial (LI).
- Zone Change will also be used to redraw the boundary of the Primary Animal Keeping Overlay (PAKO) district.
- Approval of an amendment to the City's Master Plan of Trails to relocate the Eucalyptus Avenue Trail to the north side of future Eucalyptus Avenue and eliminate the planned trail segment on Quincy Avenue from SR-60 to Fir Avenue (future Eucalyptus Avenue), based on discussion with the City Trails Commission.
- Approval of an amendment to the Circulation Element of the General Plan. These changes (as illustrated in Figure 3.3) include the following:
    - Eliminate the undeveloped Quincy Street from Eucalyptus Avenue south to Encilia Avenue;
    - Realign Encilia Avenue from its current alignment such that its westerly terminus is located at Moreno Beach Drive instead of the current General Plan westerly terminus at Eucalyptus Avenue; and
    - The segment between Quincy Channel and Moreno Beach Drive would be classified as a Collector.

With construction of the proposed project, storm water runoff would be routed and treated through water quality basins and sand filters. The basins would be used to detain the incremental increase in flows as well as serve as a treatment control best management practice (BMP) identified in the project specific Water Quality Management Plan (WQMP) per the City of Moreno Valley Public Works Department guidelines and National Pollutant Discharge Elimination System (NPDES) requirements. Landscape improvements would be installed throughout the parking area and would utilize a varied selection of low-water-demand plants and include a water-efficient irrigation system. The locations of the water quality basins and the building landscaping plans are provided in Appendix K.

An approximately 12.2-acre portion of the project site is zoned Residential Agriculture RA-2 located near the southern portion of the project site. The RA-2 zone is within the City's PAKO, which serves to maintain animal keeping and the rural character of the areas noted within the overlay district and designate a portion of the parcel for medium and large animal keeping. With the development of the project, this portion of the site would be rezoned to Light Industrial to allow for the proposed warehouse distribution uses and would also be removed from the PAKO. Section 4.8.6.1 evaluates the impacts of the loss of this PAKO-designated land.

A recent amendment to the Municipal Code requires a 250-foot buffer or clearance between a truck court or primary truck circulation driveway in an industrial area and adjacent residential use(s). The proposed industrial project provides for a minimum 250-foot buffer between the nearest truck circulation area (i.e., near southeast corner of Building No. 6) and the existing residential neighborhood to the southeast (off of the existing Eucalyptus Avenue).

The project proposes to construct a number of off-site improvements, including a bridge over the Quincy Channel for Fir Avenue/future Eucalyptus Avenue, utility connections and improvements (and contributions to improvements) for utilities in Fir Avenue/future Eucalyptus Avenue east to Redlands Boulevard. In addition, the project will construct or help fund the installation of improvements at various area intersections and roadway segments, as outlined in the project traffic study (LSA 2012) and Section 4.11, *Traffic and Circulation*. These improvements will be analyzed in appropriate sections of the EIR. Table 3.B summarizes details the development characteristics of each of the six project buildings.

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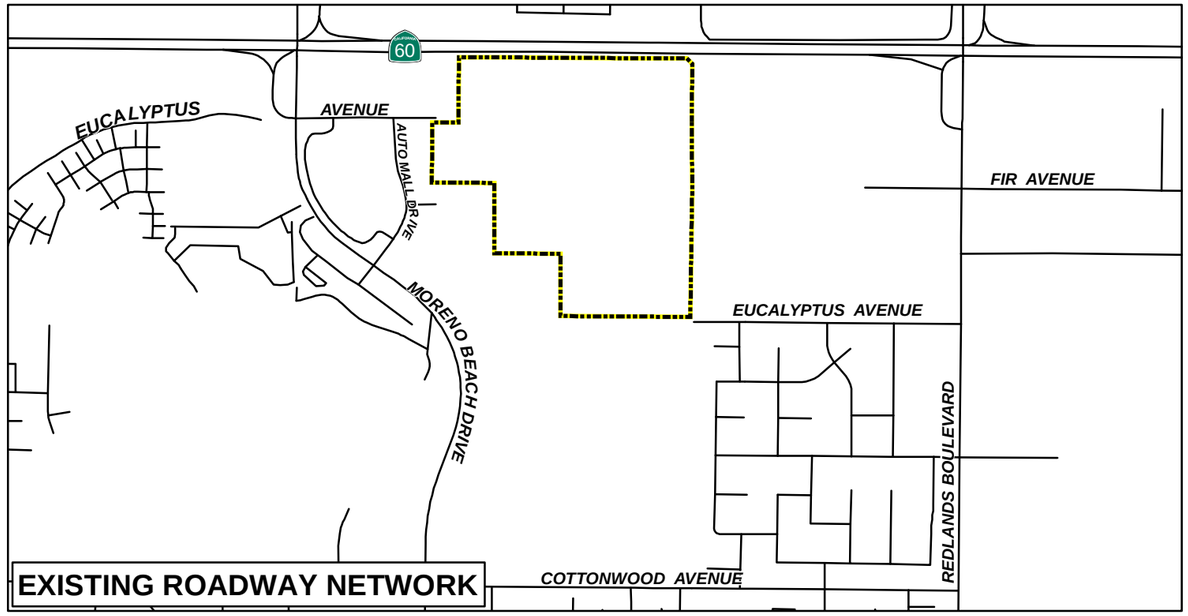

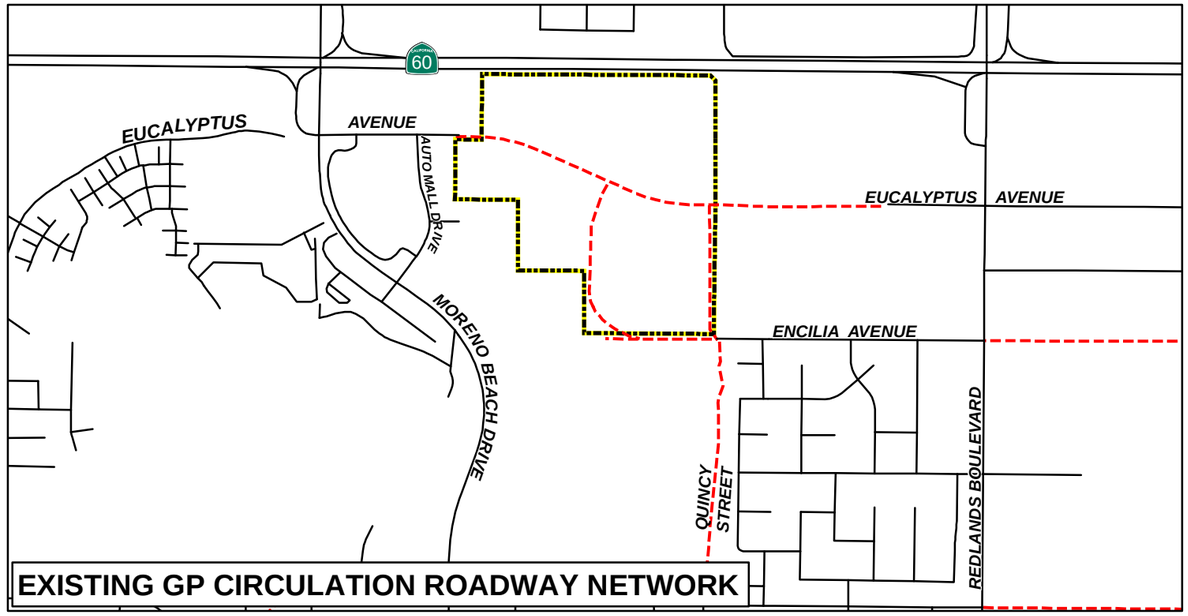

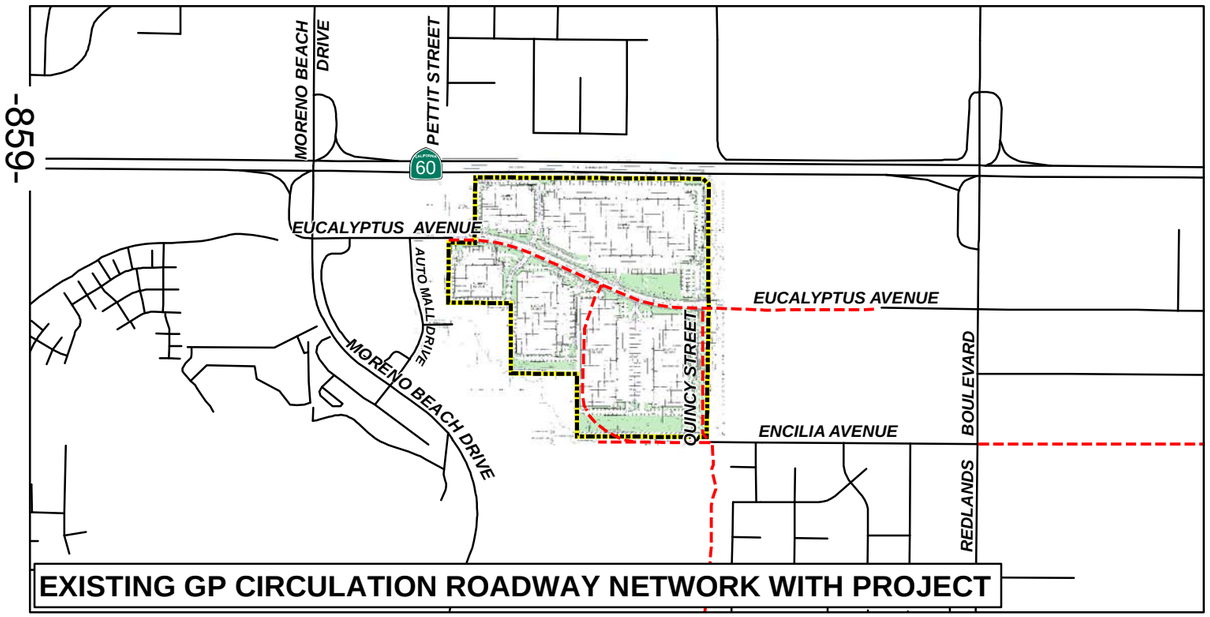

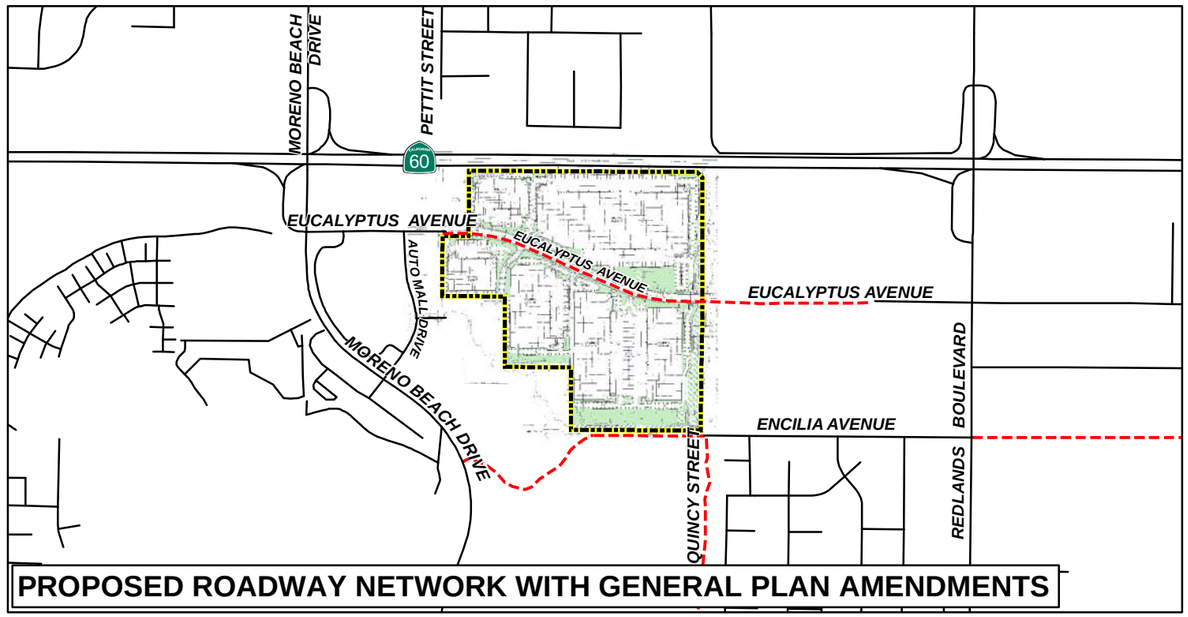

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FIGURE 3.3

N

Project Boundary
Existing Roads
Proposed Roads

0 750 1,500
Feet

SOURCE: Thomas Bros, 2008; RGA. 2011; Moreno Valley General Plan, 2012.

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Existing and Proposed Public Circulation

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Table 3.B: Summary of Project Development Characteristics

Project Characteristics	Parcel/Building 1	2	3	4	5	6	LL [1]	Total
Site Acres	8.8	39.4	8.5	15.7	19.3	17.7	13.4	122.8
Building Area (SF)	168,342	862,035	160,106	339,015	390,102	325,038	—	2,244,638
Dimensions (ft)								
North-South	300	560	320	826	1,070	926	—	—
East-West	542	1,514	484	400	360	350	—	—
Height (ft)								
Average	39	39	39	38	39	39	—	39
Maximum	44	50	50	44	44	44	—	50
Net Building Coverage	43.8%	50.2%	43.2%	49.7%	46.4%	42.2%	—	47.1%
Auto Parking								
Required (MC)	100	311	98	180	193	176	—	1,058
Provided	103	331	114	190	193	179	—	1,110
Bicycle Parking (required/provided)	5	16	5	9	10	9	—	54
Truck Docks	21	143	20	36	53	53	—	326
Truck Trailer Parking Spaces	22	169	24	37	60	60	—	372
Landscaping								
Required (10%)	38,453	171,606	37,033	68,204	84,036	77,056	—	476,483
Provided	67,001	258,190	73,756	128,965	165,429	188,142	—	881,483
Percent	17.4	15.1	19.9	18.9	19.7	24.4	—	18.5

[1] Lettered Lots for detention basins, streets, and Quincy Channel

Source: Thinnes Engineering, Revised Tentative Parcel Map 35679 (12/19/11), Conceptual Grading Plan, and Individual Site Plans.

3.5.1 Operations and Infrastructure Timing

The EIR evaluated "worst case" conditions of the project operating 24/7. If the proposed project is constructed prior to the West Ridge project, ProLogis will install the infrastructure necessary to serve its project (e.g., roads, water, and sewer) and will be reimbursed by the City from the West Ridge developer at the time that project is constructed. If the West Ridge project is constructed first, ProLogis will contribute an appropriate amount to the City for a reimbursement account to help off-site improvement costs installed by the West Ridge project that serve the ProLogis project. The timing of improvements shall be coordinated by the City in cooperation with ProLogis and the West Ridge developer.

3.5.2 Jobs Estimate

Although specific uses/users are not known at this time, it is useful to the public and decision-makers to estimate the likely number of workers the project will generate. Although only 1,097 car parking spaces are required, the project could generate approximately 1,500 new jobs based on 260 square feet per office worker for 115,000 square feet of office uses (446 jobs) and 1,000 square feet per warehouse worker for 2,115,000 square feet of warehousing (1,057 jobs). These numbers could be higher if there was more office use, multiple shifts, etc. or they could be lower if there were more highly automated warehouse operations (P. Cavanagh, personal communication, April 2012).

3.5.3 Green Building Construction

The applicant has indicated the buildings will be designed to qualify for certification under the Leadership in Energy and Environmental Design (LEED) program, but there are no plans to submit the project for actual LEED certification at this time due to cost and time delay factors.

3.5.4 Utilities

There is an existing 12-inch EMWD water line along the northern property boundary, and the project will install a new 12-inch line to connect the existing EMWD line with the new 24-inch line planned in Eucalyptus Avenue. The project will install a new 18-inch storm drain line along the north and east sides of the property, and a new 8-inch sewer line and 24-inch water line in Fir Avenue/future Eucalyptus Avenue through the project site, tying into existing lines to the west and east to Redlands Boulevard (totaling approximately 1,620 feet). A new 8-inch sewer line will connect to Encilia Avenue at the southeast corner of the site with a siphon to take flows under the Quincy Channel and tie into an existing line in Redlands Boulevard (approximately 780 feet). Each of the six parcels/buildings will be served by 6–8-inch sewer lines to the office "corners" of each building. There are existing overhead Southern California Edison (SCE) lines along the northern property boundary; these will be relocated and undergrounded as part of project construction. If available and/or required by the EMWD, the project will install "purple piping" for future reclaimed water use.

3.5.5 Roads and Related Improvements

The new Eucalyptus Avenue (existing Fir Avenue) through the project site will utilize City Cross Section 104A and have a right-of-way (ROW) of 104 feet with 76 feet of travel lanes to accommodate large trucks, plus sidewalks. Encilia Avenue (existing Eucalyptus Avenue) along the south side of the site will have an 88-foot ROW and the project will preserve ROW for half the width along the project site. The new "A" Street between Buildings No. 3 and 4 will have a 60-foot ROW with 40 feet for travel lanes and sidewalks (City Cross Section 108A).

The Eucalyptus Avenue bridge over the Quincy Channel will utilize City Cross Section 116 with 100 feet ROW and will span the channel with no piers in the channel, which will minimize impacts on jurisdictional areas.

A multi-purpose trail will be constructed along the north side of Fir Avenue/future Eucalyptus Avenue west of the Quincy Channel to the west boundary of the project site. It should be noted that the project plans and the end of Section 3 and in Appendix K show a trail segment along the north side of the Quincy Channel north of the new Eucalyptus Avenue; however, recent action by the City Trails Commission has eliminated this northern trail segment in favor of a trail along the north side of Eucalyptus Avenue through the project site.

3.5.6 Grading

The conceptual grading plan for the project indicates that the project will require a total of 572,196 cubic yards of earthwork, although it will be largely balanced on site and only 200 cubic yards of soil importation is expected (see end of this chapter and Appendix K). Excavation will require 339,561 cubic yards of fill assuming approximately 15 percent shrinkage of soil during placement. This amount of earthwork has been incorporated where appropriate into the analysis of project impacts (e.g., air quality, noise, etc.).

3.5.7 Landscaping

Each building and surrounding parking areas will be landscaped according to the project landscape plans (see end of this chapter and Appendix K), consistent with City landscaping requirements. The

project will have several rows of citrus trees planted along the south side of SR-60, the east sides of Buildings No. 2 and 6, and the south sides of Buildings No. 6 and 5. These trees will help shield views of the site from the existing residential neighborhood to the southeast, and partially shield views from travelers on SR-60.

3.6 RELATED ACTIONS

The following actions are required to be taken by the City as part of the proposed project (actions are discretionary unless noted):

- General Plan Amendment to amend the Land Use Element resulting in a change of land use designations for the southern portion of the project site (approximately 71.3 acres) from Residential 15, Residential 5, and Residential Agriculture to Business Park.
- General Plan Amendment to amend the Circulation Element including (1) elimination of undeveloped Quincy Street from Eucalyptus Avenue to Encilia Avenue; and (2) realignment of Encilia Avenue from its current alignment such that its westerly terminus is located at Moreno Beach Drive instead of the current General Plan westerly terminus at Eucalyptus Avenue. The segment between Quincy Channel and Moreno Beach Drive would be classified as a Collector.
- Change of Zone resulting in a change from Business Park (BP), Business Park Mixed-Use (BPX), Residential 15 (R15), Residential 5 (R5), and Residential Agriculture (RA-2) to Light Industrial (LI) on the project site.
- Modification of the PAKO zone district per the recommended change of zone.
- Modification of the Master Plan of Trails to eliminate trail segment along the west side of the Quincy Channel north of the future Eucalyptus Avenue and add a segment along the north side of Eucalyptus Avenue from the Quincy Channel to the west boundary of the project site.
- Approval of a Master Plot Plan and five related Plot Plans.
- Tentative Parcel Map approval.
- Certification of the Environmental Impact Report.
- Final Parcel Map, public improvement agreement, and related securities approval.
- Issuance of an encroachment permit for any construction work done in any City-controlled ROW. Encroachment permit issuance requires approval of improvement plans, public improvement agreement execution with securities posted, and satisfying those conditions of approval required prior to grading.
- Approval of a Storm Water Pollution Prevention Plan (SWPPP) to accommodate site runoff during construction.
- Approval of a Preliminary Water Quality Management Plan (P-WQMP) and Final Water Quality Management Plan (F-WQMP) to mitigate for post-construction runoff flows (non-discretionary).
- Issuance of a Grading Permit that requires approval of a grading plan, approval of the final drainage study, approval of the F-WQMP, obtaining an NOI and WDID#, obtaining a WQMP#, and satisfying those conditions of approval required prior to grading (non-discretionary).
- Issuance of a Building permit. The comprehensive building permit includes building, plumbing, mechanical, and electrical permits (non-discretionary).

The following approvals and permits are required by other agencies:

- Approval from the City and Riverside County Flood Control and Water Conservation District (RCFCWCD) to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions and downstream water quality is not worsened.

- Approval of Quincy Channel improvements from the RCFCWCD.
- A Section 404 Permit from the U.S. Army Corps of Engineers (USACE).
- A Section 401 Water Quality Certification from the Regional Water Quality Control Board (RWQCB).
- A Section 1602 Streambed Alteration Agreement from the California Department of Fish and Game (CDFG).
- Encroachment permits from Caltrans for any construction work done in any State-controlled ROW (i.e., SR-60).

3.7 PROJECT OBJECTIVES

Upon development, the proposed project will achieve the following objectives:

- Provide industrial warehouse facilities that meet the substantial and unmet demands of businesses located in the City and County;
- Provide new industrial development that is attractive and minimizes conflicts with the surrounding existing uses;
- Provide a variety of new employment opportunities for the citizens of Moreno Valley and surrounding communities;
- Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors;
- Encourage new development consistent with the capacity and municipal service capabilities;
- Provide infrastructure improvements to meet phased project needs in an efficient and cost-effective manner;
- Cluster industrial warehouse uses near access points to the state highway system to reduce traffic congestion on surface streets and to reduce air pollutant emissions from vehicle sources;
- Develop land uses that provide the City with a positive revenue/cost ratio and provide needed infrastructure in a timely fashion;
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair share improvements to various future-year deficient intersection or road segments; and
- Reduce peak hour vehicle trips, energy and water consumption compared to existing General Plan land uses.

3.8 CUMULATIVE PROJECTS

Substantial changes are anticipated to occur as the result of population and employment as well as the development of other projects in the City and region. *CEQA Guidelines* (Section 15130) require that an EIR include a discussion of the potential cumulative impacts of a proposed project. Cumulative impacts are defined as two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments.

Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period of time. The *CEQA Guidelines*, state:

(a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.

(b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

The cumulative baseline for this project includes past, present, and probable future projects, which are either approved or being considered for approval, or anticipated to be submitted for consideration, including projects in the design phase or under construction. In determining the cumulative impacts of a proposed project with other area projects, an EIR may either consider a list of past, present, and probable future projects, or it may consider a summary of projections method or a combination of both.[1] This EIR utilizes the list method.

Information was collected and compiled from the Cities of Moreno Valley and Calimesa, and Riverside County. The cumulative area was limited to within 5.0 miles of the project site, which coincides with the 5.0-mile limit identified in the Traffic Impact Analysis (LSA 2012) for study area intersections prepared for the proposed project.

The list of cumulative projects is based on project lists provided by staff from the City of Moreno Valley.[2] The project listings provided by the cities identify projects for which applications have been submitted. As noted by the respective development reports, some of the identified applications are "inactive," "on-hold," or pending Planning Commission approval. It is not possible to determine with a reasonable level of certainty which or how many of the projects listed on the respective development inventories will complete the entitlement process and be issued permits for construction and occupancy; therefore, the figures cited represent a scenario of what may be developed within 5.0 miles of the project site. Because of market demands, demographic and economic conditions, and local development trends, it is reasonable to conclude that the number and amount of uses developed may vary from the total potential cumulative development cited in Table 3.C. The cumulative area is illustrated in Figure 3.4.

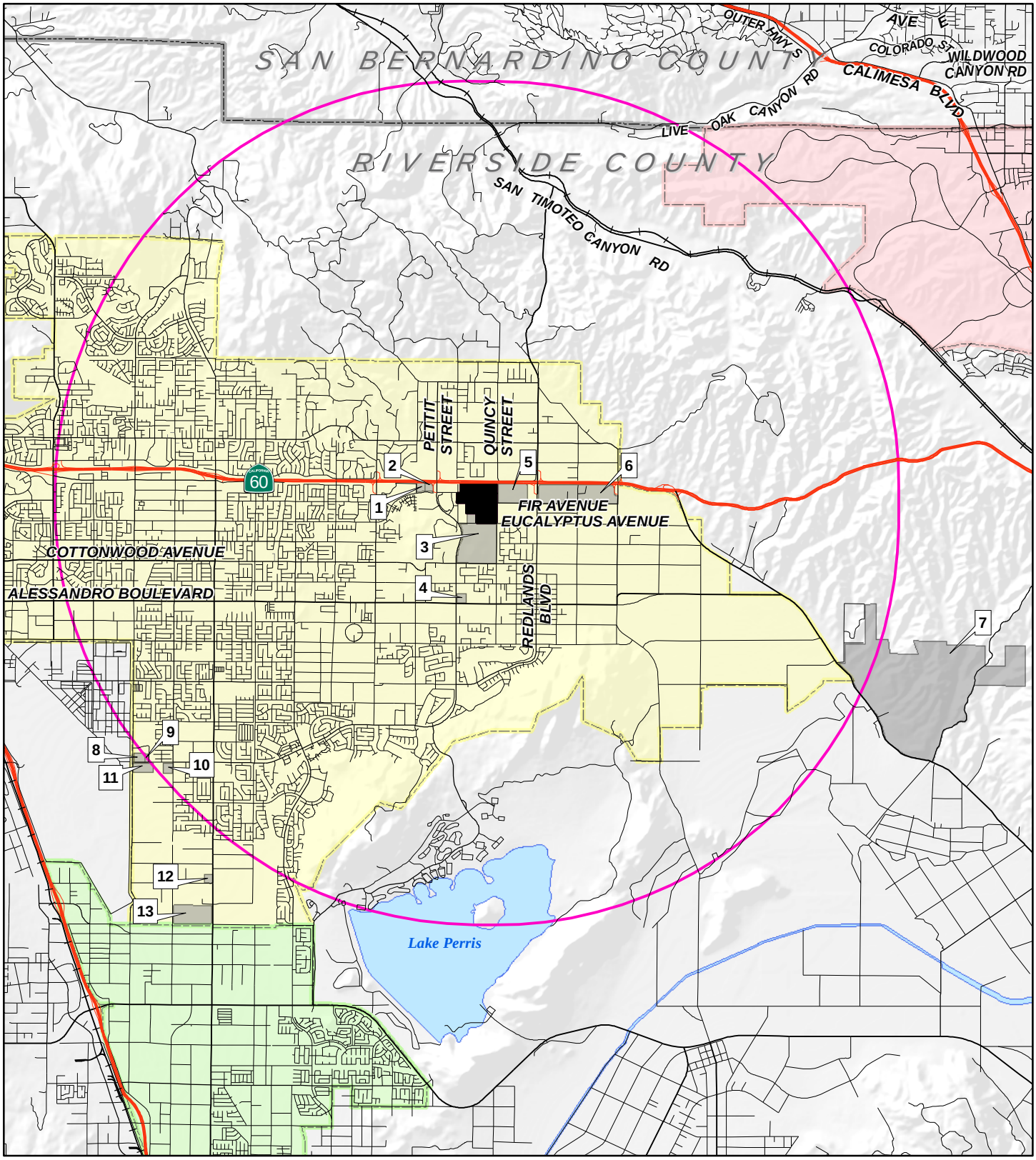
The cumulative analyses are provided following the discussion of the individual impacts associated with the proposed project in Chapter 4.0. For example, the cumulative impact for biological resources is provided in Section 4.3, for air quality in Section 4.1, and so forth. Depending on the issue discussed, the area addressed in the cumulative analysis varies. For example, because of the cumulative nature of regional air pollutant emissions, the cumulative area for air quality impacts would encompass the South Coast Air Basin; while the cumulative area associated with the biological resources would be limited to areas in the proximity of the project site. Because of the nature of the various cumulative discussions, the consideration of all the cumulative projects in every cumulative analysis is not warranted.

1 State *CEQA Guidelines*, Section 15130(b) (1).
2 Based on traffic stuffy for West Ridge Commerce Center and input from Jeff Bradshaw, City of Moreno Valley Community Development – Planning Division, dated July 2011.

Table 3.C: Cumulative Projects

#	Title/Applicant	Location	Type and Status
1	Stoneridge Towne Center (Phase 2) PA05-0209, PM 34411	South of State Route 60 at southeast corner of State Route 60 and Nason Street	80,000 square feet of Retail/Restaurant – Existing
2	WalMart Shopping Center (Phase 2) P06-164, PM 30882	South of State Route 60 at southwest corner of State Route 60 and Moreno Beach Drive	85,267 square feet of Retail/Restaurant – Existing
3	P05-111/ UC Riverside Foundation/L'Aquila D'Pietra PA08-0059, TTM 35823	Northeast corner of Moreno Beach Drive and Cottonwood Avenue	478 units of Residential – In Review
4	PA07-0138	Northeast Corner of Moreno Beach Drive and Alessandro Avenue	176,200 square feet of Commercial – Currently Inactive
5	West Ridge Commerce Center, Ridge Property Trust PA08-0097	North side of Fir Avenue and west of Redlands Boulevard at Quincy Channel	937,260 square feet of Warehouse distribution facility – Approved
6	Highland Fairview Corporate Park TPM 35629	South side of State Route 60 on Eucalyptus Avenue between Redlands Boulevard and Theodore Street	2,410,000 square feet of Warehouse distribution facility, 10,000 square feet of retail/outlet center, 200,000 square feet community commercial uses – Phase 1 Existing
7	Quail Ranch Specific Plan PA07-0062, TTM 35530	Gilman Springs Road	1,251 units Residential/Golf Course – Currently Inactive
8	PA07-0039, PA08-0021, TPM 35822	Northeast corner of Heacock Street and Iris Avenue	409,598 square feet of Industrial – Approved
9	PA07-0035, PA08-0021, TPM 35822	Near northeast corner of Heacock Street and Iris Avenue	201,086 square feet of Industrial – Approved
10	PA07-0079, PA07-0080, TPM 35672	Southwest corner of Iris Avenue and Indian Street	1,491,469 square feet of Industrial – Approved
11	PA07-0151, TPM 35879	24015 Iris Avenue	1,572,405 square feet of Industrial – Approved
12	PA07-0165-0167/ First Industrial, TPM 35859	Northwest corner of Perris Boulevard and Nandina Avenue	880,000 square feet of Industrial - Approved
13	PA09-0004 Plot Plan, PA09-0012 Tentative Parcel Map 36162	South side of Grove View Road between Perris Boulevard and Indian Street	1,161,613 square feet of Industrial – Currently in Review, requires an EIR
	TOTAL		6,653,431 SF Industrial 667,830 SF Commercial (all types) 1,729 Residential units 1 Golf Course

Source: City of Moreno Valley, January 2012.



LSA

FIGURE 3.4

N

0 4,500 9,000

FEET

Project Location

5 Mile Buffer of Project

Cumulative Projects

Moreno Valley Project

CITIES

Calimesa

Moreno Valley

Perris

County Boundary

SOURCE: County of Riverside, 2006; Thomas Bros, 2009

I:\PLO1101\Reports\EIR\fig3-4_CumProj_8x11.mxd (02/03/12)

Eucalyptus Industrial Park
Environmental Impact Report

Cumulative Projects

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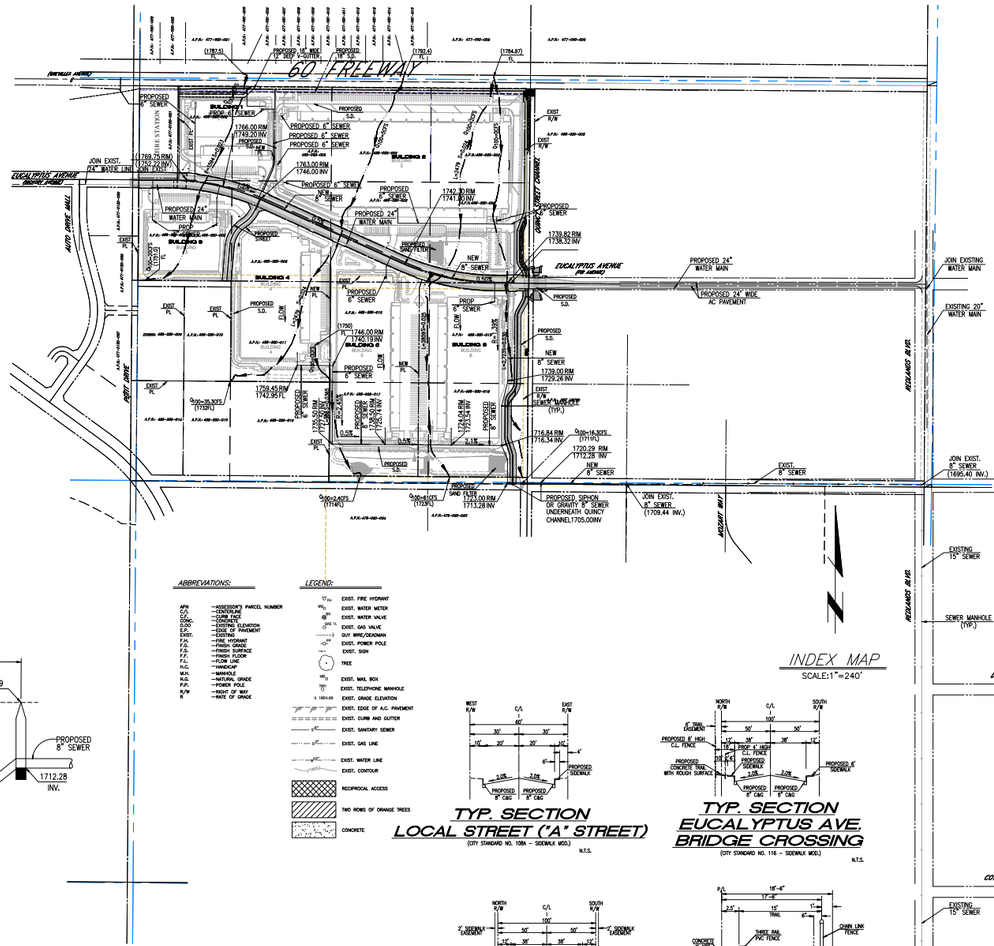
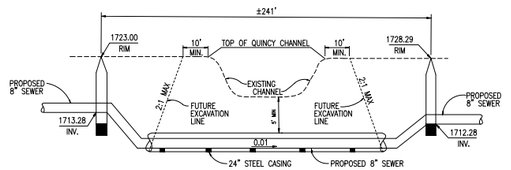
CONCEPTUAL GRADING PLAN
PROLOGIS PARK MORENO VALLEY EUCALYPTUS





SIPHON DETAIL
N.T.S.

ABBREVIATIONS:

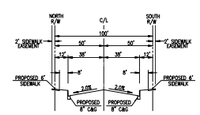
APN	—ASSESSOR'S PARCEL NUMBER
C/L	—CENTERLINE
C.O.	—CURB FACE
CONC.	—CONCRETE
E.G.(XX)	—EXISTING ELEVATION
E.P.	—EDGE OF PAVEMENT
EXIST.	—EXISTING
F.H.	—FIRE HYDRANT
F.G.	—FINISH GRADE
F.S.	—FINISH SURFACE
F.F.	—FINISH FLOOR
G.B.	—GRADE BREAK
H.C.	—HANDICAP
M.H.	—MANHOLE
N.G.	—NATURAL GRADE
P.P.	—POWER POLE
R/W	—RIGHT OF WAY
R	—RATE OF GRADE

LEGEND:

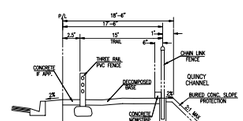
EXIST. FIRE HYDRANT
EXIST. WATER METER
EXIST. WATER VALVE
EXIST. GAS VALVE
GUY WIRE/DEADMAN
EXIST. POWER POLE
EXIST. SIGN
TREE
EXIST. MAIL BOX
EXIST. TELEPHONE MANHOLE
EXIST. GRADE ELEVATION
EXIST. EDGE OF A.C. PAVEMENT
EXIST. CURB AND GUTTER
EXIST. SANITARY SEWER
EXIST. GAS LINE
EXIST. WATER LINE
EXIST. CONTOUR
RECIPROCAL ACCESS
TWO ROWS OF ORANGE TREES
CONCRETE

TYP. SECTION
LOCAL STREET ("A" STREET)
(CITY STANDARD NO. 108A – SIDEWALK MOD.)
N.T.S.

TYP. SECTION
EUCALYPTUS AVE.
BRIDGE CROSSING
(CITY STANDARD NO. 116 – SIDEWALK MOD.)
N.T.S.



TYP. SECTION
EUCALYPTUS AVE.
(CITY STANDARD NO. 104A – SIDEWALK MOD.)
N.T.S.



TYP. SECTION
MULTIPURPOSE TRAIL
N.T.S.

EARTHWORK ANALYSIS:

MATERIAL AVAILABLE:		MATERIAL REQUIRED:	
TOTAL EXCAVATION	572196 C.Y.	FILL	339,561 C.Y.
		SUBSIDENCE (0.15')	57,000 C.Y.
OVER EXCAVATION	0 C.Y.	SHRINKAGE (15%)	85,829 C.Y.
		OVEREXCAVATION SHRINKAGE (15%)	90,000 C.Y.
APPROXIMATE IMPORT	194 C.Y.	TOTAL FILL	572,390 C.Y.

NOTE: EARTHWORK FIGURES SHOWN ARE APPROXIMATE PASSPES, AND ARE TO BE USED BY GRADING DEPARTMENT ONLY. CONTRACTOR SHALL CALCULATE HIS OWN EARTHWORK QUANTITIES AND NOT A COMPLETE JOB.

INDEX MAP
SCALE:1"=240'

VICINITY MAP
N.T.S.

PROJECT INFORMATION:

1. PROJECT ADDRESS: TBD
2. PROPOSED USE: INDUSTRIAL
3. EXISTING ZONING:
   - "BP" (BUSINESS PARK)
   - "BPX" (BUSINESS PARK–MIXED USE)
   - "R1" (RESIDENTIAL 5 DISTRICT)
   - "R1A" (RESIDENTIAL 10 DISTRICT)
   - "RA2" (RESIDENTIAL AGRICULTURE 2 DISTRICT)

SITE ACREAGE

GROSS= 5,347,814 SQ. FT.
= 122.769 ACRES

SUBJECT PROPERTY:

ASSESSORS PARCEL NUMBERS: 488-330-011, 488-330-012, 488-330-013, 488-330-014, 488-330-015, 488-330-016, 488-330-019, 488-330-020, 488-330-021

FLOOD ZONE DESIGNATION

ZONE X SHADED
PANEL NO.: 06065H 0770G
DATED: AUGUST 28, 2008
AND
ZONE X UNSHADED
PANEL NO.: 06065H 0790G
DATED: AUGUST 28, 2008

UNDERGROUND UTILITIES

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD.
PERRIS, CA 92585
(909) 928-6111

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD.
PERRIS, CA 92585
(909) 928-6111

ELECTRICAL
CITY OF REDLANDS
207 SUNKIST ST.
REDLANDS, CA 92374
909-307-4700

GAS
SOUTHERN CALIFORNIA GAS
SOUTH-REDLANDS
1981 W. LUGONIA AV. P.O. BOX 3003
REDLANDS, CA 92374
(562) 699-7411

TELEPHONE
VERIZON- REDLANDS
1980 ORANGE TREE LN. STE. 100
REDLANDS, CA 92374
909-748-6642

PLANNING CASE NO'S.

PA07-0041 (ZONE CHANGE)
PA07-0085 (GENERAL PLAN AMENDMENT)
PA07-0084 (TPM 35679)
PA07-0084 (TPM 35679)

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN IS DESCRIBED AS FOLLOWS:

REAL PROPERTY IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

DIVISION 1:

LOTS 1 THROUGH 4, INCLUSIVE, IN BLOCK 38 AS SHOWN BY MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, AS SHOWN BY MAP OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, RECORDED IN BOOK 11, PAGE 15 OF MAPS, SAN BERNARDINO COUNTY RECORDS.

EXCEPTING THEREFROM ALL THAT PORTION AS DESCRIBED IN THE DEED FROM C. N. LANTZ AND MARY LEE LANTZ TO LINDAMERE LAND COMPANY, INC., A DELAWARE CORPORATION RECORDED AUGUST 31, 1959 AS INSTRUMENT NO. 268706, OFFICIAL RECORDS.

ALSO EXCEPT FROM LOTS 4 AND 5 THAT PORTION CONVEYED TO THE CITY OF MORENO VALLEY BY DEED RECORDED FEBRUARY 3, 2005 AS INSTRUMENT NO. 0088241 OFFICIAL RECORDS.

DIVISION 2:

PARCEL A:

LOTS 2, 3 AND 7 OF BLOCK 53 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 15, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA.

PARCEL B:

LOT 8 BLOCK 53 OF MAP NO. 1 BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 11, PAGE 15 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY;

TOGETHER WITH THOSE PORTIONS OF EUCALYPTUS AVENUE AND QUINCY STREET WITHIN SAID BLOCK LYING SOUTHERLY OF THE EASTERLY PROLONGATION OF THE NORTH LINE OF SAID LOT AND EASTERLY OF THE SOUTHERLY PROLONGATION OF THE WEST LINE OF SAID LOT.

PARCEL C:

LOT 1 BLOCK 53, AS SHOWN BY MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, RECORDED IN BOOK 11, PAGE 15 OF MAPS, SAN BERNARDINO COUNTY RECORDS.

PARCEL D:

PARCEL 1 AS SHOWN ON THE "LOT LINE ADJUSTMENT NO. 978J" AND CERTIFICATE OF COMPLIANCE" AS EVIDENCED BY THE DOCUMENT RECORDED ON JANUARY 5, 2007 AS INSTRUMENT NO. 2007-0013581 OF OFFICIAL RECORDS. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PORTIONS OF LOTS 5 THROUGH 8, INCLUSIVE, OF BLOCK 36 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 15, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, LYING IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 3 WEST SAN BERNARDINO BASE AND MERIDIAN AND THE NORTH LINE OF SAID LOT 5;

THENCE SOUTH 89°53'29" EAST, ALONG THE NORTH LINE OF SAID LOT 5, A DISTANCE OF 233.36 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 1600.00 FEET, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°37'34", A DISTANCE OF 659.69 FEET;

THENCE SOUTH 83°03'16" EAST, A DISTANCE OF 978.05 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 1600.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°37'43", A DISTANCE OF 659.84 FEET TO A POINT LYING ON THE SOUTH LINE OF SAID LOT 8;

THENCE SOUTH 89°53'29" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 187.78 FEET TO THE SOUTHEAST CORNER OF SAID LOT 8;

THENCE NORTH 00°26'15" EAST, ALONG THE EAST LINE OF SAID LOT 8, A DISTANCE OF 660.06 FEET TO THE NORTHEAST CORNER OF SAID LOT 8;

THENCE NORTH 89°53'29" WEST, ALONG THE NORTH LINE OF SAID LOT 8, A DISTANCE OF 1,320.72 FEET TO THE POINT OF BEGINNING AND THE END OF THIS DESCRIPTION.

THE ABOVE DESCRIBED PARCEL CONTAINS 19.35 ACRES PLUS OR MINUS.

PARCEL E:

PARCEL 2 AS SHOWN ON THE "LOT LINE ADJUSTMENT NO. 978J" AND CERTIFICATE OF COMPLIANCE" AS EVIDENCED BY THE DOCUMENT RECORDED ON JANUARY 5, 2007 AS INSTRUMENT NO. 2007-0013581 OF OFFICIAL RECORDS. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PORTIONS OF LOTS 5 THROUGH 8, INCLUSIVE, OF BLOCK 36 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 15, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, LYING IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 3 WEST SAN BERNARDINO BASE AND MERIDIAN AND THE NORTH LINE OF SAID LOT 5;

THENCE SOUTH 89°53'29" EAST, ALONG THE NORTH LINE OF SAID LOT 5, A DISTANCE OF 233.36 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 1600.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°37'34", A DISTANCE OF 659.69 FEET;

THENCE SOUTH 83°03'16" EAST, A DISTANCE OF 978.05 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 1600.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°37'43", A DISTANCE OF 659.84 FEET TO A POINT LYING ON THE SOUTH LINE OF SAID LOT 8;

THENCE, NORTH 89°53'29" WEST, ALONG THE SOUTH LINE OF SAID LOTS 8, 7, 6, AND 5, A DISTANCE OF 2412.89 FEET TO THE INTERSECTION OF SAID EAST LINE OF SECTION 3 AND THE SOUTH LINE OF SAID LOT 5;

THENCE, NORTH 00°53'27" EAST, ALONG THE EAST LINE OF SAID SECTION 3, A DISTANCE OF 660.31 FEET TO THE POINT OF BEGINNING AND THE END OF THIS DESCRIPTION.

THE ABOVE DESCRIBED PARCEL CONTAINS 20.06 ACRES PLUS OR MINUS.

SHEET INDEX	
1	TITLE SHEET – NOTES, DETAILS, SECTIONS AND CONCEPTUAL UITILITIES
2	CONCEPTUAL GRADING PLAN
3	CONCEPTUAL GRADING PLAN
4	SECTIONS
5	SECTIONS
6	QUINCY CHANNEL PLAN AND SECTIONS

CITY CASE NUMBER: PA07-0084 DATE OF PREPARATION: 9/27/11

OWNER/ APPLICANT:
PROLOGIS DEV. SERV., INC.
4041 MC ARTHUR BLVD.
NEWPORT BEACH, CA 92660
PH. (949) 251-6100
FAX (949) 251-0766

PREPARED BY:
Thienes Engineering, Inc.
CIVIL ENGINEERING & LAND SURVEYING
14800 VALLEY VIEW AVENUE
LA MIRADA, CALIFORNIA 90638
PH.(714)521-4811 FAX(714)521-4173

CONCEPTUAL GRADING PLAN
PROLOGIS PARK MORENO VALLEY EUCALYPTUS
TENTATIVE PARCEL MAP NO. 35679
MORENO VALLEY CALIFORNIA
SCALE: 1" = 60' | DATE: DECEMBER, 2007 | J.N. 2818 | SHEET 1 OF 6

LSA

FIGURE 3.5

Eucalyptus Industrial Park
Environmental Impact Report

SOURCE: Thienes Engineering 2007

Conceptual Grading Plan

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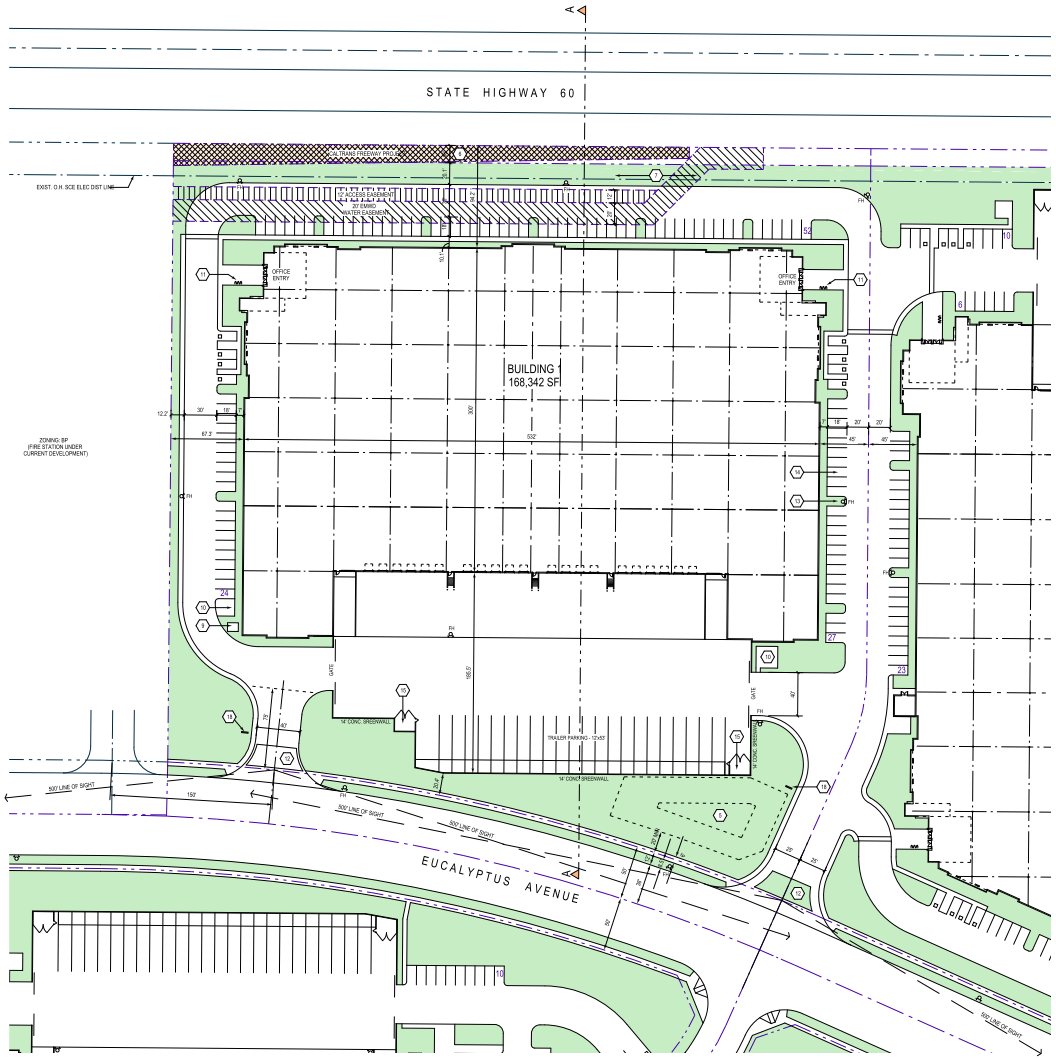


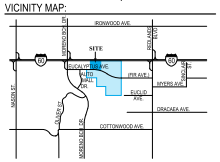
KEYNOTES

1. N/A
2. N/A
3. N/A
4. N/A
5. WATER QUALITY BASIN LANDSCAPED TO CITY STANDARDS.
6. 18' CALTRANS RESERVATION AREA FOR FUTURE DEDICATION TO CALTRANS.
7. STAGGERED DOUBLE ROW OF CITRUS TREES ALONG FREEWAY FRONTAGE.
8. N/A
9. BUILDING TRANSFORMER SCREENED BY LANDSCAPING OR TRUCK COURT SCREEN
10. LUNCH PATIO.
11. BICYCLE RACK AT PRIMARY BUILDING ENTRANCES.
12. DECORATIVE COLORED CONCRETE AT DRIVEWAY CURB CUTS.
13. TYPICAL LANDSCAPED FINGER AT PARKING STALLS: 9'W X 18' WITH 12" WIDE CONCRETE CURBS ALONG SIDE AUTO STALLS.
14. TYPICAL AUTO PARKING STALL: 9'W X 18'D OR 16'D+2' OVERHANG. STALLS TO BE STRIPED PER CITY STANDARDS.
15. DOUBLE TRASH ENCLOSURE PER CITY STANDARDS 627A & B.
16. N/A
17. N/A
18. 6 SQUARE FOOT SIGN IDENTIFYING THE APPROVED TRUCK ROUTE PLAN AT ALL SE DRIVEWAY EXIT LOCATIONS. SEE DETAIL 1 ON SHEET A1-1/6 P

PROJECT DATA

	BUILDING 1
SITE AREA:	
SQUARE FEET	384,527
ACRES	8.83
OTHER LOTS (STREETS & RAVINE)	
SQUARE FEET	
ACRES	
BUILDING AREA	168,342
NET COVERAGE	43.78%
AUTO PARKING REQUIRED	
10,000 SF OFFICE @ 4/1000	40
10K - 20K OFFICE @ 4/1000	-
0 - 20K WH @ 1/1000	20
20K - 40K WH @ 1/2000	10
40K + WH @1/4000	30
TOTAL PARKING REQUIRED	100
AUTO PARKING PROVIDED	103
BICYCLE PARKING REQD./PROVIDED	5
TRUCK DOCK POSITIONS PROVIDED	21
TRUCK TRIALER PARKING PROVIDED	22
LANDSCAPE REQD @ 10% OF NET SITE	38,453
LANDSCAPE PROVIDED	67,001
	17.42%

VICINITY MAP:



OWNER:

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ARCHITECT:

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CONTACT: DENNIS ROY

UTILITY PURVEYORS:

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SEWER:
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ELECTRIC:
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GAS:
SOUTHERN CALIFORNIA GAS COMPANY
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TELEPHONE:
VERIZON
T: 909-748-6640

CABLE:
TIME WARNER COMMUNICATIONS
T: 909-456-3683

GENERAL NOTES:

1. PROPOSED BUILDINGS ARE 32' CLEAR HEIGHT TO ROOF STRUCTURE. SEE ELEVATI DRAWINGS FOR OVERALL BUILDING HEIGHT.
2. PROPOSED SCREEN WALLS (S.W.) ARE PAINTED CONCRETE, & MIN. HEIGHT OF 12', A VARY UP TO 14' WHERE REQUIRED TO ADEQUATELY SCREEN TRUCK YARD AREAS.
3. PROPOSED FENCES ARE STEEL TUBE CONSTRUCTION AND ARE 8' HIGH.
4. SHADED AREA IS PROPOSED LANDSCAPING AREA. ALL LANDSCAPE IS IRRIGATED A BOUND BY 6" X 6" CONC. CURB, WITH EXCEPTION OF RAVINE AREAS ARE ONSITE STORMWATER RETENTION BASINS, WHICH SHALL COMPLY WITH RIVERSIDE COUNTY F CONTROL REQUIREMENTS.
5. ALL DRIVE AISLES SHOWS ARE FOR 2-WAY TRAFFIC, AND ARE A MIN. OF 26' WIDTH A CLEAR TO SKY.
6. PARKING STALLS ARE 9' X 18', STRIPED PER CITY REQUIREMENTS.
7. MONUMENT SIGNAGE IS NOT PROPOSED AS PART OF THIS PERMIT. A SEPARATE SI PROGRAM SHALL BE SUBMITTED AND APPROVED SEPARATELY BY OTHERS.
8. FOR CLARITY, THE PROPOSED FINISH TOPOGRAPHY IS SHOWN ON THE CONCEPTU GRADING PLAN. RETAINING WALLS ARE SHOWN ON THIS SITE PLAN.
9. SEE ELEVATION SHEETS FOR HEIGHTENED PARAPET AREAS AT PROPOSED OFFICE CORNERS. FUTURE ROOF-MOUNTED EQUIPMENT WILL BE ADEQUATELY SCREENED BY THESE HEIGHTENED PARAPET AREAS.
10. EXISTING ZONING TO BE CHANGED. EXISTING ZONING IS BP, BPX, R15, R5 & RA2.
11. DROUGHT TOLERANT TREES, SHRUBS AND GROUNDCOVER SPECIES SHALL BE US THE EXTENT POSSIBLE.

0 16 32 64 100'
SCALE: 1" = 40'-0"

LSA

FIGURE 3.6A

Eucalyptus Industrial Park
Environmental Impact Report

Architectural Plan – Building 1

SOURCE: RGA, 2011

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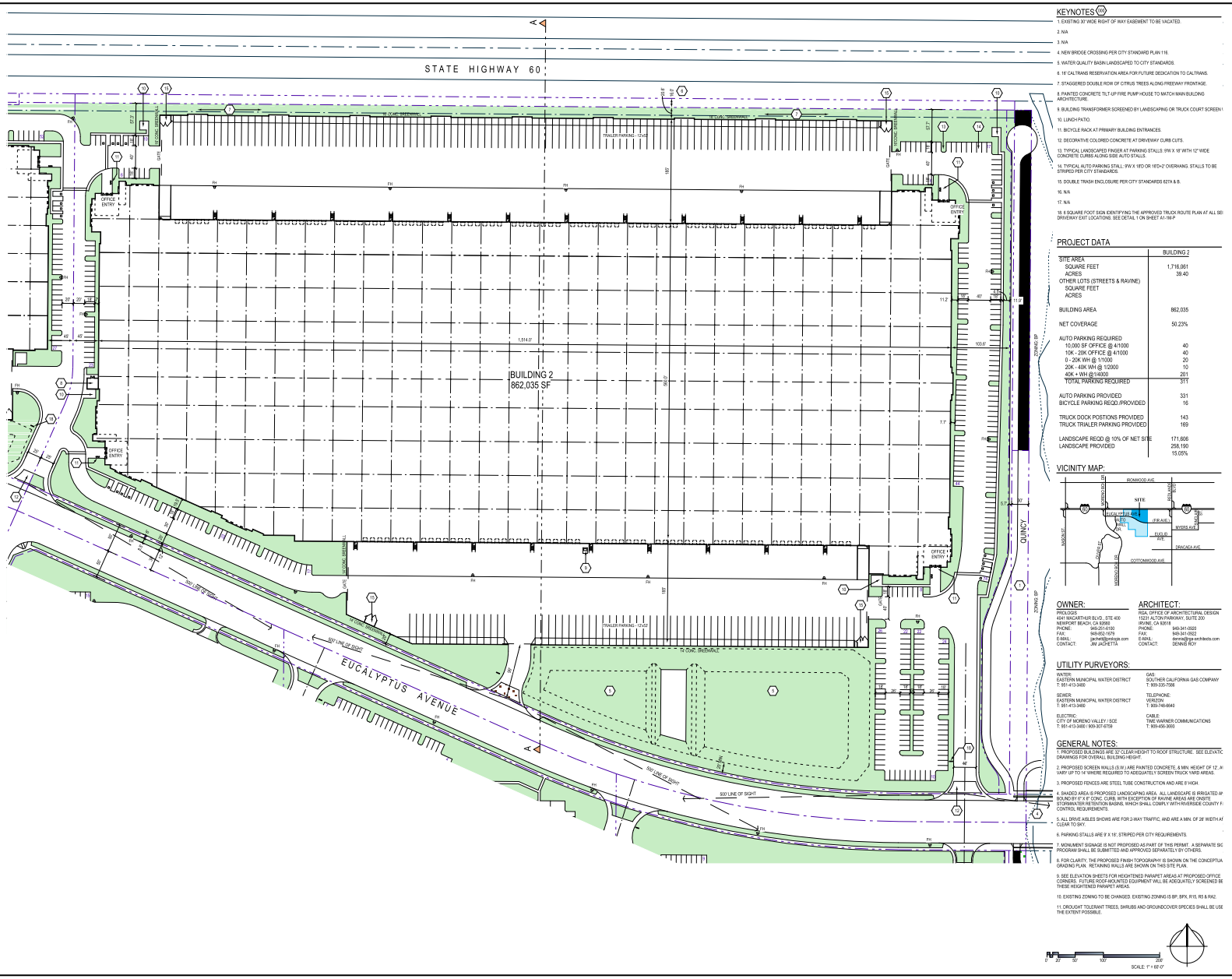

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LSA

FIGURE 3.6B

Eucalyptus Industrial Park
Environmental Impact Report

Architectural Plan - Building 2

SOURCE: RGA, 2011

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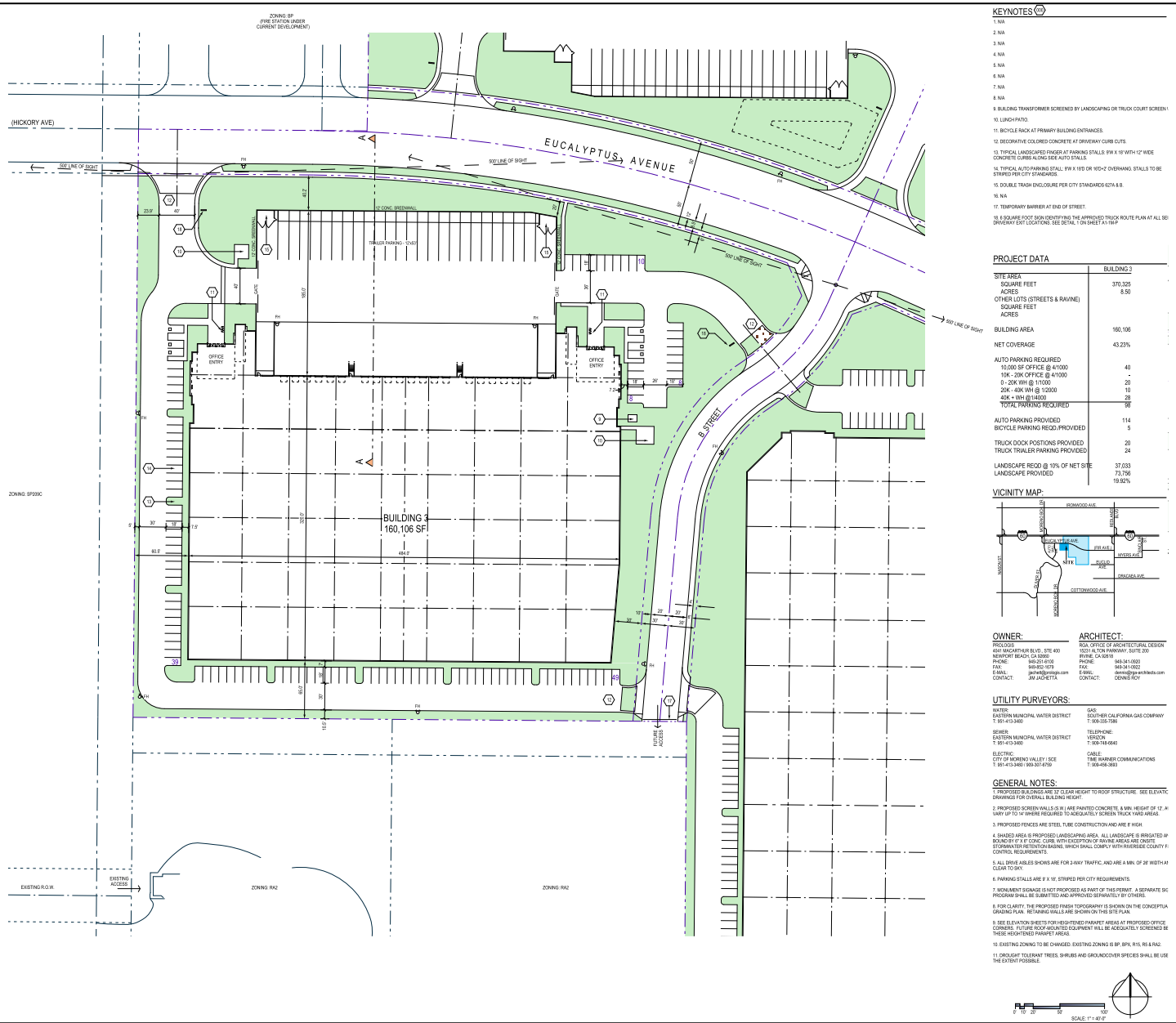

KEYNOTES

1. N/A
2. N/A
3. N/A
4. N/A
5. N/A
6. N/A
7. N/A
8. N/A
9. BUILDING TRANSFORMER SCREENED BY LANDSCAPING OR TRUCK COURT SCREEN
10. LUNCH PATIO.
11. BICYCLE RACK AT PRIMARY BUILDING ENTRANCES.
12. DECORATIVE COLORED CONCRETE AT DRIVEWAY CURB CUTS.
13. TYPICAL LANDSCAPED FINGER AT PARKING STALLS: 9'W X 18' WITH 12" WIDE CONCRETE CURBS ALONG SIDE AUTO STALLS.
14. TYPICAL AUTO PARKING STALL: 9'W X 18'D OR 16'D+2' OVERHANG. STALLS TO BE STRIPED PER CITY STANDARDS.
15. DOUBLE TRASH ENCLOSURE PER CITY STANDARDS 627A & B.
16. N/A
17. TEMPORARY BARRIER AT END OF STREET.
18. 6 SQUARE FOOT SIGN IDENTIFYING THE APPROVED TRUCK ROUTE PLAN AT ALL SE DRIVEWAY EXIT LOCATIONS. SEE DETAIL 1 ON SHEET A1-1M-P

PROJECT DATA

	BUILDING 3
SITE AREA	
SQUARE FEET	370,325
ACRES	8.50
OTHER LOTS (STREETS & RAVINE)	
SQUARE FEET	
ACRES	
BUILDING AREA	160,106
NET COVERAGE	43.23%
AUTO PARKING REQUIRED	
10,000 SF OFFICE @ 4/1000	40
10K - 20K OFFICE @ 4/1000	-
0 - 20K WH @ 1/1000	20
20K - 40K WH @ 1/2000	10
40K + WH @1/4000	28
TOTAL PARKING REQUIRED	98
AUTO PARKING PROVIDED	114
BICYCLE PARKING REQD./PROVIDED	5
TRUCK DOCK POSITIONS PROVIDED	20
TRUCK TRAILER PARKING PROVIDED	24
LANDSCAPE REQD @ 10% OF NET SITE	37,033
LANDSCAPE PROVIDED	73,756
	19.92%

VICINITY MAP:

OWNER:

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TELEPHONE:
VERIZON
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CABLE:
TIME WARNER COMMUNICATIONS
T: 909-458-3883

GENERAL NOTES:

1. PROPOSED BUILDINGS ARE 32' CLEAR HEIGHT TO ROOF STRUCTURE. SEE ELEVATIC DRAWINGS FOR OVERALL BUILDING HEIGHT.

2. PROPOSED SCREEN WALLS (5.9) ARE PAINTED CONCRETE, & MIN. HEIGHT OF 12', A VARY UP TO 14' WHERE REQUIRED TO ADEQUATELY SCREEN TRUCK YARD AREAS.

3. PROPOSED FENCES ARE STEEL TUBE CONSTRUCTION AND ARE 8' HIGH.

4. SHADED AREA IS PROPOSED LANDSCAPING AREA. ALL LANDSCAPE IS IRRIGATED AN BOUND BY 6" X 6" CONC. CURB, WITH EXCEPTION OF RAVINE AREAS ARE ONSITE STORMWATER RETENTION BASINS, WHICH SHALL COMPLY WITH RIVERSIDE COUNTY F CONTROL REQUIREMENTS.

5. ALL DRIVE AISLES SHOWN ARE FOR 2-WAY TRAFFIC, AND ARE A MIN. OF 26' WIDTH AT CLEAR TO SKY.

6. PARKING STALLS ARE 9' X 18', STRIPED PER CITY REQUIREMENTS.

7. MONUMENT SIGNAGE IS NOT PROPOSED AS PART OF THIS PERMIT. A SEPARATE SIG PROGRAM SHALL BE SUBMITTED AND APPROVED SEPARATELY BY OTHERS.

8. FOR CLARITY, THE PROPOSED FINISH TOPOGRAPHY IS SHOWN ON THE CONCEPTUA GRADING PLAN. RETAINING WALLS ARE SHOWN ON THIS SITE PLAN.

9. SEE ELEVATION SHEETS FOR HEIGHTENED PARAPET AREAS AT PROPOSED OFFICE CORNERS. FUTURE ROOF-MOUNTED EQUIPMENT WILL BE ADEQUATELY SCREENED BE THESE HEIGHTENED PARAPET AREAS.

10. EXISTING ZONING TO BE CHANGED. EXISTING ZONING IS BP, BPX, R1S, R5 & RA2.

11. DROUGHT TOLERANT TREES, SHRUBS AND GROUNDCOVER SPECIES SHALL BE USE THE EXTENT POSSIBLE.

SCALE: 1" = 40'-0"

LSA

FIGURE 3.6C

Eucalyptus Industrial Park
Environmental Impact Report

Architectural Plan - Building 3

SOURCE: RGA, 2011

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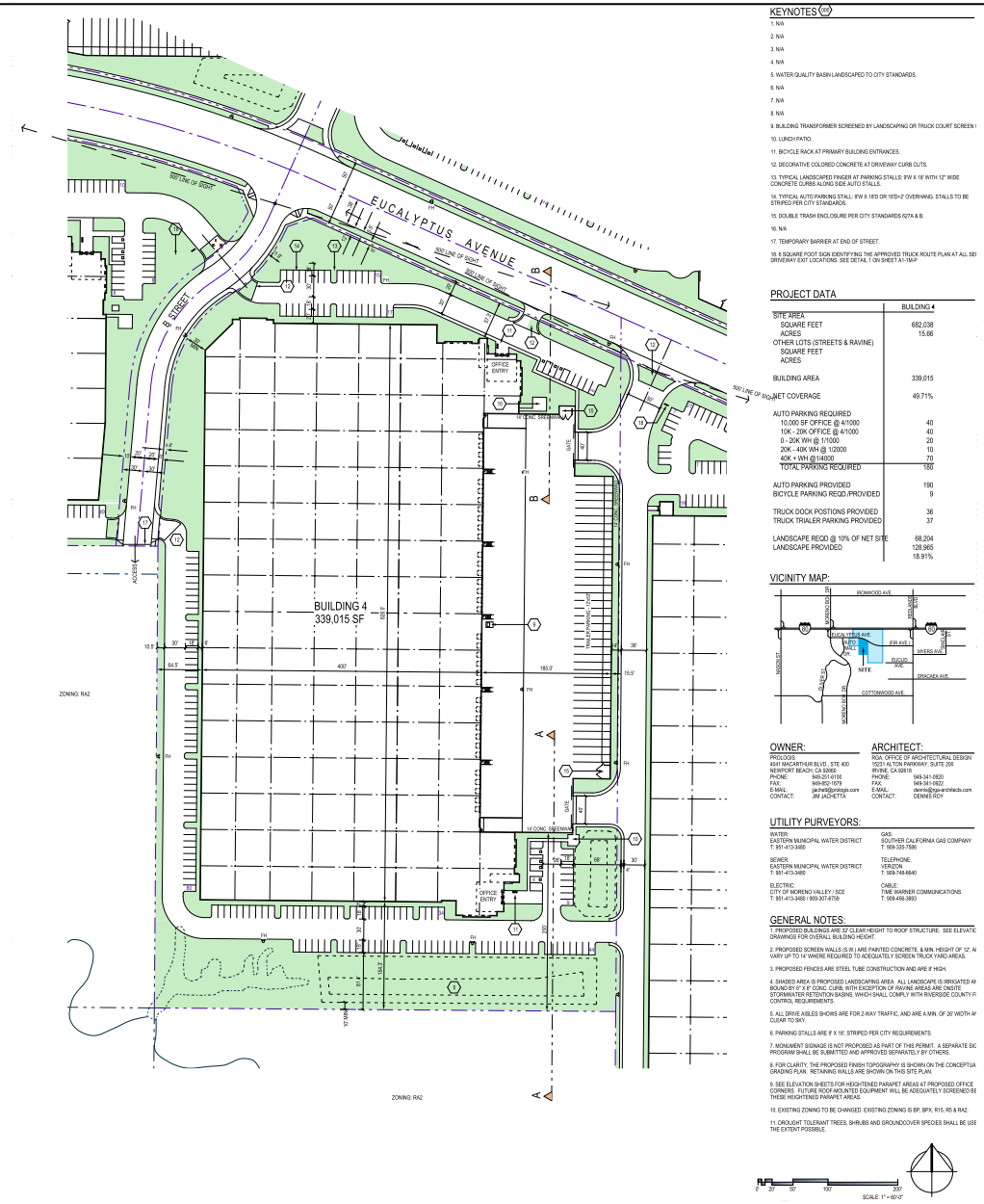

LSA

FIGURE 3.6D

Eucalyptus Industrial Park
Environmental Impact Report

Architectural Plan - Building 4

SOURCE: RGA, 2011

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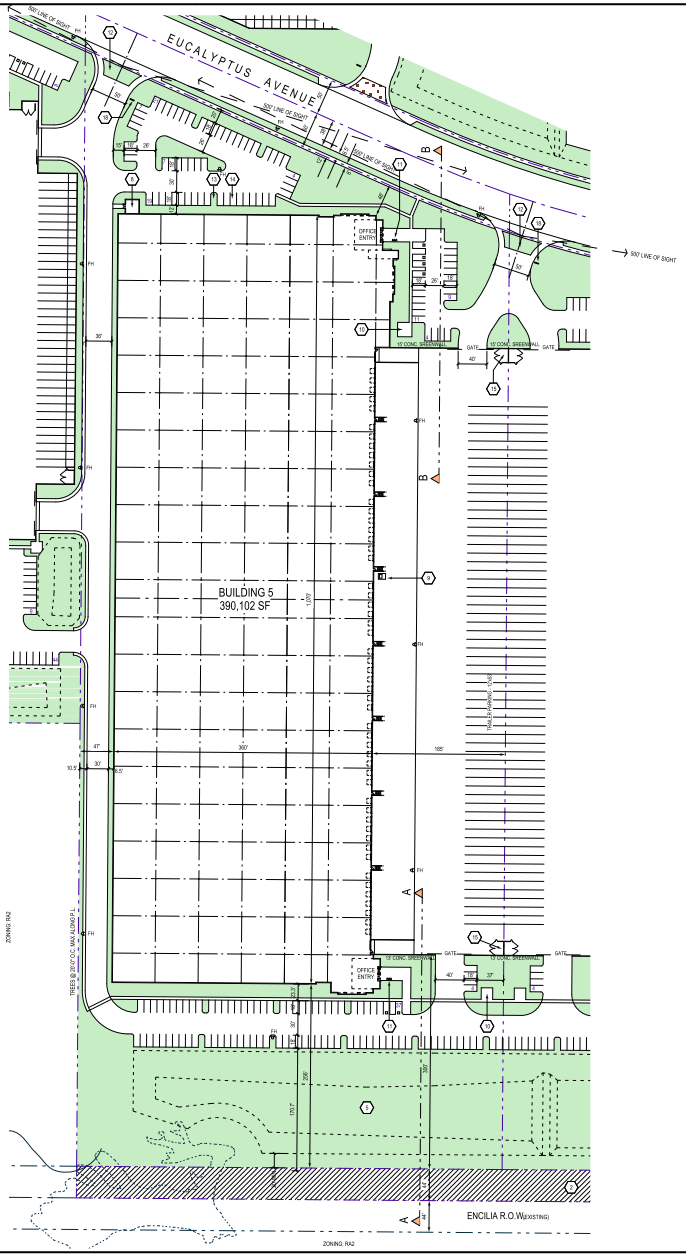

KEYNOTES

1. N/A.
2. EXISTING 44' WIDE RIGHT OF WAY EASEMENT TO REMAIN FOR FUTURE ENCILIA STRE
3. N/A
4. N/A
5. WATER QUALITY BASIN LANDSCAPED TO CITY STANDARDS.
6. N/A
7. N/A
8. PAINTED CONCRETE TILT-UP FIRE PUMP HOUSE TO MATCH MAIN BUILDING ARCHITECTURE.
9. BUILDING TRANSFORMER SCREENED BY LANDSCAPING OR TRUCK COURT SCREEN V
10. LUNCH PATIO.
11. BICYCLE RACK AT PRIMARY BUILDING ENTRANCES.
12. DECORATIVE COLORED CONCRETE AT DRIVEWAY CURB CUTS.
13. TYPICAL LANDSCAPED FINGER AT PARKING STALLS: 9'W X 18' WITH 12" WIDE CONCRETE CURBS ALONG SIDE AUTO STALLS.
14. TYPICAL AUTO PARKING STALL: 9'W X 18'D OR 16'D+2' OVERHANG. STALLS TO BE STRIPED PER CITY STANDARDS.
15. DOUBLE TRASH ENCLOSURE PER CITY STANDARDS 627A & B.
16. N/A
17. N/A
18. 6 SQUARE FOOT SIGN IDENTIFYING THE APPROVED TRUCK ROUTE PLAN AT ALL SEP DRIVEWAY EXIT LOCATIONS. SEE DETAIL 1 ON SHEET A1-1McP

PROJECT DATA

	BUILDING 5
SITE AREA	
SQUARE FEET	840,362
ACRES	19.29
OTHER LOTS (STREETS & RAVINE)	
SQUARE FEET	
ACRES	
BUILDING AREA	390,102
NET COVERAGE	46.42%
AUTO PARKING REQUIRED	
10,000 SF OFFICE @ 4/1000	40
10K - 20K OFFICE @ 4/1000	40
0 - 20K WH @ 1/1000	20
20K - 40K WH @ 1/2000	10
40K + WH @1/4000	83
TOTAL PARKING REQUIRED	193
AUTO PARKING PROVIDED	193
BICYCLE PARKING REQD./PROVIDED	10
TRUCK DOCK POSTIONS PROVIDED	53
TRUCK TRIALER PARKING PROVIDED	60
LANDSCAPE REQD @ 10% OF NET SITE	84,036
LANDSCAPE PROVIDED	165,429
	19.69%

VICINITY MAP:

OWNER:

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VERIZON
T: 909-748-6840

CABLE:
TIME WARNER COMMUNICATIONS
T: 909-458-3893

GENERAL NOTES:

1. PROPOSED BUILDINGS ARE 32' CLEAR HEIGHT TO ROOF STRUCTURE. SEE ELEVATIO DRAWINGS FOR OVERALL BUILDING HEIGHT.
2. PROPOSED SCREEN WALLS (S.W.) ARE PAINTED CONCRETE, & MIN. HEIGHT OF 12', AN VARY UP TO 14' WHERE REQUIRED TO ADEQUATELY SCREEN TRUCK YARD AREAS.
3. PROPOSED FENCES ARE STEEL TUBE CONSTRUCTION AND ARE 8' HIGH.
4. SHADED AREA IS PROPOSED LANDSCAPING AREA. ALL LANDSCAPE IS IRRIGATED AN MOUND 6"-9" X 6" CONC. CURB, WITH EXCEPTION OF RAVINE AREAS ARE ONSITE STORMWATER RETENTION BASINS, WHICH SHALL COMPLY WITH RIVERSIDE COUNTY FL CONTROL REQUIREMENTS.
5. ALL DRIVE AISLES SHOWN ARE FOR 2-WAY TRAFFIC, AND ARE A MIN. OF 26' WIDTH AN CLEAR TO SKY.
6. PARKING STALLS ARE 9' X 18', STRIPED PER CITY REQUIREMENTS.
7. MONUMENT SIGNAGE IS NOT PROPOSED AS PART OF THIS PERMIT. A SEPARATE SIG PROGRAM SHALL BE SUBMITTED AND APPROVED SEPARATELY BY OTHERS.
8. FOR CLARITY, THE PROPOSED FINISH TOPOGRAPHY IS SHOWN ON THE CONCEPTUAL GRADING PLAN. RETAINING WALLS ARE SHOWN ON THIS SITE PLAN.
9. SEE ELEVATION SHEETS FOR HEIGHTENED PARAPET AREAS AT PROPOSED OFFICE CORNERS. FUTURE ROOF-MOUNTED EQUIPMENT WILL BE ADEQUATELY SCREENED BE THESE HEIGHTENED PARAPET AREAS.
10. EXISTING ZONING TO BE CHANGED. EXISTING ZONING IS BP, BPX, R15, R5 & RA2.
11. DROUGHT TOLERANT TREES, SHRUBS AND GROUNDCOVER SPECIES SHALL BE USE THE EXTENT POSSIBLE.

LSA

FIGURE 3.6E

Eucalyptus Industrial Park
Environmental Impact Report

Architectural Plan - Building 5

SOURCE: RGA, 2011

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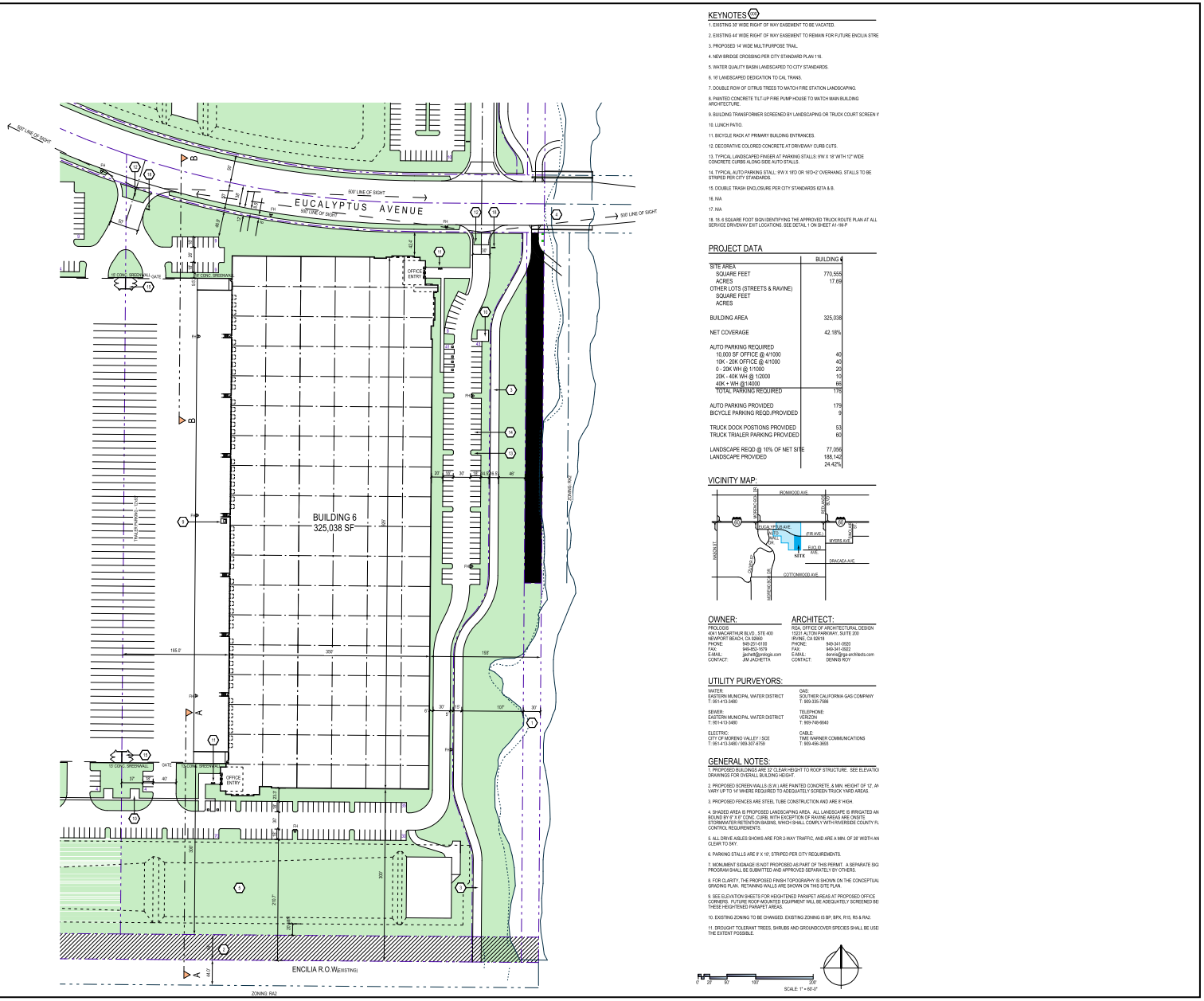

LSA

FIGURE 3.6F

Eucalyptus Industrial Park
Environmental Impact Report

Architectural Plan - Building 6

SOURCE: RGA, 2011

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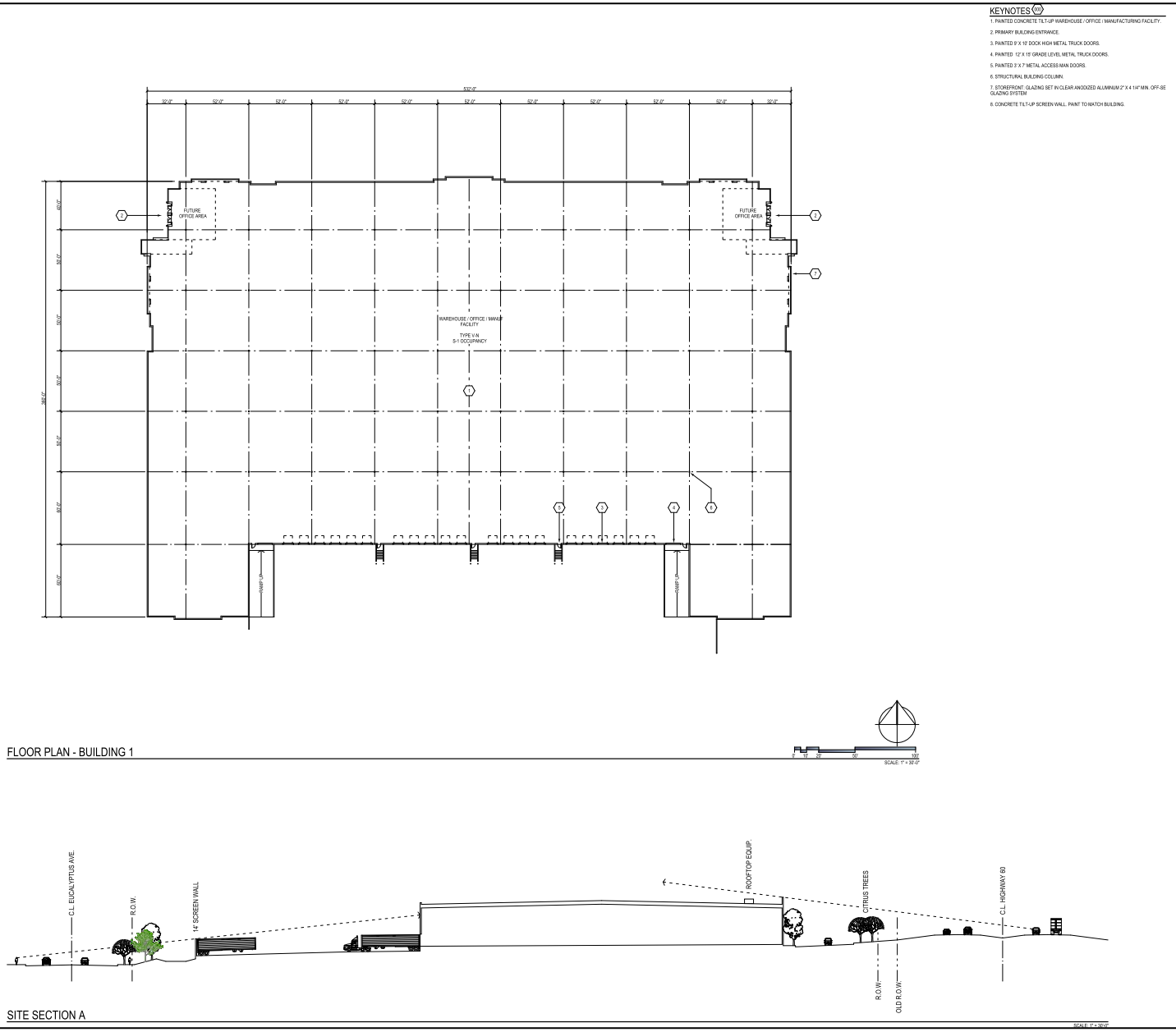

LSA

FIGURE 3.7A

Eucalyptus Industrial Park
Environmental Impact Report

Floor Plan and Line of Sight - Building 1

SOURCE: RGA, 2011

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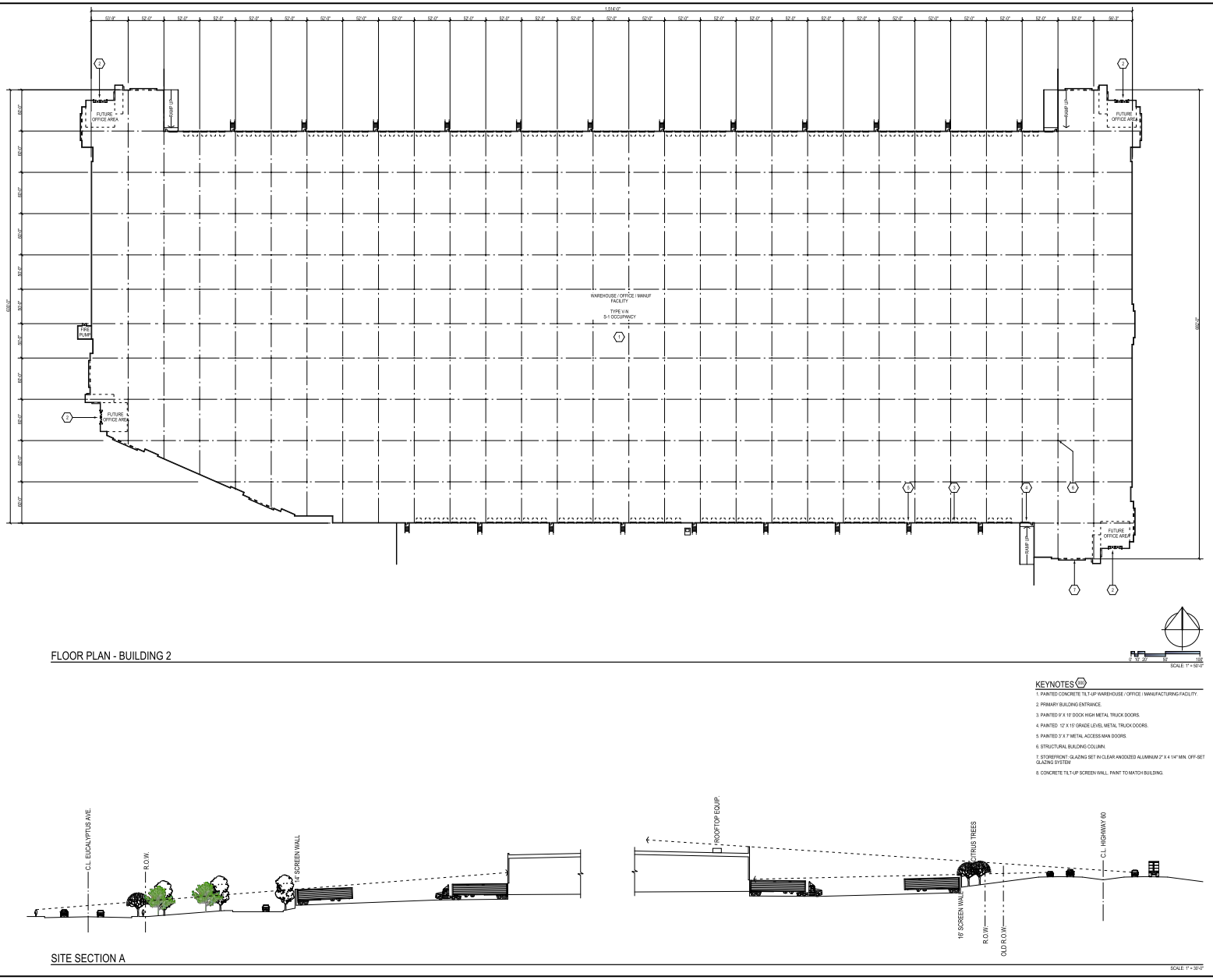

LSA

FIGURE 3.7B

Eucalyptus Industrial Park
Environmental Impact Report

Floor Plan and Line of Sight - Building 2

SOURCE: RGA, 2011

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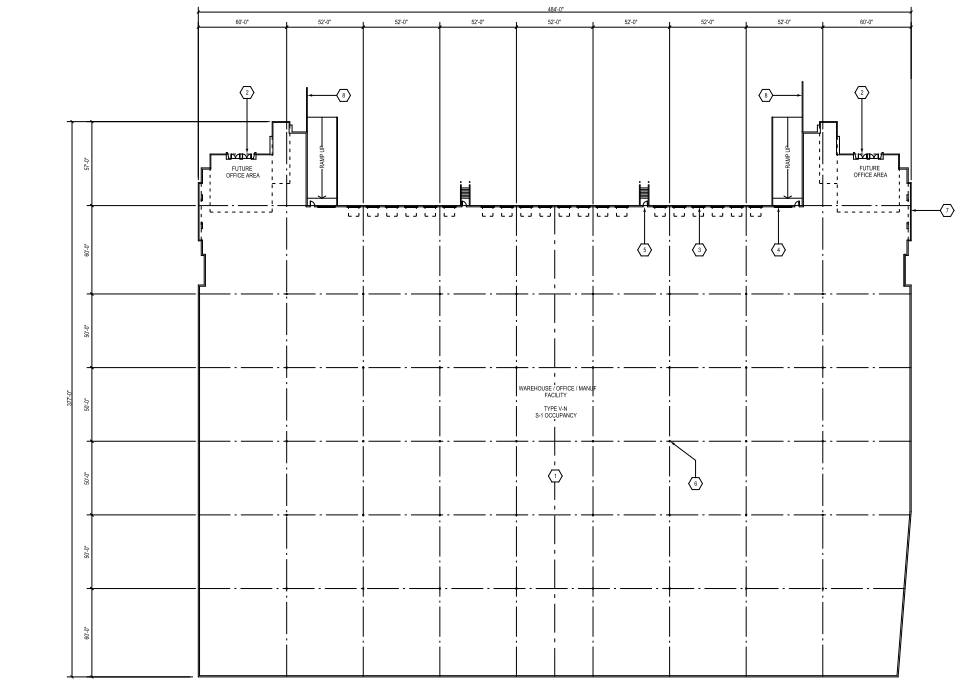
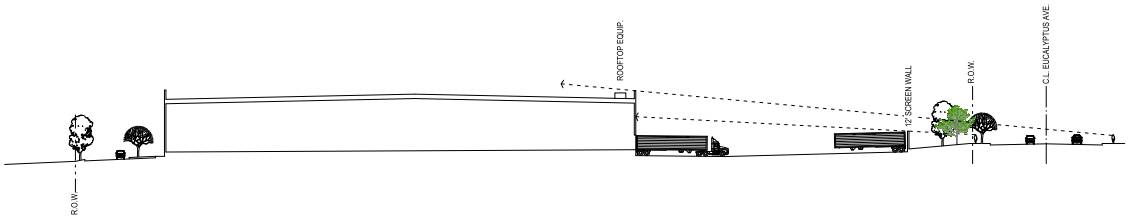
KEYNOTES

1. PAINTED CONCRETE TILT-UP WAREHOUSE / OFFICE / MANUFACTURING FACILITY.
2. PRIMARY BUILDING ENTRANCE.
3. PAINTED 9' X 10' DOCK HIGH METAL TRUCK DOORS.
4. PAINTED 12' X 15' GRADE LEVEL METAL TRUCK DOORS.
5. PAINTED 3' X 7' METAL ACCESS MAN DOORS.
6. STRUCTURAL BUILDING COLUMN.
7. STOREFRONT: GLAZING SET IN CLEAR ANODIZED ALUMINUM 2" X 4 1/4" MIN. OFF-SET GLAZING SYSTEM
8. CONCRETE TILT-UP SCREEN WALL. PAINT TO MATCH BUILDING.



FLOOR PLAN - BUILDING 3

SCALE: 1" = 30'-0"



SITE SECTION A

SCALE: 1" = 30'-0"

LSA

FIGURE 3.7C

Eucalyptus Industrial Park
Environmental Impact Report

Floor Plan and Line of Sight - Building 3

SOURCE: RGA, 2011

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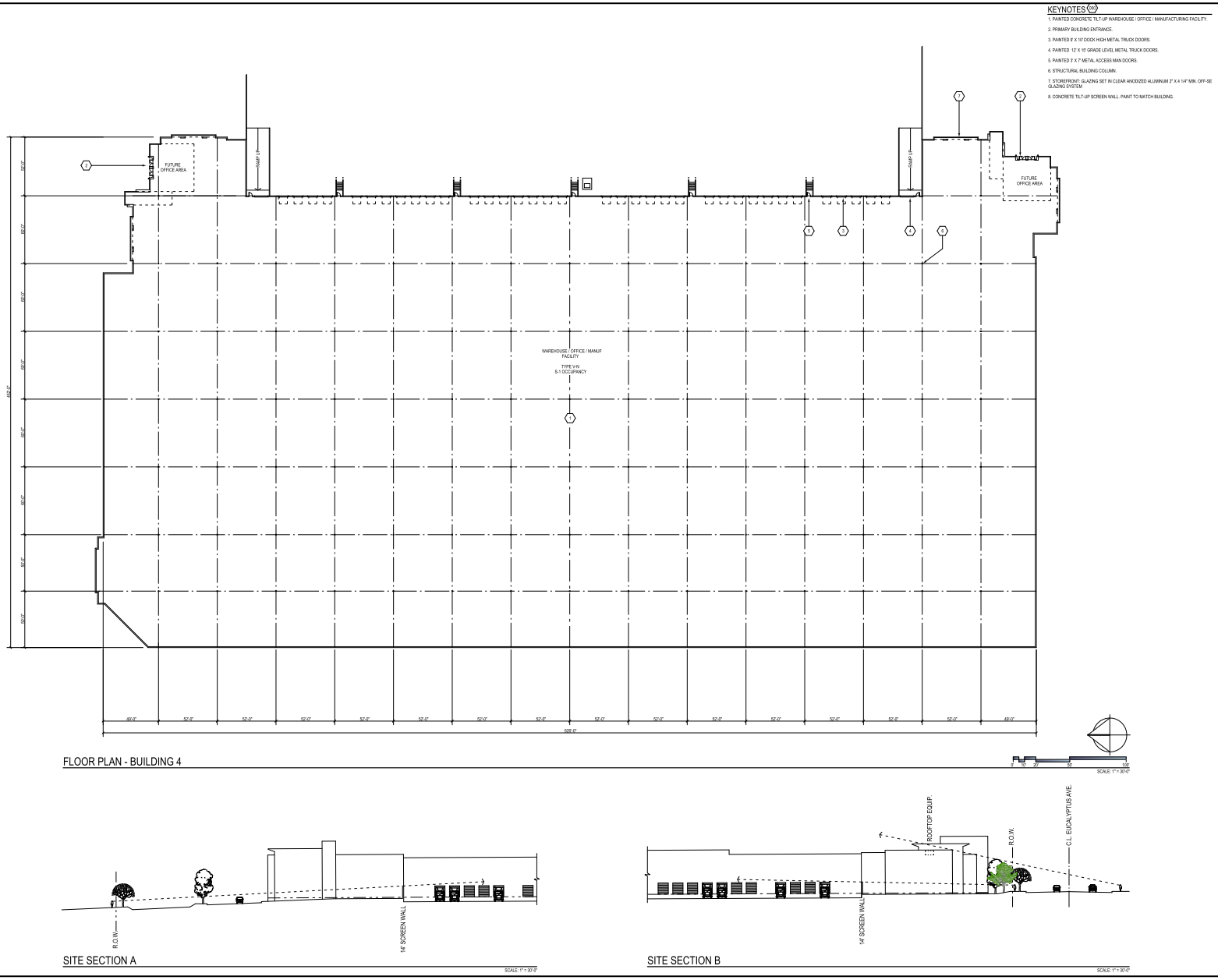

LSA

FIGURE 3.7D

Eucalyptus Industrial Park
Environmental Impact Report

Floor Plan and Line of Sight - Building 4

SOURCE: RGA, 2011

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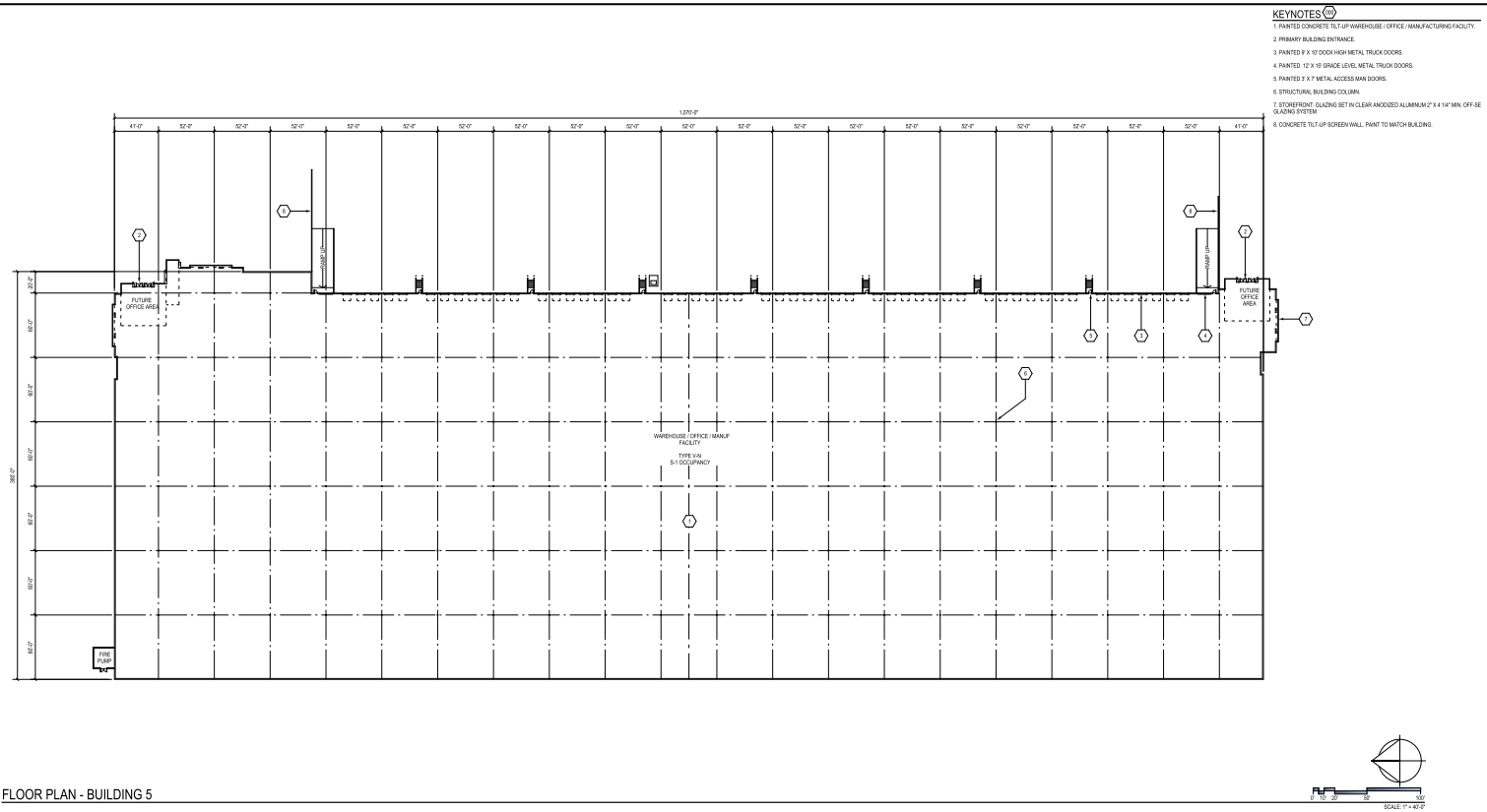
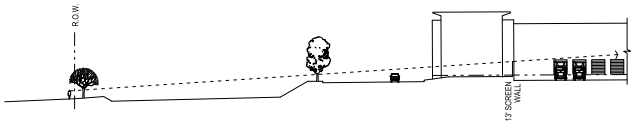
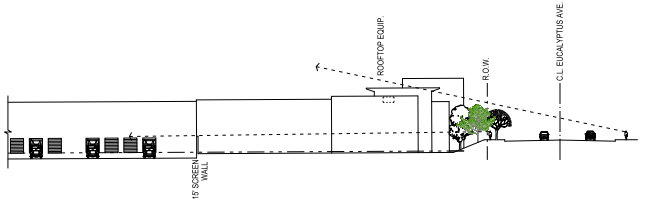


FLOOR PLAN - BUILDING 5



SITE SECTION A

SCALE: 1" = 30'-0"



SITE SECTION B

SCALE: 1" = 30'-0"

LSA

FIGURE 3.7E

Eucalyptus Industrial Park
Environmental Impact Report

Floor Plan and Line of Sight - Building 5

SOURCE: RGA, 2011

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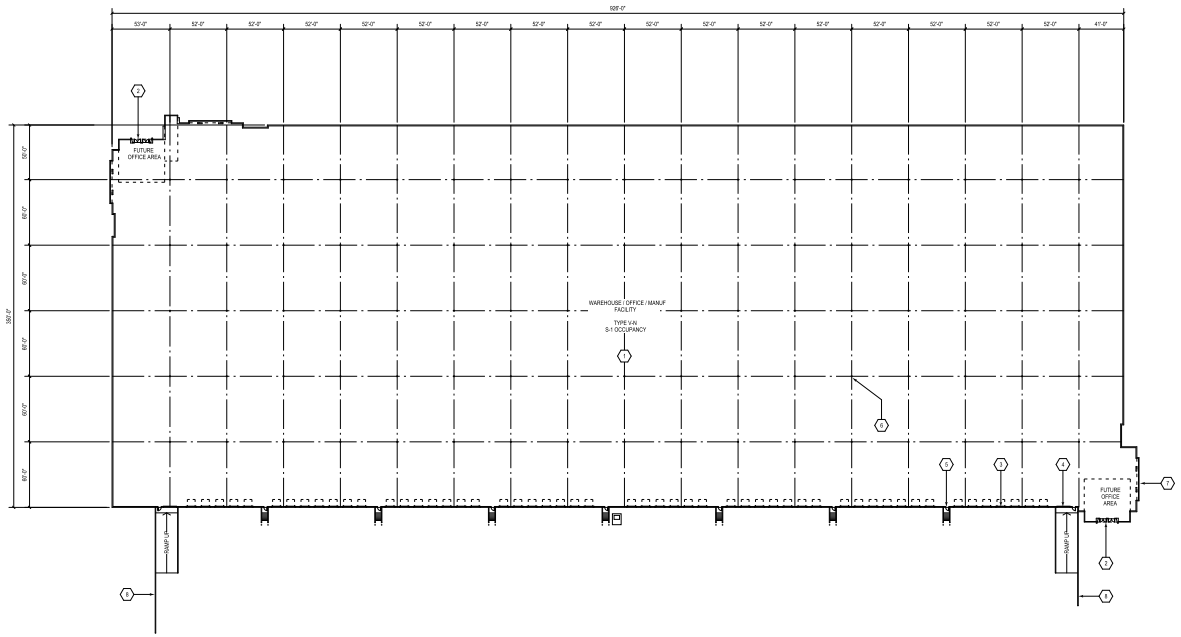
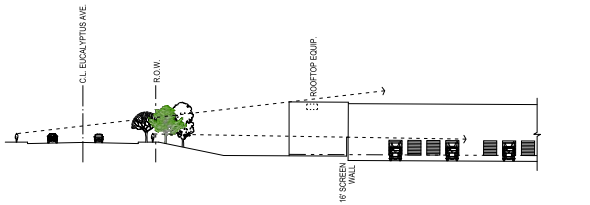
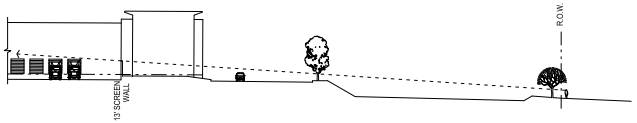


FLOOR PLAN - BUILDING 6



SITE SECTION B



SITE SECTION A

LSA

FIGURE 3.7F

Eucalyptus Industrial Park
Environmental Impact Report

Floor Plan and Line of Sight - Building 6

SOURCE: RGA, 2011

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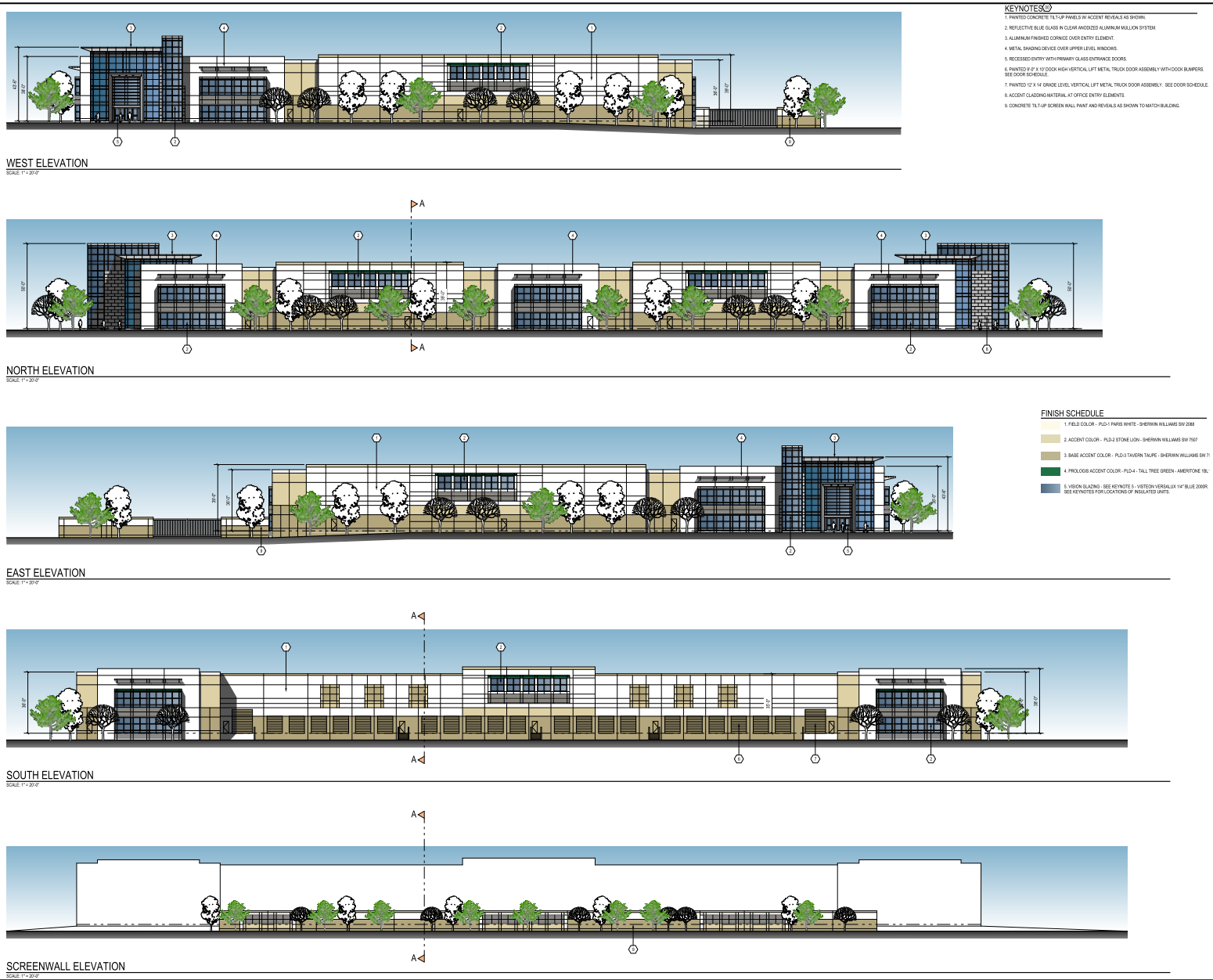

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FIGURE 3.8A

Eucalyptus Industrial Park
Environmental Impact Report

Elevations - Building 1

SOURCE: RGA, 2011

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FIGURE 3.8B

Eucalyptus Industrial Park
Environmental Impact Report

Elevations - Building 2a

SOURCE: RGA, 2011

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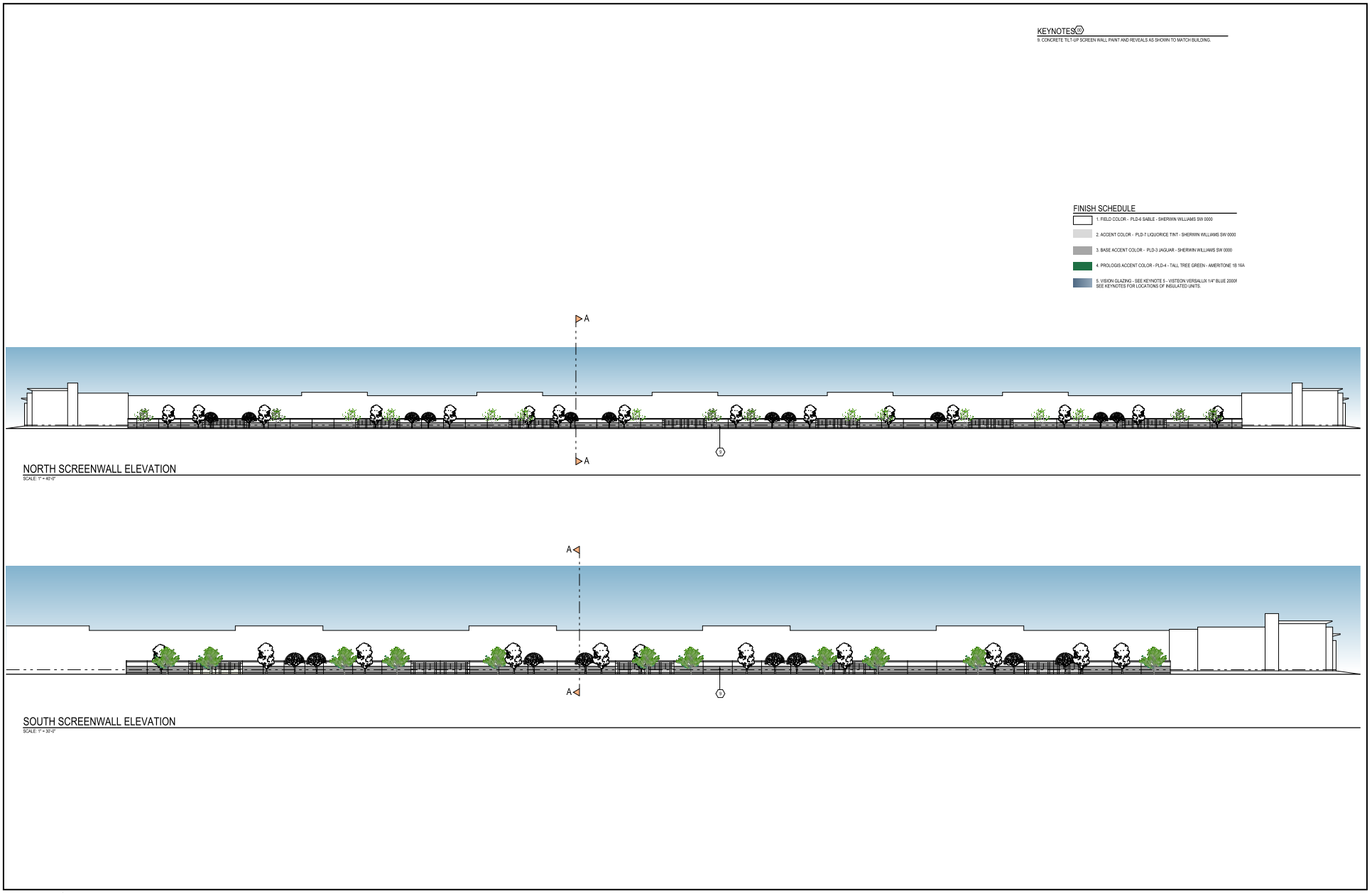

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FIGURE 3.8C

Eucalyptus Industrial Park
Environmental Impact Report

Elevations - Building 2b

SOURCE: RGA, 2011

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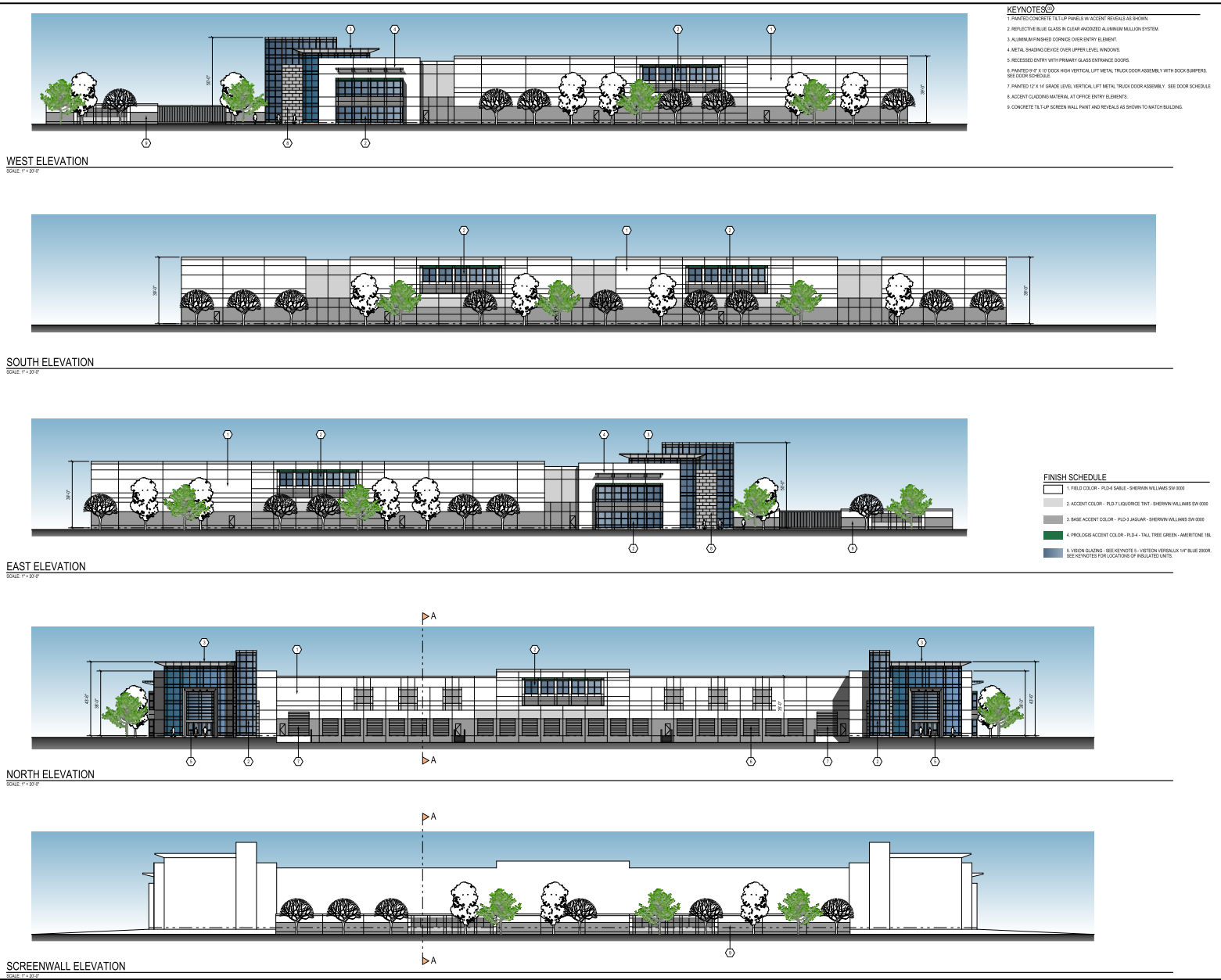

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FIGURE 3.8D

Eucalyptus Industrial Park
Environmental Impact Report

Elevations - Building 3

SOURCE: RGA, 2011

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FIGURE 3.8E

Eucalyptus Industrial Park
Environmental Impact Report

Elevations - Building 4

SOURCE: RGA, 2011

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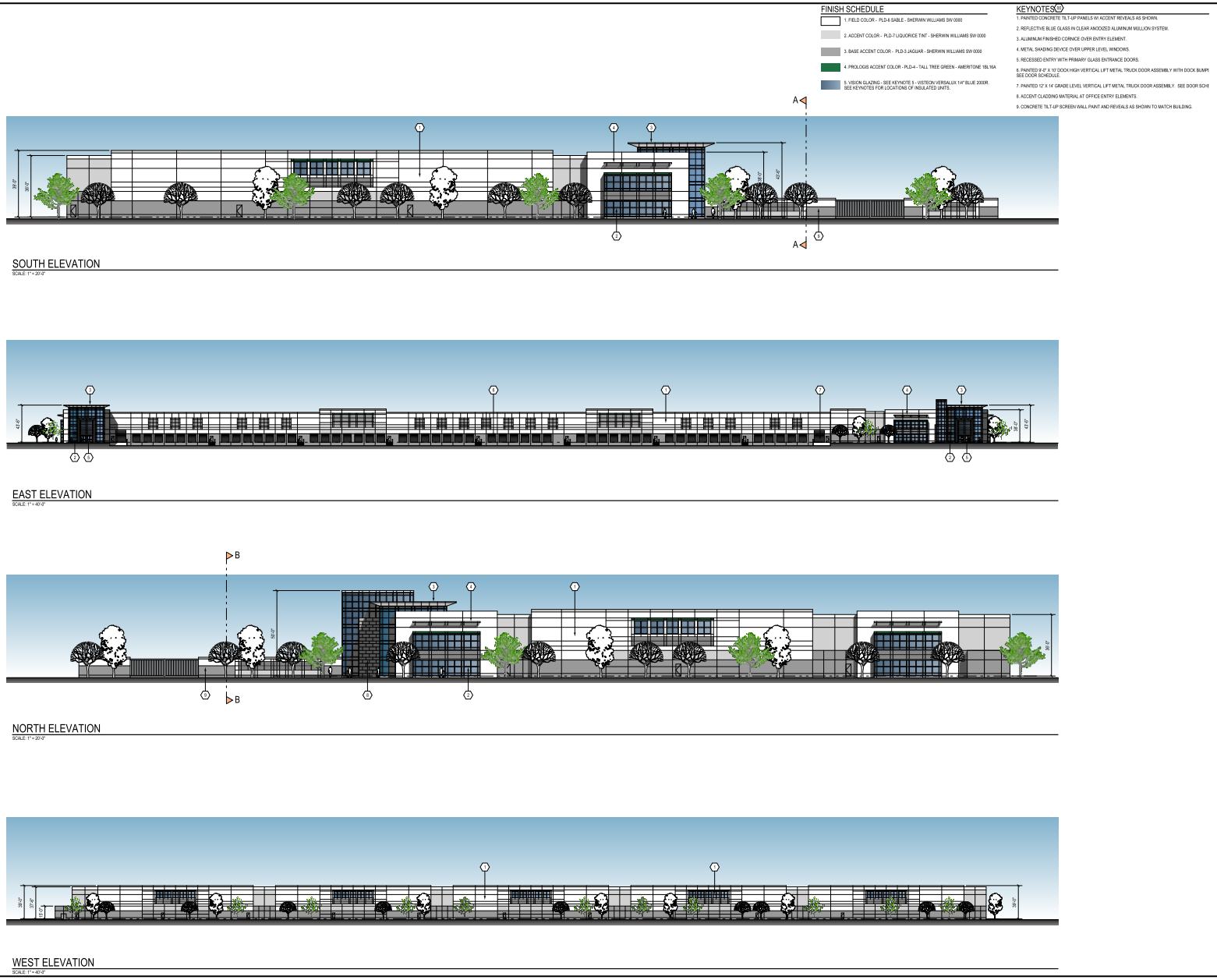

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FIGURE 3.8F

Eucalyptus Industrial Park
Environmental Impact Report

Elevations - Building 5

SOURCE: RGA, 2011

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FIGURE 3.8G

Eucalyptus Industrial Park
Environmental Impact Report

Elevations - Building 6

SOURCE: RGA, 2011

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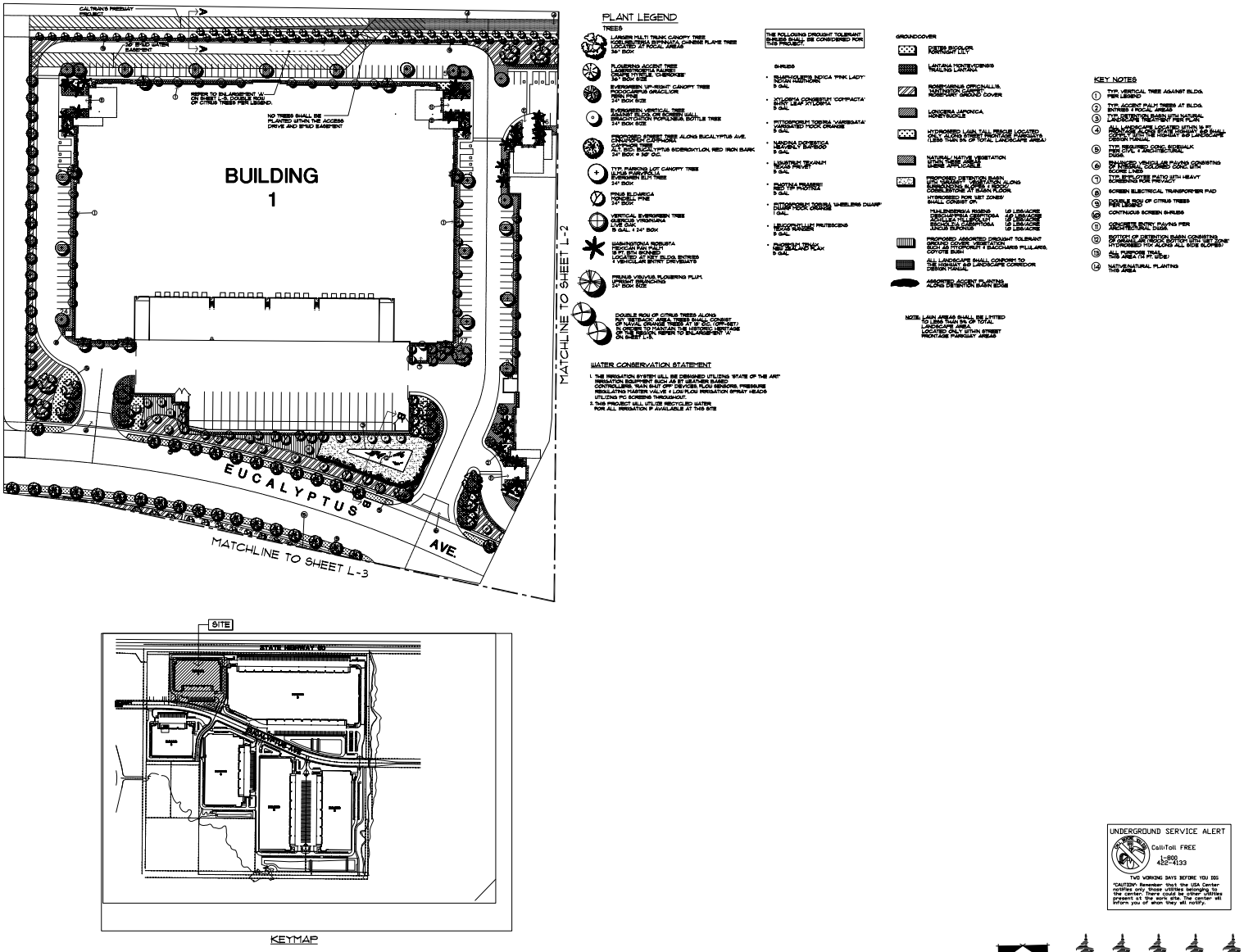

CONCEPTUAL LANDSCAPE MASTER PLAN

LSA

FIGURE 3.9A

Eucalyptus Industrial Park
Environmental Impact Report

Landscaping - Building 1

SOURCE: RGA, 2011

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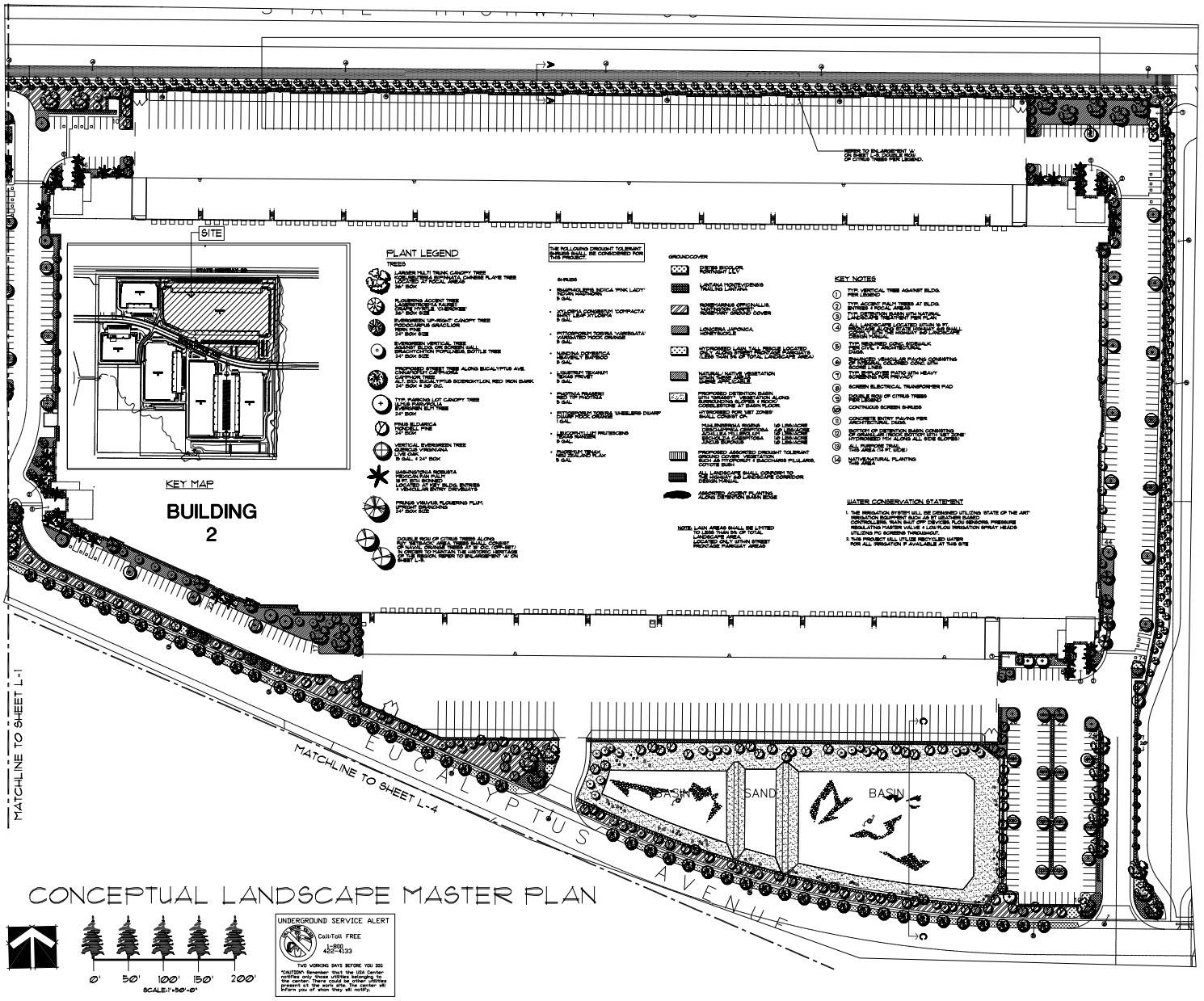

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FIGURE 3.9B

Eucalyptus Industrial Park
Environmental Impact Report

Landscaping - Building 2

SOURCE: RGA, 2011

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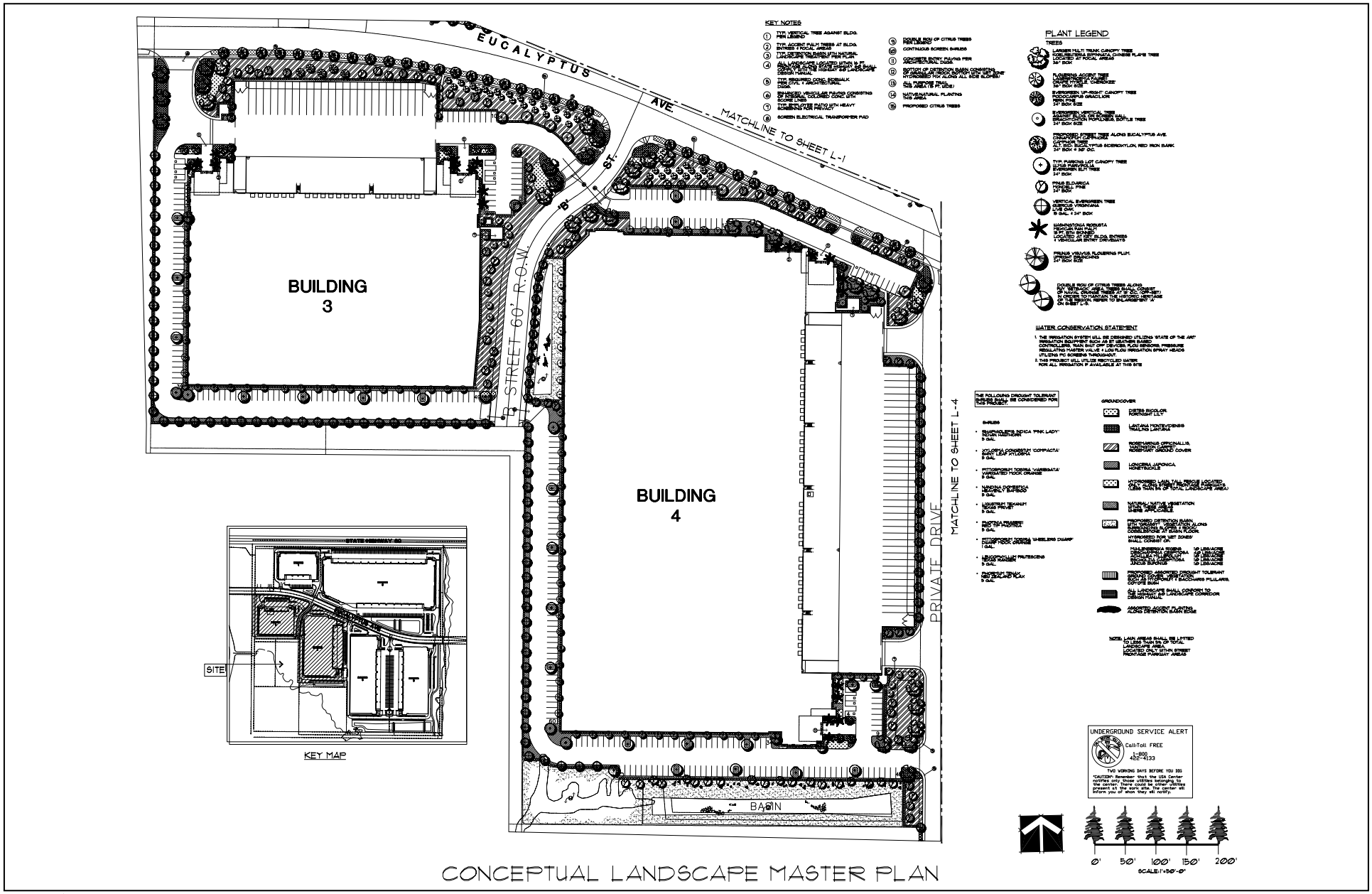

CONCEPTUAL LANDSCAPE MASTER PLAN

LSA

FIGURE 3.9C

Eucalyptus Industrial Park
Environmental Impact Report

Landscaping - Buildings 3 and 4

SOURCE: RGA, 2011

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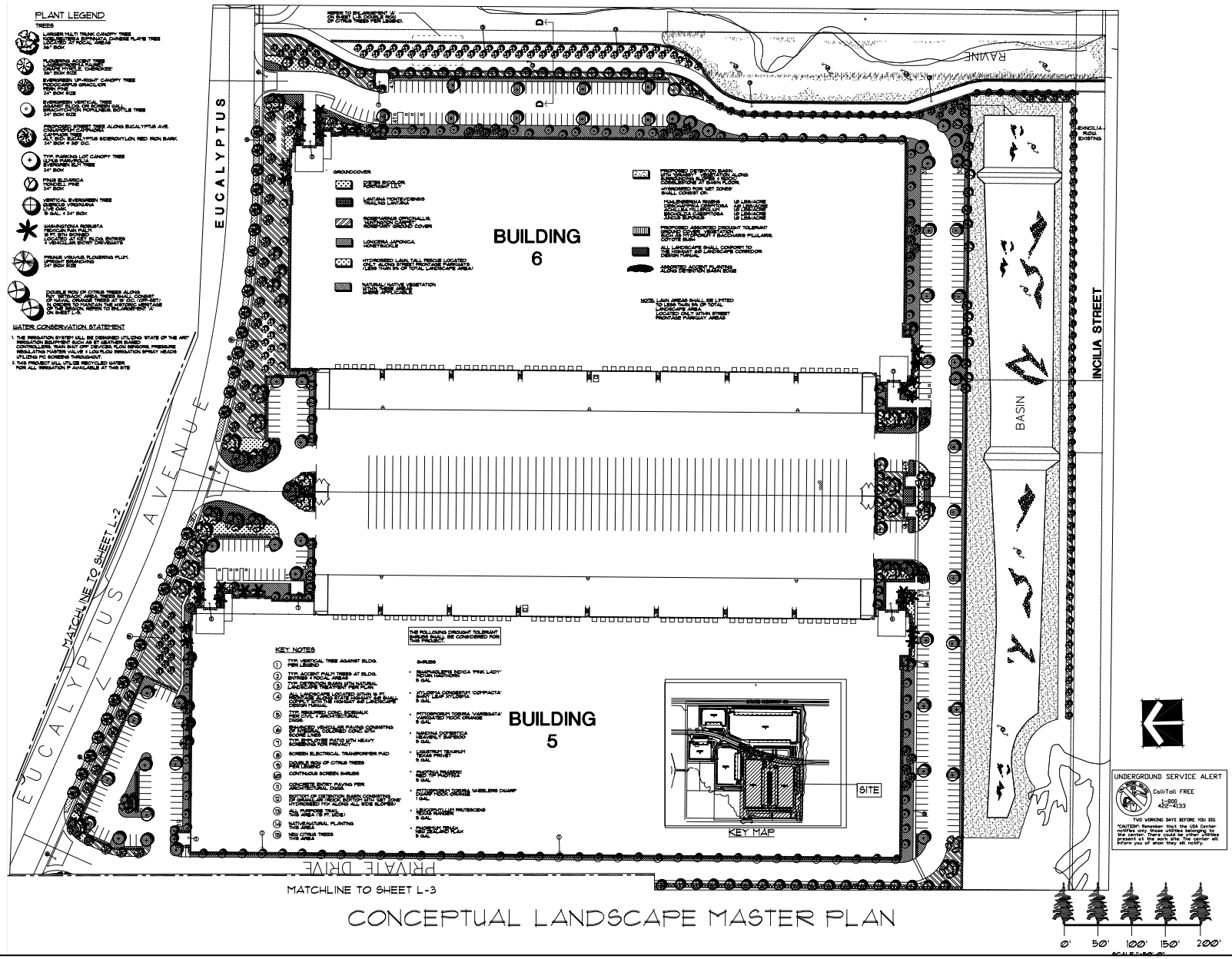

CONCEPTUAL LANDSCAPE MASTER PLAN

LSA

FIGURE 3.9D

Eucalyptus Industrial Park
Environmental Impact Report

Landscaping - Buildings 5 and 6

SOURCE: RGA, 2011

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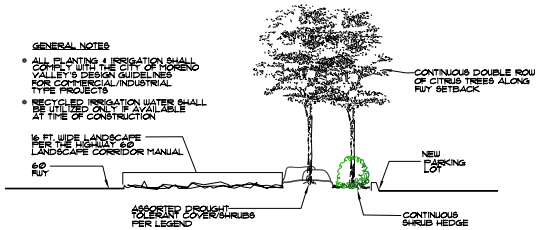
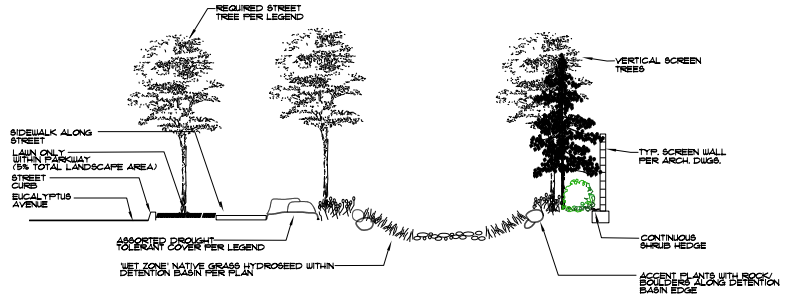


SECTION 'A-A'
N.T.S.



SECTION 'B-B'
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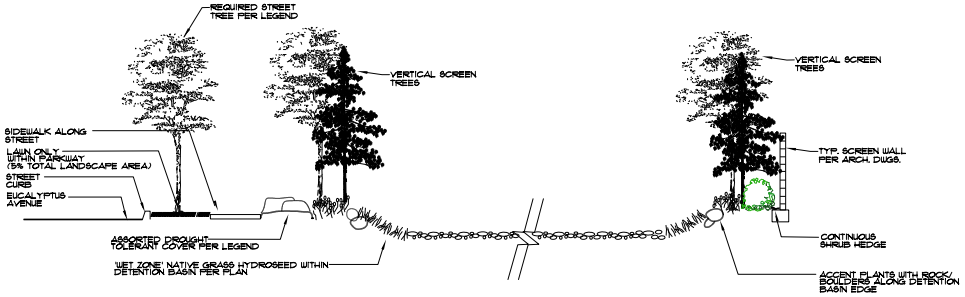

SECTION 'C-C'
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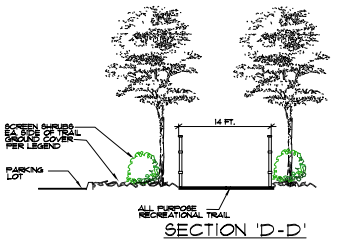

SECTION 'D-D'
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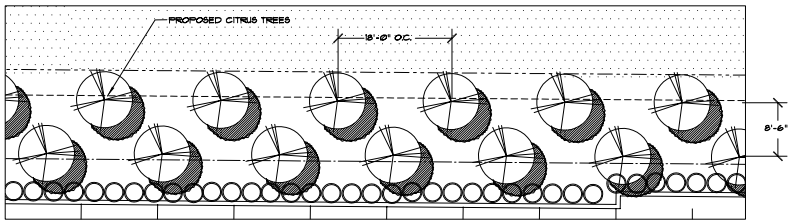

ENLARGEMENT 'A': CITRUS TREE PLANTING
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LSA

FIGURE 3.9E

Eucalyptus Industrial Park
Environmental Impact Report

Landscaping - Detention Basin Details

SOURCE: RGA, 2011

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4.0 ENVIRONMENTAL IMPACT EVALUATION

As stated previously, there are 13 environmental issue areas that are analyzed in this EIR with respect to the proposed project. These issues are:

4.1 Aesthetics
4.2 Agricultural Resources
4.3 Air Quality
4.4 Biological Resources
4.5 Cultural and Paleontological Resources
4.6 Hazards and Hazardous Materials
4.7 Hydrology and Water Quality
4.8 Land Use and Planning
4.9 Noise
4.10 Population and Housing
4.11 Traffic and Circulation
4.12 Utilities and Service Systems
4.13 Global Climate Change

Within each subsection described in Section 4.0, the following information is presented relative to each environmental issue described:

- Description of the Existing Setting as it relates to the specific environmental issue;
- A summary of Policies and Regulations relevant to the specific environmental issue;
- Identification of the Thresholds of Significance;
- Evaluation of project-specific impacts and a determination of significance based on identified threshold levels;
- Identification of Mitigation Measures for project-specific impacts;
- A determination of the level of significance after mitigation measures are implemented; and
- Cumulative Impacts and any additional mitigation for those impacts.

The following environmental analysis provided in Sections 4.1 through 4.13 focuses on changes in the existing physical environment and identifies direct and indirect significant effects associated with the proposed project. The cumulative impacts for each of the proposed project components are analyzed within the discussion of each component for each threshold.

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4.1 AESTHETICS

This section describes the existing aesthetic condition of the project area and analyzes aspects of the proposed project, such as light and glare generation and compatibility issues with the visual characteristics of surrounding land uses. In particular, descriptions of existing visual characteristics, both on the site and in the vicinity of the project site, are presented. Potential impacts to aesthetic and visual resources resulting from the development of the proposed project were based on analyses of site photographs, site reconnaissance, and project data provided in reports prepared for the project. This section is based in part on the City of Moreno Valley General Plan, site reconnaissance, conceptual elevations, and visual simulations provided by the applicant.

4.1.1 Existing Setting

The approximately 122.8-acre project site is located in the eastern portion of the City, and is situated on a relatively flat valley floor directly south of SR-60 between Moreno Peak, Reche Mountains, and the Badlands. Land uses adjacent to the project site include vacant land to the south, agricultural operations to the east, and City of Moreno Valley Fire Station 58 and the Moreno Valley Auto Mall to the west. There is a large single-family residential neighborhood immediately southeast of the project site, along the south side of the existing Eucalyptus Avenue east to Redlands Boulevard. The closest residence is within 50 feet of the project property (refer to Figure 3.2 in Chapter 3.0). There are also existing residential uses directly to the north of the project site; however, those residences are separated from the project site by SR-60.

4.1.1.1 Topographic/Vegetation Features

Situated within northeastern Moreno Valley, the project site gently slopes down to the south, and elevations on site range from 1,795 feet amsl near the northeast corner down to 1,720 feet amsl at the southeast corner. The project site is located immediately northeast of Moreno Peak, a prominent landform that reaches an elevation of 2,067 feet amsl or approximately 300 feet above the elevation of the project site. The proposed project site is currently undeveloped Commercial and citrus groves occupy the northwestern and northeastern portions of the project site, forming a dark-green canopy over approximately a third of the site area. The 2006 City General Plan EIR notes that the remaining citrus groves are “visually pleasing features” (MVGP FEIR, p. 5.11-2). The Quincy Channel, a small natural meandering channel, runs along the eastern side of the project site. There is currently no ornamental landscaping, lighting, or signage located within the project limits.

4.1.1.2 Surrounding Land Uses

Adjacent land uses include fallow agricultural land to the east, although a large industrial/warehouse development known as the “West Ridge Project” was recently approved on this property. Land uses to the south consist of undeveloped land, while there is an existing single-family residential neighborhood southeast of the project site (refer to Figure 3.2 in Chapter 3.0). Adjacent to the northern boundary of the project site is SR-60 (a six-lane freeway) and to north of the freeway is a single-family housing tract. The City of Moreno Valley Fire Station 58 and Moreno Valley Auto Mall are located directly west of the project site. The assessment of surrounding land uses is necessary to identify any “sensitive visual receptors” or land uses that contain persons especially sensitive to changes in visual character, such as residences. For the proposed project, the nearest sensitive visual receptor would be the existing single-family residential neighborhood to the southeast across future Encilia Avenue. The closest residence is approximately 200 feet southeast of the southeast corner of the project site, while the closest residence to an industrial building proposed on the project

site is 395 feet (residence at southeast corner of Eucalyptus and the Quincy Channel and the southeast corner of Building No. 6). Other sensitive visual receptors in the project vicinity include the residences north of SR-60 along Pettit Street (refer to Figure 3.2 in Chapter 3.0).

4.1.1.3 Existing Viewsheds

The Merriam Webster dictionary defines viewshed as the "natural environment that is visible from one or more viewing points." CEQA documents typically define viewshed as what portions of the project viewers can see from surrounding areas. A viewshed can be divided into three distinct components: the foreground, midground, and background. Section 4.1.3 provides a description of these terms.

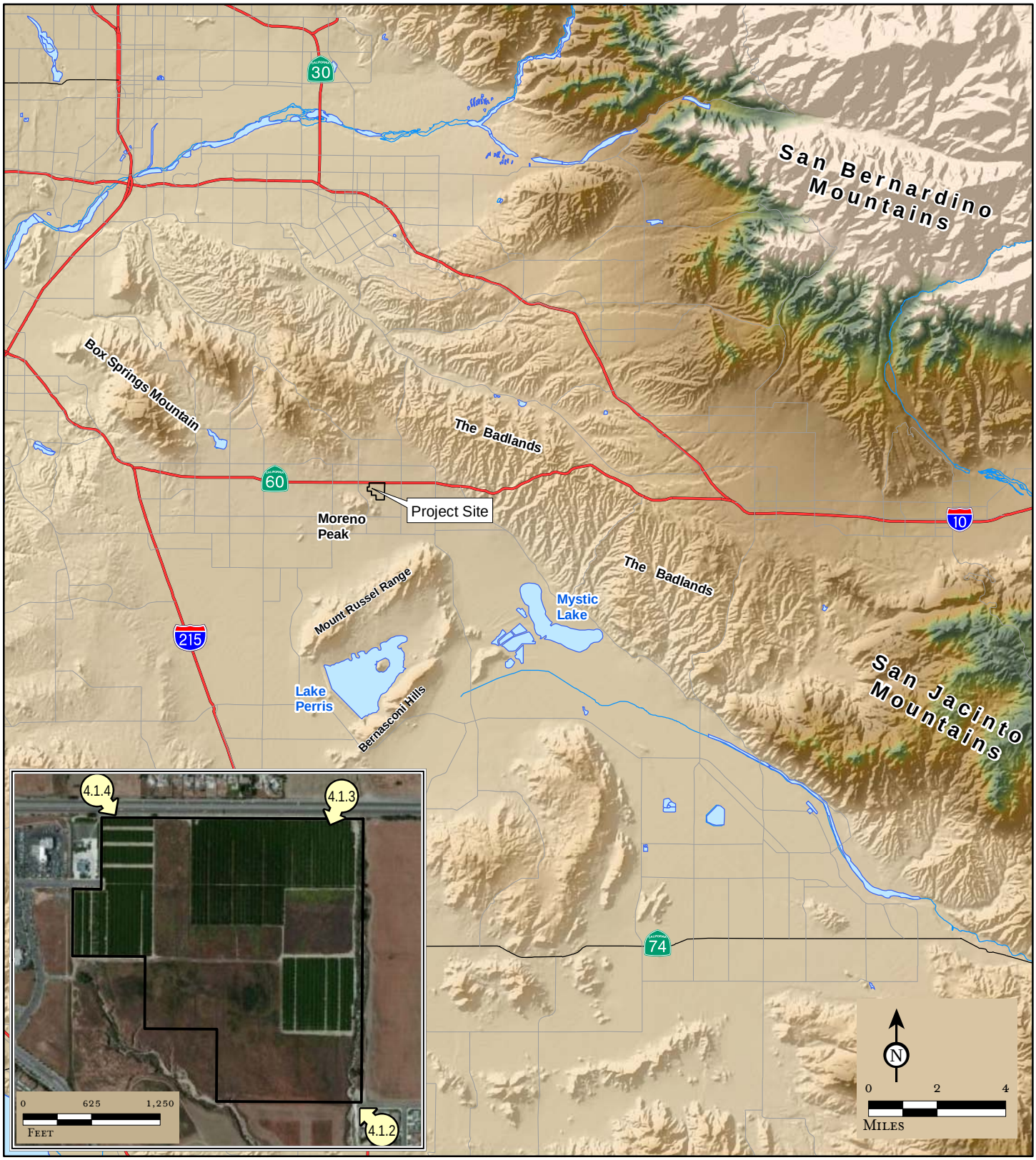
As illustrated in Figure 4.1.1, the proposed project site is situated within an urbanizing area between the Reche Mountains, Badlands, Moreno Peak, and Russell Mountains. Section 5.11, *Aesthetics*, in the City's General Plan EIR, indicates the major scenic resources within the Moreno Valley study area are visible from SR-60, a City-designated local scenic road. Upon entering Moreno Valley from the west, the dominant view is of the Box Springs Mountains to the immediate north and the Mount Russell foothills to the south. Both mountain ranges display numerous rock outcroppings and boulders that add visual character to these landforms. As SR-60 continues east through Moreno Valley, it passes through the Badlands area. Characterized by steep and eroded hillsides, the Badlands provide a range of hills that act as a visual backdrop to the valley. Similarly, views afforded while traveling west through the City include views of the Badlands to the north, the Mount Russell Range to the south, and the Box Springs Mountains to the northwest. These resources are highlighted in General Plan EIR Figure 5.11-1, *Major Scenic Resources*. Table 4.1.A provides a summary of the existing viewsheds to and from the project site.

Table 4.1.A: Existing Viewsheds Toward the Project Site

Vantage Point	Characteristics of Views		
	Foreground	Midground	Background
Northward view toward project site from south	Citrus groves, Quincy Channel, unnamed drainage courses, concrete wall, disked undeveloped fields	State Route 60 (SR-60), single-family residential subdivision north of SR-60, portions of Auto Mall to northwest, portions of Moreno Peak	Reche Mountains, Badlands
Southward view toward project site from north	SR-60, soundwall, citrus groves, small portions of disked fields	Moreno Peak, single-family residential to southeast, portion of Auto Mall to southwest	Russell Mountains, foothill area
Eastward view toward project site from west	Citrus groves, unnamed drainage courses, disked undeveloped fields	Citrus groves, disked undeveloped fields	Skechers Warehouse (across Redlands Boulevard), Badlands
Westward view toward project site from east	Citrus groves, Quincy Channel, disked undeveloped fields, Auto Mall, City of Moreno Valley Fire Station 58, residential subdivision to south	Citrus groves, disked undeveloped fields, un-named drainage courses, residential subdivision, Moreno Peak	Reche Mountains, Badlands

Source: LSA Associates, Inc. July 2011.

Views from the Project Site. Views north from the project site consist of SR-60, single-family residential residences, and the Reche Mountains. Views to SR-60 and to the single-family residences are partially obstructed by a six-foot high concrete block walls. Views east of the project site consist of active agricultural land, dispersed residences, Quincy Channel, and the Badlands. Views to the south of the project site include undeveloped land, unnamed drainages, Moreno Peak, single-family residences (southeast of the project site), and the Russell Mountains. Views to the west of the project site include an existing six-foot concrete wall, undeveloped land, City of Moreno Valley Fire Station



LSA

FIGURE 4.1.1

Project Boundary

Photograph Location and Direction Taken

Eucalyptus Industrial Park Environmental Impact Report

Photographic Key Map and Natural Landforms

SOURCE: Bing Aerial, 2010; ESRI, USGS DEM.

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58, the Moreno Valley Auto Mall, multifamily residential uses, the Moreno Beach Drive/SR-60 interchange, and commercial uses.

Views toward the Project Site. The most critical view considerations from surrounding areas are the residential neighborhoods to the north and southeast of the project site. At present, views for the residences located north of SR-60 and the project site looking south are partially obscured by the freeway and soundwalls. In addition, the project site is partially vacant and contains citrus groves, which provide a green canopy, so the main views from this residential area are the uplands in the background to the south and southwest. Views for the residences southeast of the project site are vacant land, green canopy of the citrus groves in the foreground, SR-60 in the midground, and the Reche Mountains in the background. For the analysis in this EIR, the critical consideration will be views that the residences north and southeast of the project site have toward the project site if it were to be developed with the proposed project, as highlighted in previously referenced Table 4.1.A.

4.1.1.4 Lighting and Visibility

Ambient nighttime lighting in the vicinity of the project site is characteristic of areas along a major transportation corridor and commercial development. Light sources include the headlights of vehicles traveling along SR-60, street lighting along Moreno Beach Drive and Auto Mall Drive, outdoor lighting and illuminated signs from the existing Moreno Valley Auto Mall parking lot located to the west, and lighting from the existing single-family residential development located southeast. Due to the absence of on-site development, no lighting sources currently operate within the project limits.

4.1.2 Existing Policies and Regulations

4.1.2.1 City of Moreno Valley General Plan Policies

The following policies and goals pertain to aesthetics and are applicable to the proposed project:

Community Development

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.

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.

Policy 2.5.2 Locate manufacturing and industrial uses to avoid adverse impacts on surrounding land uses.

Policy 2.5.3 Screen manufacturing and industrial uses where necessary to reduce glare, noise, dust, vibrations, and unsightly views.

Policy 2.5.4 Design industrial developments to discourage access through residential areas.

Objective 2.10 Ensure that all development within the City of Moreno Valley is of high quality, yields a pleasant living and working environment for existing and

future residents, and attracts business as the result of consistent exemplary design.

Policy 2.10.1 Encourage a design theme for each new development that is compatible with surrounding existing and planned developments.

Policy 2.10.2 Screen trash storage and loading areas, ground and roof mounted mechanical equipment, and outdoors storage areas from public view as appropriate.

Policy 2.10.3 Require exterior elevations of buildings to have architectural treatments that enhance their appearance.

(a) A design theme, with compatible materials and styles, should be evident within a development project.

(b) Secondary accent materials, colors, and lighting should be used to highlight building features.

(c) Variations in roofline and setbacks (projections and recesses) should be used to break up the building mass.

(d) Industrial buildings shall include architectural treatments on visible façades that are aesthetically pleasing.

Policy 2.10.4 Landscaping and open spaces should be provided as an integral part of project design to enhance building design, public views, and interior spaces, provide buffers and transitions as needed, and facilitate energy and resource conservation.

Policy 2.10.5 Development projects to freeways shall provide landscaped buffer strips along the ultimate freeway right-of-way.

Policy 2.10.6 Buildings should be designed with a plan for adequate signage. Signs should be highly compatible with the building and site design relative to size, color, material, and placement.

Policy 2.10.7 On-site lighting should not cause nuisance levels or glare on adjacent properties.

Policy 2.10.8 Lighting should improve the visual identification of structures.

Policy 2.10.9 Fences and walls should incorporate landscape elements and changes in materials or textures to deter graffiti and add visual interest.

Policy 2.10.10 Minimize the use and visibility of reverse frontage walls along streets and freeways by treatments as landscaping, berming, and “side-on” cul-de-sacs.

Policy 2.10.11 Screen and buffer non-residential projects from adjacent residential property and other sensitive land uses when necessary to minimize noise, glare, and other adverse effects on adjacent uses.

Policy 2.10.12 Screen parking areas from streets to the extent consistent with surveillance needs (e.g., mounding, landscaping, low profile walls, and/or grade separations).

Policy 2.10.13 Provide landscaping in automobile parking areas to reduce solar heat and glare.

Conservation Element

Objective 7.7 Where practicable, preserve significant visual features significant views and vistas.

Policy 7.7.3 Implement reasonable controls on the size, number, and design of signs to minimize degradation of visual quality.

Policy 7.7.4 Gilman Road, Moreno Beach Drive, and State Route 60 shall be designated as local scenic roads.

Policy 7.7.5 Require development along scenic roadways to be visually attractive and to allow for scenic views of the surrounding mountains and Mystic Lake.

City of Moreno Valley Municipal Code. The following City of Moreno Valley Municipal Code requirements are applicable to the proposed project.

Section 9.05.40 **B3. Industrial site development standards:** In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

Section 9.08.100 **L.4. Lighting:** Industrial and manufacturing developments shall provide adequate lighting for safe and secure onsite parking, loading, storage, receiving, and pedestrian areas.

Section 9.16.160 **B4. Business Park/Industrial:** Entries into industrial buildings shall be well-defined through the use of projections, recesses, space frames, pergolas, colonnades, raised planters, seats, enhanced paving, low-level lighting bollards or other elements.

Section 9.17.130 **Freeway Frontage:** Development projects adjacent to the Moreno Valley Freeway (California State Highway 60) are landscaped within the freeway right-of-way, as prescribed in guidelines established by the City of Moreno Valley.

4.1.3 Methodology

It should be noted at the outset that any evaluation of visual impacts is inherently subjective; however, community aesthetic values can be used as a benchmark against which to evaluate changes in views within a particular community. These values can be derived from General Plan policies, zoning ordinances, and, where specific policies are absent, general design theory and visual analysis methods can be incorporated to evaluate aesthetic impacts. For the purposes of CEQA compliance, this analysis of visual impacts will focus on changes in the visual character of the project site that would result from the development of the proposed on-site uses, including the visual compatibility of on-site and adjacent uses, changes in vistas and viewsheds where visual changes would be evident, and the introduction of sources of light and glare. Impacts to the existing environment of the project site are to be determined by the contrast between the site's visual setting before and after proposed development. In this analysis, emphasis has been placed on the transformation of the existing undeveloped conditions into more urbanized uses. Although few standards exist to singularly define perceptions of aesthetic value, the degree of visual change can be measured and described in terms of visibility and visual contrast, dominance, and magnitude. Concepts of visual character and quality can be organized around four elements: site utilization, buildings and structures, landscaping, and signage. Current residences north and southeast of the project site, as well as travelers along SR-60, would be considered sensitive to the visual and aesthetic alteration of the project site.

For conditions where new buildings are being placed where they can be seen by existing residents, architectural considerations become important such as viewing distance, building height, length, proportionality, massing, appearance, building materials, landscaping, fencing, signage, etc. because they can affect the degree to which new buildings are positively or negatively perceived by residents.

A scenic vista can be categorized as either containing a panoramic view[1] or a focal view. Panoramic views are typically associated with vantage points that provide a sweeping geographic orientation not commonly available (e.g., skylines, valleys, mountain ranges, or large bodies of water). Focal views are typically associated with views of natural landforms, public art/signs, and visually important structures, such as historic buildings. Aesthetic components of a scenic vista include three components: scenic quality, sensitivity level, and view access.

As previously stated, a viewshed can be divided into three distinct components: the foreground, midground, and background. The foreground is the part of the view that is or seems to be nearest to the viewer. The background is the part of the view that is or seems to be farthest away from the viewer. The midground view is the part of the view that is between the foreground view and the background view.

Where possible, the potential aesthetic impacts of the proposed project will be evaluated to determine if or the degree to which the project is consistent with applicable General Plan objectives and policies.

4.1.4 Thresholds of Significance

Appendix G of the State CEQA Guidelines recognizes the following significance thresholds related to aesthetics. Based on these significance thresholds, a project would have a significant impact on aesthetic resources if it would result in:

- A substantial adverse effect on a scenic vista;
- Substantial damage to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway;
- Substantial degradation of the existing visual character or quality of the site and its surroundings; and/or
- A new source of substantial light or glare that would adversely affect daytime or nighttime views in the area.

4.1.5 No Impact/Less than Significant Impacts

The following potential aesthetic impacts were determined to be less than significant (i.e., either no impact would occur and no mitigation would be required, or the adherence to established regulations, standards, and policies would reduce potential impacts to a less than significant level).

4.1.5.1 Light and Glare

Threshold	Would the proposed project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Currently, there are no sources of light or glare on the project site, but the proposed on-site uses would be visible from SR-60, future Eucalyptus Avenue, future Encilia Avenue, and residences to the southeast and north of SR-60. Existing sources of light and glare from surrounding areas include streetlights, exterior lighting from the nearby Moreno Valley Auto Mall and City of Moreno Valley Fire Station 58, exterior lighting from the nearby single-family residences, and vehicle headlights from motorists driving along SR-60. Development of the project site would introduce new sources of light and glare into the area in the form of street lighting, parking lot lighting, and security lighting for the buildings. It is anticipated that the materials utilized in the construction of the proposed lighting fixtures would be generally similar to those utilized in nearby warehouse uses within the City. Lighting within loading

[1] A panoramic view consists of visual access to a large geographic area, for which the field of view can be wide and extend into the distance.

areas (areas within the public view include the loading areas of Buildings 1, 2, and 3) will be directed downward so as to not project lighting into the sky. The overall increase in ambient light in the area is expected to be incremental with compliance with the City's development standards for lighting.

Exterior surfaces of the concrete tilt-up structure would be finished with a combination of architectural coatings, trim, and/or other building materials such as concrete and brushed metal. The proposed project will incrementally increase the amount of daytime glare in the project area from introducing windows and metal fixtures into the area. All development in the City, which includes light generated from warehouse buildings and parking lots, is required to adhere to lighting requirements contained in the City's Municipal Code (Section 9.08.100 Lighting), which state that any outdoor lighting associated with nonresidential uses shall be shielded and directed away from the surrounding residential uses. Such lighting shall not exceed one-half foot-candle at all property lines and shall not blink, flash, oscillate, or be of unusually high intensity or brightness. Lighting in parking areas and drive aisles must be at least 1.0 foot candle and cannot exceed a maximum of 8.0 foot candles. Adherence to the City's Zoning Code will help reduce potential building or parking lighting impacts to less than significant levels.

Consistency with General Plan Policies. The project is consistent with Objective 2.5 and Policy 2.5.1 by providing industrial uses near SR-60 and within the floor to area ratio (FAR) limits outlined. The project does not appear to be fully consistent with Policies 2.5.2 and 2.5.3 because it places industrial uses adjacent to lower density residential uses without the typical buffering land uses (e.g., higher density residential, business park, etc) for impacts such as light and glare. The project is consistent with Policies 2.10.7 and 2.10.8 relative to lighting, although the tower accent features at the corners of the buildings may produce new off-site glare.

Consistency with Municipal Code Requirements. The project appears to be consistent with the various Municipal Code requirements for the proposed land uses outlined in Section 4.1.2 related to lighting and glare.

Based on the preceding analysis, aesthetic impacts associated with light and glare can be reduced to less than significant with adherence to established City ordinances and development guidelines. Therefore, no mitigation is required.

4.1.6 Significant Impacts

4.1.6.1 Scenic Vistas

Threshold	Would the proposed project have a substantial adverse effect on a scenic vista?

The proposed project could have a substantial adverse effect on one or more scenic vistas, notably views of the Reche Mountains and Badlands, Moreno Peak, and the Russell Mountains. For the proposed project, the nearest sensitive permanent visual receptor would be the existing single-family residences to the southeast across future Encilia Avenue. Other sensitive visual receptors in the project vicinity include the residences north of SR-60 along Pettit Street. The nearest transient visual receptor would be motorists traveling along SR-60. A discussion of impacts to transient visual receptors is provided in Section 4.1.6.2 of this EIR. In general, views for the residences southeast of the site will change from vacant land and citrus groves to industrial buildings with extensive landscaping including rows of citrus trees to help provide a visual buffer. Permanent views for residences north of SR-60 and transient views for travelers on SR-60 will change as the tops of the proposed industrial buildings will partially block views of the mountains to the south.

To better evaluate impacts to views from surrounding sensitive receptors, both conceptual elevations and photographic renderings or simulations were prepared for the project. Three computerized

photographic simulations were prepared to illustrate the proposed project from three vantage points. Figures 4.1.2 through 4.1.4 show before-and-after views of the project site from (1) residences southeast of the site; (2) travelers westbound on SR-60 and to some degree residences north of SR-60; and (3) travelers eastbound on SR-60.

Views from Residences Southeast of the Site. The conceptual elevations for the proposed project indicate the proposed buildings would have a height of 39 feet, with the entrances at a height of 43 feet. By comparison, the single-family residences southeast of the proposed project have an approximate height of 30 feet. The plans also show the closest distance between the existing single-family residences to the southeast and the proposed warehouse uses would be approximately 395 feet. The landscape plans for the proposed project show several rows of citrus trees being planted along the south side of SR-60 to shield views of freeway travelers, and along eastern property line of Parcel No. 6 and the southern property lines of Parcels No. 5 and 6. These trees will help shield views from residential areas to the southeast, but will not fully obscure views of the buildings or parking areas.

Views from the existing single-family residences would be limited to the second-floor windows on the back sides of the residences. Views from the first floor of the existing single-family residences are currently partially obstructed due to the existing perimeter concrete block wall located along the side yards of some homes, on the south side of future Encilia Avenue. Views from the rear of homes backing the Quincy Channel are somewhat unobstructed since they have a tubular steel view fence.

As illustrated in Figure 4.1.2, existing views looking onto the project site from the existing residences include future Encilia Avenue in the foreground, vacant land and citrus groves in the midground, and portions of Box Springs Mountains in the background. With development of the proposed project, buildings, associated parking lots, and landscaping would be built and placed on the project site. This would change existing views from the single-family residences to the southeast. Foreground views would consist of future Encilia Avenue, midground views would consist of trees, ornamental landscaping, grass, warehouse buildings, and background views would consist of the Box Springs Mountains. Although the warehouse buildings and the single-family residences would be separated by a distance of 395 feet, the proposed project would still result in the obstruction of existing background views, including Box Springs Mountain.

Views from SR-60 and Residences North of SR-60. Travelers on SR-60, both eastbound and westbound, will have views of the project site. Once it is developed, the proposed buildings would partially block views of travelers in both directions, as shown in Figures 4.1.3 and 4.1.4. The landscape plans for the proposed project show several rows of citrus trees planted along the south side of SR-60 to shield views of freeway travelers, but will not fully obscure views of the buildings or parking areas, as the buildings will be higher than the citrus trees would grow.

As previously identified, other sensitive permanent visual receptors in the area include the residences on the north of SR-60 along Pettit Street. Views from these residences would be limited to the second-floor windows on the rear of the house as there is an existing noise attenuation wall along the southern perimeter of these properties. As identified in Figure 4.1.3, existing views from this vantage point include SR-60 in the foreground, a concrete lane divider and the tops of citrus groves in the midground, and the Mount Russell Range in the background. As part of conditions of approval for the proposed project, two rows of the existing orange trees would be provided and maintained on the northern portion of the project site adjacent to SR-60 and along the perimeter of the proposed project site adjacent to the public ROW or residential zoning. With development of the proposed project, buildings, associated parking lots, and ornamental landscaping would be built and placed on the project site. This would change existing views from the single-family residences north of SR-60 along Pettit Street. Foreground views would consist of SR-60, midground views would consist of a concrete divider and the tops of the mature orange trees, and background views would consist of the upper half of the proposed warehouse buildings.

Existing Condition

Proposed Condition

LSA

FIGURE 4.1.2

Eucalyptus Industrial Park
Environmental Impact Report

Visual Simulation from Eucalyptus Avenue
(Existing Alignment)

SOURCE: RGA Office of Architectural Design.

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Existing Condition

Proposed Condition

LSA

FIGURE 4.1.3

Eucalyptus Industrial Park
Environmental Impact Report

SOURCE: RGA Office of Architectural Design.

Visual Simulation From Westbound on State Highway 60

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Existing Condition

Proposed Condition

LSA

FIGURE 4.1.4

Eucalyptus Industrial Park
Environmental Impact Report

SOURCE: RGA Office of Architectural Design.

Visual Simulation From Eastbound on State Highway 60

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Single-family residences north of SR-60 and along Pettit Street have an approximate height of 30 feet. As identified in the conceptual elevations for the proposed project, the proposed buildings would have a height of 39 feet, with the entrances at a height of 43 feet. It is anticipated that the existing orange trees have an approximate height ranging from 12 feet to 16 feet. Two rows of the orange trees will be retained on the northern boundary adjacent to SR-60. Additionally, orange trees would be planted along the northern length of Buildings No. 1 and 2. With the inclusion of the orange trees along this project boundary, the existing residences would see the upper 27 to 31 feet of the proposed buildings.

Summary. Despite the provision of ornamental landscaping and citrus trees along the northern, western, and southern boundaries, implementation of the proposed project would obstruct background views of the distant Box Springs Mountains for residences southeast of the project, foreground and midground views of travelers on SR-60, and background views of the Mount Russell Range for residences north of SR-60 and along Pettit Street. This obstruction of views is a significant visual impact of the proposed project.

Mitigation Measures. The sizes, heights, and general locations of buildings on the site are limited by the types of uses being proposed as part of this project. Therefore, there is no feasible mitigation available to reduce impacts related to the loss of this viewshed.

Level of Significance after Mitigation. Since there is no feasible mitigation is available to reduce adverse effects on scenic vistas, impacts associated with this issue would remain significant and unavoidable.

4.1.6.2 Scenic Resources and Scenic Highways

Threshold	Would the proposed project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway and/or local scenic road?

As described previously in Section 4.1.1.2 and in the City's General Plan EIR, major scenic resources within the Moreno Valley study area are visible from SR-60, a City-designated local scenic roadway. The proposed project could have a substantial adverse effect on one or more scenic vistas, including views of the Reche Mountains and the Badlands for both residents and travelers on SR-60.

While the Caltrans Scenic Highway Program does not identify any state-designated scenic highways[1] near the project site,[2] the City of Moreno Valley identifies SR-60 as a local scenic road.[3] According to the City's General Plan, the man-made environment is equally important as natural landforms in terms of scenic values (e.g., buildings, landscaping and signs). Agricultural uses, such as citrus groves, are one example of a man-made environment that constitutes a visually pleasing feature.

The project is not required to provide a formal Visual Impact Assessment (VIA) to Caltrans since SR-60 is not a state-designated scenic highway; however, a cursory application of typical VIA requirements is useful in evaluating potential visual impacts of the project relative to travelers on SR-60 just north of the site. According to the Caltrans Handbook, a VIA is typically considered for projects that have the potential to change the "visual" environment. The level of assessment for the VIA can range from "no formal analysis" to a "complex analysis" and is determined by many factors

[1] A State Scenic Highway is defined as any freeway, highway, road, or other public right-of-way, that traverses an area of exceptional scenic quality.

[2] *Eligible and Officially Designated Routes,* California Department of Transportation Scenic Highway Program, http://www.dot.ca.gov/hq/LandArch/scenic_highways/scenic_hwy.htm, website accessed Aril 4, 2008.

[3] *Conservation Element, Figure 7-2 Major Scenic Resources,* City of Moreno Valley General Plan, adopted July 11, 2006.

such as numbers of viewer groups affected; existence of scenic resources; degree and totality of the proposed changes in the visual environment; local concerns or project controversy; and cumulative impacts along the transportation corridor.

In order to establish the need and level of study for a VIA, a preliminary evaluation is performed to determine if the project will cause any physical changes to the environment. Projects that replace or rehabilitate existing facilities (e.g., pavement overlay, striping, sign replacement) and do not constitute a change in character to those facilities will not require a formal analysis. This preliminary evaluation includes activities such as conducting a site visit to inventory the scenic resources of the project site, estimating potential changes to that character, and identifying viewer groups and public concerns or opposition to the proposal.

The following analysis of visual impacts of the project was conducted with the VIA criteria in mind. Even though a Caltrans VIA was not prepared, the following evaluation of potential impacts to visual resources is based on guidance from the following resource documents:

- FHWA Technical Advisory T6640.8;
- FHWA Guidance HI-88-054: Visual Impact Assessment for Highway Projects;
- Title 23 U.S.C. 109 (h); and
- FHWA DOT-FH-11-9694: Visual Impact Assessment for Highway Projects, as published by the American Society of Landscape Architects.

Table 4.1.B provides a qualitative analysis as to what would be considered a minor, moderate, or major visual intrusion along scenic highways.

Table 4.1.B: Visual Intrusion Criteria

Type of Intrusion	Characteristics
Minor	Widely dispersed buildings, natural landscape dominates, wide setbacks and buildings screened from roadway, exterior colors and materials are compatible with environment, buildings have cultural or historical significance.
Moderate	Increased number of buildings, but complementary to the landscape, smaller setbacks and lack of roadway screening, buildings do not degrade or obstruct scenic view.
Major	Dense and continuous development, highly reflective surfaces, buildings poorly maintained, visible blight, development along ridge lines, buildings degrade or obstruct scenic view.

Source: *Scenic Highway Guidelines,* California Department of Transportation, March 1996; http://www.dot.ca.gov/hq/LandArch/scenic/guidelines/scenic_hwy_guidelines.pdf, site accessed December 27, 2011. Page 23.

The following analysis is based on the visual intrusion criteria from the Caltrans Guidelines for the Official Designation of Scenic Highways. These criteria, as identified in Table 4.1.B, provide for a qualitative analysis as to what would be considered a minor, moderate, or major visual intrusion along scenic highways. Existing views for motorists traveling eastbound and westbound on SR-60 consist of noise attenuation walls, commercial and residential development, landscaping, parking lots, open space, and orange groves in addition to the mountains and badlands in the distance. As previously identified in Figure 4.1.3, development of the proposed project would alter the existing view by introducing large industrial buildings adjacent to the freeway. As illustrated in Figure 4.1.4, existing eastbound views on SR-60 would be altered with the development of the proposed project. Motorists would still view noise attenuation walls, urban development, landscaping, and orange trees as they look to the south, although these views would be of short duration for motorists traveling at normal freeway speeds.

As illustrated in previously identified Figures 4.1.2 through 4.1.4, the proposed project would have highly reflective surfaces at the taller (43 feet) glass veneered office towers, but would not result in development along ridge lines. The proposed project would result in an increased number of large

bulk structures, but would include colors and materials that are compatible with the existing environment, as shown in the project detail sheets provided in Appendix K. The proposed ornamental landscaping and citrus trees would provide some visual screening, as shown in the landscape plans in Appendix K. However, the proposed project would result in the obstruction of most of the Mount Russell Range for motorists traveling on SR-60, so the proposed buildings would obstruct the view of a scenic feature. The proposed project meets criteria in both the moderate and major visual intrusion categories. In an overabundance of caution, the worst-case scenario is utilized. Therefore, it is anticipated that based on project design features, the proposed project would have a major visual intrusion (i.e., significant impact) for motorists traveling on SR-60.

Development Under Existing Land Use Designations. Development of the site under the existing GP and zoning designations, and under the approved TTM 32255, would result in construction of several smaller warehouse and business park (i.e., office) uses in the northern portion of the site, and multifamily residential uses in the central and southern portion of the site. Warehouse buildings under the proposed project would be less numerous but larger than those under the existing land use designations. The appearance of new buildings under the proposed land use/zoning designations, compared to the existing designations, would result in incremental and potentially significant visual impacts compared to existing (baseline) conditions and compared to buildings that would be built under existing land use designations (warehouses, business park/offices, and multifamily residential).

Mitigation Measures. Incorporation of the proposed building façades and ornamental landscaping design features will soften the visual appearance of the buildings from SR-60; however, the obstruction of local views will still be significant, and there are no feasible mitigation measures available that would reduce these impacts to less than significant levels.

Level of Significance after Mitigation. Since there is no mitigation is available to reduce impacts related to the loss of this view from the SR-60, impacts associated with this issue would remain significant and unavoidable.

4.1.6.3 Existing Visual Character and its Surroundings

Threshold	Would the proposed project substantially degrade the existing visual character or quality of the site and its surroundings?

Visual impacts associated with changes to the general character of the project site (e.g., loss of open area), the components of the visual settings (e.g., landscaping and architectural elements), and the visual compatibility between proposed site uses and adjacent land uses would occur. The significance of visual impacts is inherently subjective as individuals respond differently to changes in the visual characteristics of an area. The project site is currently undeveloped with existing citrus groves on the northwestern, northeastern, and east-central portions of the site. Development of the proposed industrial uses on the project site would include approximately 2.2 million square feet of warehouse distribution uses in six buildings with associated parking areas, ornamental landscaping, and roadway infrastructure within approximately 122.8 acres. The buildings will have an average maximum height of 39 feet and will substantially change the views of residents living southeast of the site, and may incrementally affect views from some residences north of SR-60, although the freeway and soundwall along the northern side of the freeway at least partially block views to the south for many residences immediately north of the freeway. The proposed project would also change views for travelers on this portion of SR-60 by introducing large industrial buildings in place of several citrus groves and vacant land. When the approved West Ridge project is built just east of the proposed project, it will also introduce large industrial buildings into this area. The proposed buildings have an average height of 39 feet (maximum height at the corner towers of 43 feet), which would exceed the existing height of the adjacent freeway by approximately 31 feet at the west end and 23 feet at the

east end, based on a finished floor elevation for Building No. 2 of 1,775 feet and freeway elevations of 1,783 feet at the west and 1,791 feet at the east end (adjacent to Building No. 2).

Development of the proposed project would change the existing character of the project site from open space to a more urbanized setting with large industrial buildings. The change in the character of the site would constitute a significant alteration of the existing visual character of the project site.

While the final design of the proposed project may slightly differ from the preliminary renderings, they are sufficient to assess the effect the development of the proposed project may have on aesthetic character of the project site and surrounding area. The proposed project features a variety of architectural elements including façade accents such as corner treatments and roof trim. The project also provides variation in wall planes that serve to avoid an institutional appearance and break up the bulk of the buildings. This variation would create shadow lines at various times of the day.

The proposed ornamental landscaping would replace the scattered weedy vegetation and existing citrus groves. Landscaping on the site would be provided in accordance with City Municipal Code Chapter 9.17, which requires the installation of landscaping on site and the planting of one tree for every 30 linear feet of building dimension that is visible from the parking lot or public right-of-way. Additionally, the proposed project includes the installation of landscaping throughout the development including along the project perimeter, internal drives, and parking areas. In addition, as part of conditions of approval for the proposed project, two rows of the existing orange trees would be maintained on the northern portion of the project site adjacent to SR-60 and along the perimeter of the proposed project site adjacent to the public right-of-way or residential zoning.

The City's Municipal Code (Section 19.05 and Table 9.05.040-8) establishes the number, location, height, and style of signage permitted within industrial zones. The submittal and approval of signs are required for all development in the City; therefore, it is reasonable to conclude that all on-site signs are internally compatible and consistent with the City's current signage standards. Adherence to City requirements would result in a less than significant visual impact in this regard.

The existing General Plan and zoning designations for the site show low density residential (RA-2) adjacent to the southeast corner of the site, with mainly higher density residential uses (R5, R15) buffering the Industrial/Business Park uses farther north, adjacent to freeway. The proposed plan would introduce industrial uses/buildings adjacent to residences near the southeast corner of the project site. However, it should be noted that the City recently approved an industrial project similar to the proposed project immediately north of the existing residential neighborhood south of Eucalyptus Avenue. In conjunction with that project, the City approved an amendment to the Municipal Code requiring a 250-foot buffer or setback between industrial uses (i.e., the closest building and/or parking areas) and residential uses. According to the current site plan, the proposed project provides 395 feet between the closest residence to the project site and the closest industrial building (southeast corner of Eucalyptus and the Quincy Channel) to the southeast corner of Building No. 6.

Since the project site is currently vacant, suburban development of any type would cause a fundamental change in the visual characteristics of the project site. In addition, the site is currently planned for industrial, business park, single-family, and multifamily uses, which would be different in appearance from the proposed industrial warehouse buildings. Of these uses, the lower density housing (R2) is currently designated adjacent to the existing residences southeast of the project site.

The proposed project would replace the existing vacant parcel and citrus groves with development that is visually compatible with the existing commercial development to the west and the existing and the approved Ridge industrial development to the east, but it will not be compatible with the residential uses to the southeast or farther to the north across SR-60.

Consistency with General Plan Policies. The project is consistent with Objective 2.5 and Policy 2.5.1 by providing industrial uses near SR-60 and within the FAR limits outlined. The project does not

appear to be fully consistent with Policies 2.5.2 and 2.5.3 because it places industrial uses adjacent to lower density residential uses without the typical buffering land uses (e.g., higher density residential or business park). The project is consistent with Policy 2.5.4 as it precludes industrial traffic through residential areas by eliminating Quincy Street south of the new Eucalyptus Avenue road alignment and eliminating the new Encilia Avenue (old Eucalyptus Avenue) west of the Quincy Channel. The project is generally consistent with Objective 2.10 and Policies 2.10.1 through 2.10.5 by providing detailed architectural and landscaping themes for the proposed buildings and grounds, including adjacent to SR-60. The project is consistent with Policies 2.10.7 and 2.10.8 relative to lighting, although the tower accent features at the corners of the buildings may produce new off-site glare. The project appears to be consistent with Policy 2.10.9 as its fences and walls will incorporate landscaping and materials designed to reduce graffiti (see design details in Appendix K). The project may not be fully consistent with Policy 2.10.11 in terms of buffering for nearby residential uses, although it does comply with the new Municipal Code requirement of a 250-foot buffer between industrial and residential uses. Policies 2.10.12 and 2.10.13 require screening for parking areas and the project is consistent with that policy.

Consistency with Municipal Code Requirements. The previous analysis indicates the project is not consistent with Objective 7.7 and Policies 7.7.4 and 7.7.5 as it does not fully preserve significant views and vistas, including those along SR-60. Signage will be consistent with Municipal Code requirements so it is consistent with Policy 7.7.3. Finally, the project appears to be consistent with the various Municipal Code requirements for the proposed land uses outlined in Section 4.1.2 related to landscaping, setbacks, parking, storage, etc.

Mitigation Measures. Incorporation of the proposed building façades and landscaping design features will soften the visual appearance of the buildings from both SR-60 and nearby residences; however, the fundamental change in visual character of the area will still be significant. Even with compliance with the City's General Plan and Municipal Code development guidelines for industrial development, including the 250-foot buffer between industrial and residential land uses, the anticipated fundamental change in views expected in this area will be significant. Due to the heights and masses of buildings needed to accommodate the proposed land uses, no feasible mitigation is available that would reduce these potential impacts to less than significant levels.

Level of Significance after Mitigation. Since there is no feasible mitigation is available to reduce impacts related to the substantial change in visual character from development of the proposed project, impacts associated with this issue would remain significant and unavoidable.

4.1.7 Cumulative Impacts

The development of the proposed project would partially obstruct views of surrounding mountain ranges from current vantage points near the project structures. However, vistas would not be completely obstructed from viewpoints through parking circulation areas, openings between rows of buildings or trees, or at the end of vehicular rights-of-way. Development of lands within the City, particularly along SR-60, would result in the cumulative conversion from open space to a more urbanized land use. The proposed project would continue a recent development trend in the City to expand industrial uses along the south side of SR-60 east of the City's Auto Center. This development trend has not yet been incorporated into the City's General Plan. The proposed project, in conjunction with other cumulative projects, would be developed in a manner consistent with existing development trends in the City. Since other cumulative projects in the area would include similar distribution uses, it can be anticipated that such uses would have a similar design and massing as the proposed project. Since the proposed project would obstruct views of the surrounding mountains, it can be reasonable to conclude that similar warehouse distribution uses would also obstruct views of the surrounding mountains. In addition, General Plan Policy 7.7.4 in the

Conservation Element requires the designation of SR-60 as a local scenic roadway. Therefore, the proposed project, in combination with other cumulative projects in the eastern portion of the City and along SR-60 would have a cumulatively significant and unavoidable impact on aesthetics (i.e., views and scenic resources) in this portion of the City.

The proposed, existing, and future development within the planning area would increase the amount of additional lighting and glare in the area. As with past and currently proposed development, cumulative lighting-related impacts would be reduced through the adherence to applicable City lighting standards, and thus would not make a significant contribution to any cumulative lighting impacts.

4.2 AGRICULTURAL RESOURCES

This section provides a discussion of agricultural resource impacts attributable to the project. As part of the analysis, a description of existing on-site agricultural resources, soils, State farmland classifications, and zoning for the project site have been identified. This section focuses on discussions involving applicable State, regional, and local policies regarding agricultural resources and the conversion of farmland to non-agricultural uses. This section is based in part on the City of Moreno Valley General Plan, the Guide to Farmland Mapping and Monitoring Program (FMMP), and the California Land Evaluation and Site Assessment (LESA) Model.

4.2.1 Existing Setting

Within Moreno Valley, land used for agricultural production is generally concentrated in the eastern portion of the City. Farmland within the City is most often used for grazing, citrus orchards, and potato and dryland farming.[1] Of the land in the City that is utilized for agricultural use, few parcels are owner-operated with the majority of the properties being leased for agricultural use. Many agricultural fields within the City have been out of production for a number of years and are dominated by disturbed ruderal (weedy) vegetation. Various forms of disturbance related to agricultural uses include frequent disking, pesticide application, and irrigation. In addition to on-site farming of citrus, active agricultural operations take place on properties located to the north of SR-60, east and south of the proposed project site.

The project site can be divided into three categories of land cover: citrus production, hay/alfalfa production, and fallow. Currently, the majority of the northern portion of the site (approximately 57 acres) is used for citrus production. The remaining portions of the site are hay/alfalfa (approximately 36 acres) located on the southern portion of the site and fallow Land (approximately 25 acres) located in the northern portion of the site between citrus groves. Currently, there are several abandoned wells and a non-functioning wind machine that were used in the past for on-site agricultural uses.

4.2.1.1 State Designated Farmland

The California Government Code (Section 65570) requires the collection and reporting of agricultural land use acreage and conversion by June 30 of each even-numbered year. Utilizing data from the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) soil survey and current land use information, the California Department of Conservation (DOC) FMMP[2] compiles important farmland maps for each county within the State. Maps and statistics are produced biannually using a process that integrates aerial photo interpretation, field mapping, a computerized mapping system, and public review. These maps categorize land use into eight mapping categories and represent an inventory of agricultural soil resources within Riverside County. The categories of land shown on these maps are listed below.

- **Prime Farmland:** Land which has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture supply needed to produce sustained high yields of crops when treated and managed, including water management, according to current farming methods.
- **Farmland of Statewide Importance:** Land that is similar to *Prime Farmland* but with minor shortcomings, such as greater slopes or less ability to hold and store moisture.
- **Unique Farmland:** Land of lesser quality soils used for the production of specific high economic value crops. It has the special combination of soil quality, location, growing season, and moisture

[1] *5.8 Agricultural Resources,* City of Moreno Valley General Plan Final Environmental Impact Report, July 2006.
[2] A Guide to the Farmland Mapping and Monitoring Program, California Department of Conservation, Division of Land Resources Protection, 2004 Edition.

supply needed to produce sustained high quality or high yields of a specific crop when treated and managed according to current farming methods. It is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Examples of crops include oranges, olives, avocados, rice, grape, and cut flowers.

- **Farmland of Local Importance:** Land of importance to the local agricultural economy, as determined by each county's board of supervisors and local advisory committees. Examples include dairies, dryland farming, aquaculture, and uncultivated areas with soils qualifying for *Prime Farmland* and *Farmland of Statewide Importance*.
- **Grazing Land:** Land on which the existing vegetation, whether grown naturally or through management, is suitable for grazing or browsing of livestock.
- **Urban and Built-up Land:** Land used for residential, industrial, commercial, construction, institutional, public administrative purpose, railroad yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment plants, water control structures, and other development purposes. Highways, railroads, and other transportation facilities are also included in this category.
- **Other Land:** Land not included in any of the other mapping categories. Common examples include low-density rural developments, brush, timber, wetland, and riparian areas not suitable for livestock grazing, confined livestock, poultry or aquaculture facilities, strip mines, borrow pits, and water bodies smaller than 40 acres.
- **Water:** Water areas with an area of at least 40 acres.

Within the City, approximately 1,639 acres are designated as Prime Farmland.[1] As illustrated in Figure 4.2.1, the majority of the project site is identified as Prime Farmland, Farmland of Local Importance, and Urban/Built-Up land. Approximately 82.55 acres (69%) of the project site is designated as Prime Farmland,[2] 36.4 acres (30%) is designed Farmland of Local Importance, and less than one acre (1%) is designated Urban and Built-up land.

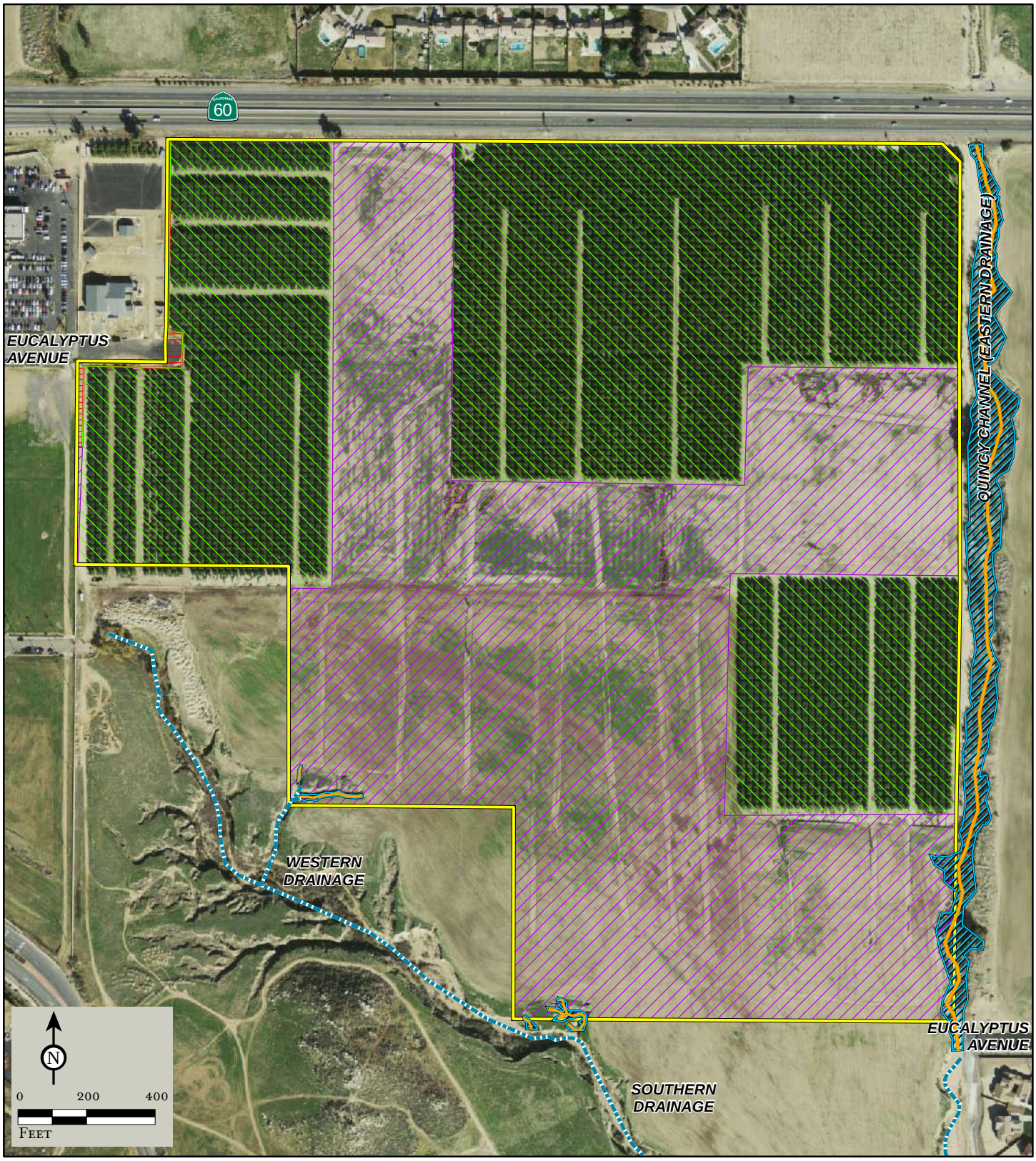
4.2.1.2 General Plan and Zoning Designations

The City of Moreno Valley's General Plan policies support agriculture as an interim use. No land in the City is dedicated for agricultural use. The site is designated as R-15, R-5, R-2, and Business Park in the City's General Plan and currently zoned for Business Park, Business Park Mixed-Use and Residential uses (R-15, R-5, and RA-2). The RA-2 zone is within the PAKO (Municipal Code Section 9.07.080) adopted in 2006, which allows agricultural activities as interim uses of land in specified areas of the City. The PAKO designation requires larger lots with a maximum of 2 residences per acre and allows agricultural uses and animal keeping, and the City identifies agricultural crops as an allowable use for all of its zoning categories. The City's approved PAKO area is bounded by Nason Street on the west, the City limits to the north, Theodore Street to the east, and Cottonwood Avenue to the south. The designation includes properties within the Rural Residential (RR), Residential-1 (R1), Residential Agricultural-2 (RA-2) zoning categories, which currently comprise 2,887 acres based on City's 2011 GIS database. The PAKO-designated land represents 77 percent of the 3,740 total acres of the land zoned RR, R1, and RA-2 in the City.

4.2.1.3 Williamson Act Contract Lands

The Williamson Act is a non-mandated State program, administered by counties and cities, for the preservation of agricultural land. Participation in the program is voluntary on the part of both landowners and local governments, and is implemented through the establishment of Agricultural Preserves and the execution of Williamson Act contracts. Individual property owners enter into a

[1] *5.8 Agricultural Resources,* City of Moreno Valley General Plan Final Environmental Impact Report, July 2006.
[2] Important Farmland Map Riverside County, Farmland Mapping and Monitoring Program, 2004.



LSA

FIGURE 4.2.1

Project Boundary
CDFG* Potential Jurisdictional Waters
ACOE*/RWQCB* Potential Jurisdictional Waters
Eroded Channel

State Farmland Designations
Farmland of Local Importance
Prime Farmland
Urban and Built-Up Land

Eucalyptus Industrial Park
Environmental Impact Report

State Farmland Designations

SOURCE: AirPhotoUSA, 2008; Dept. of Conservation, Farmland & Mapping Program (FMMP), 2008.

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contract that restricts or prohibits development of their property to nonagricultural uses during the term of the contract in return for lower property taxes. Initially signed for a minimum ten-year period, the contracts are automatically renewed each year for a successive minimum ten-year period unless a notice of non-renewal is filed or a contract cancellation is approved by the local government. In the City of Moreno Valley, currently there is no land currently under a Williamson Act contract.[1]

4.2.2 Existing Policies and Regulations

The City of Moreno Valley General Plan recognizes the high demand for land and housing and development in the region and that many of the current agricultural operations in the City are "interim uses" or uses that will ultimately be converted to urban uses. The following policies and goals pertain to agriculture and are applicable to the proposed project.

Parks, Recreation, and Open Space Element

Objective 4.1 Retain agricultural open space as long as agricultural activities can be economically conducted, and are desired by agricultural interests (with some agriculture retained in long-term use), and provide for an orderly transition of agricultural lands to other urban and rural uses.

To support this objective, the City identifies policies to encourage grazing and crop production as a compatible part of a rural residential atmosphere. Additionally, where practical, the City plans to incorporate existing groves into the design of future development projects. These groves can help retain the agricultural character of the area as well as provide a buffer between different land uses.[1]

4.2.3 Methodology

The analysis looks at the FMMP to assess the presence of type of farmlands based on soil quality and irrigation status for State designated farmlands. It evaluates the current land use designation and zoning and the proposed land use and zoning for any conflicts with existing zoning for agricultural uses. Based on California Land Conservation Act, lands under Williamson Act are determined for the project site and surrounding parcels. Lastly, the California LESA, developed by the DOC, is used to quantify potential impacts a development project may have on agricultural resources.

4.2.4 Thresholds of Significance

Appendix G of the *CEQA Guidelines* recognizes the following significance thresholds related to agricultural resources. Based on these significance thresholds, potential impacts to agricultural resources could be considered significant if the proposed project:

- Conflicted with existing zoning for agricultural use, or a Williamson Act contract;
- Converted 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; and/or
- Involved changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use.

4.2.5 No Impact/Less than Significant Impacts

The following potential impacts were determined to be less than significant. In each of the following issues, either no impact would occur (therefore, no mitigation would be required) or adherence to

[1] *5.8 Agricultural Resources,* City of Moreno Valley General Plan Final Environmental Impact Report, July 2006.

established regulations, standards, and policies would reduce potential impacts to a less than significant level.

4.2.5.1 Conflict with Existing Zoning or a Williamson Act Contract

Threshold	Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

Neither the project site nor the surrounding area contains a Williamson Act contract, so the project will have no impacts in this regard.

An approximately 12-acre portion of the project site, located near the southern border, is zoned Residential Agriculture RA-2, which is within the City's PAKO. Citywide there are 2,887 acres of land within the PAKO designation, so the proposed project would result in the loss of 12 acres or 0.4 percent of the PAKO-designated land in the City. The purpose of the PAKO is to maintain animal keeping and the rural character of the areas noted within the overlay district and designate a portion of the parcel for medium and large animal keeping. With the development of the project, this portion of the site would be rezoned to Light Industrial to allow for the proposed warehouse distribution uses and would also be removed from the PAKO.

It should be noted that the Moreno Valley General Plan policies and zoning designations support agriculture only as an interim use, and no land in the City is designated solely for agricultural use or for agricultural preservation. Despite this, the proposed zone change would conflict with the existing zone and PAKO overlay for this portion of the project site; however, this change would remove less than one percent of the PAKO-designated land and would not represent a significant loss of land under this overlay designation.

Based on the recent trends of urban development in the City, development pressures will eventually lead to the conversion of agricultural land in the City to suburban uses. The City's General Plan recognizes that these conversions will eventually occur, and the proposed project is a demonstration of that trend. Therefore, impacts in this regard would be less than significant and no mitigation is required.

4.2.6 Significant Impacts

4.2.6.1 Conversion of State Designated Farmland

Threshold	Would the proposed project result in the conversion of Prime, Unique, or Statewide Important Farmland as shown on the maps prepared by the FMMP?

As previously stated, approximately 82.5 acres of the project site is designated as Prime Farmland. At the time of this writing, the 2004–2006 FMMP survey results were not available. During the 2002–2004 reporting period, Riverside County experienced a net loss of 4,824 acres of Prime Farmland. The conversion of the 82.5 acres of onsite Prime Farmland would be equivalent to 1.7 percent of the total loss of Prime Farmland in the County during this period. The amount of Prime Farmland inventoried in Riverside County during the last countywide survey of farmland totaled 139,253 acres. Of this area, approximately 1,639 acres were located within the City. The 82.5 acres of on-site Prime Farmland represents 5.0 and 0.06 percent of the total amount of Prime Farmland in the City and County, respectively. Because Prime Farmland is a finite resource, its conversion to a non-agricultural use is a significant impact.

Demographic increases, coupled with the availability of developable land and the rising cost of water, increasingly exert pressure on the owners/operators of agricultural operations to sell and/or convert agricultural lands to non-agricultural uses. The DOC has identified potential "conservation tools" available to mitigate for the loss of agricultural land. These include the purchase of agricultural

conservation easements; transfer of development rights; acquisition of farmland by the City or County; mitigation banking; the establishment of "urban limits," greenbelts, and buffers; the payment of in-lieu fees sufficient to a purchase and maintain farmland conservation easements; and planning tools such as clustering development, use of density bonuses, and limiting "leapfrog" development.[1]

A variety of techniques and programs has been utilized in other areas of the State to mitigate for the loss of Prime Farmland and/or ensure the continued economic viability of agricultural operations. For example, the City of Davis requires the granting of a farmland conservation easement or other conservation mechanism for twice the amount of agricultural land being converted to a non-agricultural uses; or the payment of in-lieu fees based upon a two-to-one mitigation requirement.[2] In its "Agricultural Lands Conversion Ordinance," Yolo County requires a one-to-one replacement of converted agricultural lands, either through the granting of a conservation easement, or payment of in-lieu fees. Generally, mitigation lands are required to have similar soil quality, water supply adequacy, and should be in relative proximity to the lands being converted.[3]

The DOC's California Farmland Conservancy Program (CFCP) seeks to encourage the long-term, private stewardship of agricultural lands through the voluntary use of agricultural conservation easements. Implementation of conservation easements is typically achieved either through (1) the outright purchase of easements or (2) the donation of mitigation fees to a local, regional, or statewide organization whose purpose includes the acquisition and stewardship of conservation easements. Through April 2005, the preservation of 22,481 acres of farmland in the State has been wholly or partially funded through the CFCP. Additional agricultural conservation easements have been funded by various entities without the use of CFCP funds. While the amount of CFCP grants varies depending on location, farmland type, and size, CFCP grants to conservancy agencies made to offset the cost of purchasing agricultural conservation easements has averaged approximately $3,000 per acre statewide.[4]

The City does not maintain a program for mitigating impacts resulting from the conversion of agricultural land. Because Prime Farmland is a finite resource, the loss of 82.5 acres of on-site Prime Farmland is significant. Although implementation of the proposed project would result in the retention or provision of rows of citrus trees along the northern portion of the project site adjacent to SR-60, along the western perimeter of Building No. 6, and along the southern perimeter of Buildings No. 5 and 6, the retention or provision of citrus trees on site is for ornamental and landscaping purposes and not for continued agricultural cultivation.

While the proposed project would result in the conversion of Prime Farmland, development of this site and the surrounding area is consistent with the long-term vision of the City as outlined in the General Plan. While the Moreno Valley General Plan policies support agriculture as an interim use, no land in the City is designated for agricultural preservation.

The City of Moreno Valley General Plan EIR discusses impacts related to agriculture in the City as well as potential mitigation. Potential mitigation measures exist which would reduce the impact related to the loss of agricultural resources within the City. These potential mitigation measures include:

- Enrolling productive agricultural land, not presently under contract, under a Williamson Act Contract;
- Providing protection to ongoing agricultural operations from complaints and nuisance complaints from adjacent new development;
- Protecting productive agricultural land subject to conversion through the purchase of or transfer of its development rights;

1 Discussion Paper, Agricultural Land Conservation Tools, California Department of Conservation.
2 Chapter 40 (Right to Farm and Farmland Preservation), City of Davis Municipal Code.
3 Yolo County General Plan Agricultural Element, November 2002.
4 http://www.consrv.ca.gov/dlrp/cfcp/stories/easement_projects.htm, site accessed August 17, 2006.

- Purchasing conservation easements on existing agricultural land to ensure that the land is never converted to urban uses; and
- Donating funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.[1]

Mitigation measures must be feasible and fully enforceable through permit conditions, agreements, or other legally binding considerations. To be feasible, mitigation must be capable of being accomplished in a successful manner within a reasonable period of time, taking into account the economic, environmental, legal, social, and technological factors.[2]

While the City of Moreno Valley General Plan EIR identifies potential mitigation measures for impacts to agricultural resources, no mechanism for the mitigation of impacts to Prime Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Rather, the City has specifically recognized that the conversion of agricultural land under its jurisdiction is an eventual and expected outcome of current and future growth. The current General Plan does not include any agricultural designations. The City allows agricultural uses in all land use designations as an interim use until such time as the land is developed per the vision identified in the General Plan. One of the goals stated in the City's recent General Plan is the "…orderly conversion of agricultural lands." The proposed project is a continued extension of development in the surrounding area (commercial to the west, industrial to the east, residential to the southeast). The proposed project does not interfere with the ability of other adjacent properties to be used for agricultural production should the property owner wish to do so, nor does it create any gaps of vacant or agricultural land between the proposed project and the existing adjacent development. However, the project would permanently remove prime agricultural land from active production, and thus is considered a significant impact on agricultural resources.

Mitigation Measures. The potential mitigation measures identified by the City's General Plan have been deemed infeasible by the property owner under current economic conditions. In addition, supplementary analysis of the project site and local economic conditions indicates that continued citrus production and/or the raising of row crops would not be economically feasible on the project site (see Appendix L).

Williamson Act contracts are entered into voluntarily by property owners and the City cannot force owners to participate in this program. The City does have the ability to encourage property owners to participate in Williamson Act programs; however, this is expected to result only in temporary preservation of agricultural land since property owners have the option of non-renewal of these contracts at any time after the ten-year contract period ends. The land would then be available to be developed with urban uses.

Providing protection for ongoing agricultural activities from new developments, such as requiring buffers between agricultural operation and new development or requiring the notification and disclosure of agricultural activities to the purchasers adjacent properties will not permanently protect agricultural land. In addition, the land immediately east of the project site was recently approved by the City Council for industrial/warehouse uses (West Ridge project), which would indicate the City is not requiring or encouraging local property owners to preserve local agricultural land over the long term.

The purchase or transfer of development rights, purchase of conservation easements, or donation of funds to assist in the conservation of agricultural land would need to be implemented to ensure the preservation of agricultural land. As stated previously, the City anticipates the conversion of agricultural land with in the City and does not set aside land for permanent preservation. The City expects that the majority of the land within the City will be converted to urban uses, although some

[1] Moreno Valley General Plan Final Program EIR, July 2006
[2] *CEQA Guidelines*, Sections 15126.4 and 15364.

agriculture will continue as interim uses, as allowed by the City's Development Code for all zoning categories. Moreno Valley has determined that these measures are economically infeasible and that they are contrary to the City's vision (as stated in its General Plan); therefore, they are not feasible and alternative mitigation has not been identified.[1]

Level of Impact After Mitigation. Since the mitigation measures discussed are not consistent with the objectives of the Moreno Valley General Plan and are not economically feasible, no mitigation measures are proposed and impacts related to this issue remain significant and unavoidable.

4.2.6.2 Conversion of an Existing Agricultural Operation to a Non-Agricultural Use

Threshold	Would the proposed project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?

The proposed project would result in the development of industrial uses on land that has historically been utilized for citrus production. Implementation of the proposed project would result in the retention or provision of rows of citrus trees along the northern portion of the project site adjacent to SR-60, along the western perimeter of Building No. 6, and along the southern perimeter of Buildings No. 5 and 6. Although these citrus trees would be retained or provided along the perimeter of the project site, the retention or provision of citrus trees on site is for ornamental and landscaping purposes and not for agricultural cultivation. The conversion of the project site's agriculture land to non-agricultural uses is a result of various economic and demographic factors. Increased cost for water and a continuing demand for housing and other development in the City and region are the primary reasons for this agricultural land conversion.

To further evaluate the proposed project's impacts on agricultural resources, an analysis was completed utilizing the DOC LESA Model. The LESA model is a method to rate the relative quality of land resources and potential impacts to agricultural resources. The LESA Model is intended to provide lead agencies with a methodology to identify potentially significant impacts that may result from agriculture land conversions.

The LESA model is a method to rate the relative quality of land resources and potential impacts to agricultural resources using six different factors (two based on soil resource quality, and four based on on-site and adjacent resources) to develop a weighted score used to identify the significance of potential impacts to agricultural resources. For a given project, the factors are rated, weighted, and combined, resulting in a single numeric score, which becomes the basis for making a determination of a project's potential significance.[2] The resulting LESA score for the project site is provided in Table 4.2.A while the scoring threshold is provided in Table 4.2.B.

Table 4.2.A: Land Evaluation and Site Assessment Model Score

Factor Name	Factor Rating (0–100 Points)	×	Factor Weighting (Total = 1.00)	=	Weighted Factor Rating
Land Evaluation					
1. Land Capabilities	94.7	×	0.25	=	23.68
2. Storie Index Rating	91.78	×	0.25	=	22.95
Land Evaluation (LE) Subscore					**46.63**

1 *5.8 Agricultural Resources – Environmental Impacts,* City of Moreno Valley General Plan Final Program EIR, July 2006.
2 *California Land Evaluation and Site Assessment Model, Instruction Manual*, State of California Department of Conservation, Office of Land Conservation, 1997, http://www.conserrvation.ca.gov/dlrp/Pages/qh_lesa.aspx, website accessed December 19, 2011.

Table 4.2.A: Land Evaluation and Site Assessment Model Score

Factor Name	Factor Rating (0–100 Points)	×	Factor Weighting (Total = 1.00)	=	Weighted Factor Rating
Site Assessment					
1. Project Size	122.8	×	0.15	=	18.42
2. Water Resources Available	95	×	0.15	=	14.25
3. Surrounding Agriculture	20	×	0.15	=	3.0
4. Protected Resource Lands	20	×	0.15	=	3.0
Site Assessment (SA) Subscore					**38.67**
TOTAL LESA SCORE (LE+SA)					**85.30**

Table 4.2.B: LESA Model Scoring Threshold

Total LESA Score	Scoring Decision
0–39 Points	Not Considered Significant
40–59 Points	Considered Significant only if LE and SA subscores are each greater than or equal to 20 points
60–79 Points	Considered Significant unless either LE or SA subscore is less than 20 points
80–100 Points	Considered Significant

As identified in Table 4.2.A, the proposed project's LESA score is 85.07. As indicated in Table 4.2.B, a LESA score of 85.3 is considered significant. Therefore, the proposed project would result in a significant impact to agricultural resources.

Currently, property northeast beyond SR-60 is utilized for agriculture, while the land immediately east of the site was used for agriculture in the past but is currently fallow. The proposed project will result in the construction and operation of industrial uses, but it would not preclude the continuation of agricultural uses on adjacent properties, in the event the property owners elected to do so. Whether or not adjacent agricultural land is developed relies on several factors including market demand, availability of property, profitability of the agricultural use, and the landowner's interest in continuing farming. While the operation of industrial uses would increase development pressure on adjacent agricultural properties, conversion of the adjacent agricultural properties is reasonably foreseeable.

The project does not include design features that would prevent the existing agricultural operations in the area from continuing. The project would convert land that is currently used for agriculture and the development of the proposed project would contribute to the conversion of adjacent lands. However, the project is a logical extension of development in the City and does not create leapfrog development or islands of agricultural land that would be difficult to farm. The City recognizes development pressures within the City, and that these pressures will increase as the City continues to build out.

Additionally, while the project would not directly cause the conversion of adjacent agricultural land to non-agricultural uses, it would contribute to development pressure within the City that could potentially lead to the conversion of agricultural land off site. This is a significant impact requiring mitigation.

Mitigation Measures. As stated in Section 4.2.6.1, no feasible mitigation for the loss of agricultural land within the City of Moreno Valley exists.

Level of Impact After Mitigation. As with impacts associated with the conversion of Prime Farmland, no feasible mitigation is available to mitigate for the direct impacts associated with the

conversion of an existing agricultural operation, as previously discussed in Section 4.2.6.1. While the City has identified that the conversion of agricultural land under its jurisdiction is an eventual outcome of current and future growth, the impacts associated with this issue remain significant and unavoidable.

4.2.7 Cumulative Impacts

The cumulative area for agricultural resource impacts is Riverside County. As with the project-related impacts to Prime Farmland and the existing on-site agricultural use, no local or regional program to mitigate for the cumulative impacts to agricultural resources is available. As stated previously, the City does not maintain a General Plan or zoning designation for agricultural uses and there are no project-level feasible mitigation measures that would help reduce cumulative impacts. For example, during 2002–2004 approximately 4,824 acres of Prime Farmland in Riverside County were converted to other uses, and this trend has continued to today. The cumulative effect of development in the region will continue to result in the conversion of agricultural lands to non-agricultural uses. Because agricultural land, including Prime Farmland, is a finite resource, the conversion of 122.8 acres of farmland to industrial uses, combined with planned and future development in the City and region, represents a cumulative impact to agricultural operations and resources, and the proposed project's contribution to this cumulative impact through the conversion of 122.8 acres of farmland is cumulatively considerable.

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4.3 AIR QUALITY

This section analyzes the proposed project's potential air quality impacts based on the comprehensive *Air Quality Analysis* contained in Appendix B (LSA Associates, Inc. November 2011) to this EIR. The air quality analysis evaluates potential air quality impacts and mitigation measures by examining the short-term construction and long-term operational impacts associated with the project and by evaluating the effectiveness of mitigation measures incorporated as part of the project design. Additionally, the analysis provides a discussion of the proposed project, the physical setting of the project area, and the air quality regulatory framework. Modeled air quality levels are based upon vehicle data and project trip generation included in the project's *Traffic Impact Analysis* (LSA Associates, Inc. November 2011, Appendix I of EIR) and peak turn volumes generated for the proposed project combined with emission factors from the California Air Resources Board (CARB) CalEEMod program. The evaluation was prepared in accordance with appropriate standards, utilizing procedures and methodologies in the South Coast Air Quality Management District (SCAQMD) *CEQA Air Quality Handbook* (SCAQMD 1993). Air quality data posted by the CARB and the U.S. Environmental Protection Agency (EPA) Web sites are included to document the local air quality environment.

4.3.1 Existing Setting

The project site is located in the City of Moreno Valley, in western Riverside County, California. The project site is located in the South Coast Air Basin (Basin), a geographic area that encompasses the coastal plain and connecting broad inland valleys and low hills. The Pacific Ocean forms the southwestern border of the Basin, with mountain ranges forming the remainder of the border. The Basin includes Orange County and the non-desert portions of Los Angeles County, Riverside County, and San Bernardino County. The Basin is under the jurisdiction of the SCAQMD.

4.3.1.1 Climate and Meteorology

Air quality in the project area is not only affected by various emission sources (mobile, industry, etc.), but also by atmospheric conditions such as wind speed, wind direction, temperature, rainfall, and amount of sunshine. The combination of topography, low mixing height, abundant sunshine, and emissions from the second largest urban area in the United States combine to give the Basin the worst air pollution problem in the nation.

Winds in the Basin are predominantly of relatively low velocities, averaging about 4.0 miles per hour (mph). These low average wind speeds, together with a persistent temperature inversion, limit the vertical dispersion of air pollutants throughout the Basin. Strong, dry, north or northeasterly winds, known as Santa Ana winds, occur during the fall and winter months, dispersing air contaminants, and these conditions tend to last for several days at a time. The prevailing winds in the project area move predominantly from the northwest to the southeast with an average wind speed of 0.001 mile per second (1.73 meters per second).

The Basin experiences a persistent temperature inversion (increasing temperature with increasing altitude) as a result of the Pacific High, a large subtropical high pressure system, which holds air contaminants relatively near the ground. The annual average temperatures throughout the Basin vary from the low to middle 60s (degrees Fahrenheit [°F]). Due to a decreased marine influence, the eastern portion of the Basin shows greater variability in average annual minimum and maximum temperatures. More than 90 percent of the Basin's rainfall occurs from November through April. The annual average rainfall varies from approximately 9 inches in Riverside to approximately 14 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 frequency being higher near the coast.

During periods of low inversions and low wind speeds, air pollutants generated in urbanized areas are transported predominantly onshore into Riverside and San Bernardino Counties. In the winter, the greatest pollution problems are carbon monoxide (CO) and oxides of nitrogen (NO_X), because of extremely low inversions and air stagnation during the night and early morning hours. In the summer, the longer daylight hours and the brighter sunshine combine to cause a reaction between hydrocarbons and NO_X to form photochemical smog.

4.3.1.2 Regional Air Quality

Both the State of California and the Federal government have established health-based ambient air quality standards (AAQS) for six air pollutants. As identified in Table 4.3.A, these pollutants include ozone (O_3), CO, nitrogen dioxide (NO_2), sulfur dioxide (SO_2), particulate matter with a diameter of 10 microns or less (PM_{10}), and lead (Pb). In July 1997, the EPA adopted standards for eight-hour ozone and for fine particulate matter less than 2.5 microns in diameter ($PM_{2.5}$). In addition, the State has set standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles. These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety.

Table 4.3.B lists the health effects of criteria pollutants and their potential sources. These health effects would not occur unless the standards are exceeded by a large margin or for a prolonged period of time. The State AAQS are more stringent than the Federal AAQS. Indirect sources of pollution are generated when minor sources collectively emit a substantial amount of pollution. Examples of this would be the motor vehicles at intersections, malls, and on highways. The California Clean Air Act (CCAA) provides the SCAQMD with the authority to manage transportation activities at indirect sources. The SCAQMD also regulates stationary sources of pollution throughout its jurisdictional area. Direct emissions from motor vehicles are regulated by the CARB.

4.3.1.3 Local Air Quality

The SCAQMD, together with the CARB, maintains ambient air quality monitoring stations in the Basin. The air quality monitoring stations closest to the site is the Riverside-Rubidoux Station. The air quality trends from these monitoring stations are representative of the ambient air quality in the project area. The criteria pollutants monitored at this station[1] are identified in Table 4.3.C. CO, NO_2, and SO_2 levels monitored at this station have not exceeded State and Federal standards in the past three years. O_3 and PM_{10} concentrations monitored at this station frequently exceeded their respective State and Federal standards during the last three years. $PM_{2.5}$ only exceeded its standard occasionally.

4.3.1.4 Air Pollution Constituents and Attainment Status

The CARB coordinates and oversees both State and Federal air pollution control programs in California. The CARB oversees activities of local air quality management agencies and maintains air quality monitoring stations throughout the State in conjunction with the EPA and local air districts. The CARB has divided the State into 15 air basins based on meteorological and topographical factors of air pollution. The CARB and EPA use the data collected at monitoring stations to classify air basins as attainment, nonattainment, nonattainment transitional, or unclassified, based on air quality data for the most recent three calendar years compared with the AAQS. Nonattainment areas are imposed with additional restrictions, as required by the EPA. The air quality data are also used to monitor progress in attaining air quality standards. Table 4.3.D identifies the attainment status[2] for the criteria pollutants in the Basin.

[1] California Air Resources Board and U.S. EPA, 2008.

[2] Unclassified designation: a pollutant that is designated unclassified if the data are incomplete and do not support a designation of attainment or nonattainment; Attainment designation: a pollutant is designated attainment if the State standard for that pollutant was not violated at any site in the area during a 3-year period. Nonattainment: a pollutant is designated nonattainment if there was at least one violation at any site in the area during a 3-year period.

Table 4.3.A: Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards[1]		Federal Standards[2]			Notes
		Concentration[3]	Method[4]	Primary[2,5]	Secondary[2,6]	Method[7]	
Ozone (O_3)	1-Hour	0.09 ppm (180 µg/m^3)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry	1 California standards for ozone; carbon monoxide (except Lake Tahoe); sulfur dioxide (1 and 24 hour); nitrogen dioxide; suspended particulate matter, PM_{10}; and visibility reducing particles are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
	8-Hour	0.07 ppm (137 µg/m^3)		0.075 ppm (147 µg/m^3)			
Respirable Particulate Matter (PM_{10})	24-Hour	50 µg/m^3	Gravimetric or Beta Attenuation*	150 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis	2 National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth-highest 8-hour concentration in a year, averaged over 3 years, is equal to or less than the standard. For PM_{10}, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m^3 is equal to or less than 1. For $PM_{2.5}$, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over 3 years, are equal to or less than the standard. Contact U.S. EPA for further clarification and current federal policies.
	Annual Arithmetic Mean	20 µg/m^3		—			
Fine Particulate Matter ($PM_{2.5}$)	24-Hour	No Separate State Standard		35 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis	
	Annual Arithmetic Mean	12 µg/m^3	Gravimetric or Beta Attenuation*	15 µg/m^3			
Carbon Monoxide (CO)	8-Hour	9.0 ppm (10 mg/m^3)	Non-Dispersive Infrared Photometry (NDIR)	9 ppm (10 mg/m^3)	None	Non-Dispersive Infrared Photometry (NDIR)	3 Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25˚C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25˚C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
	1-Hour	20 ppm (23 mg/m^3)		35 ppm (40 mg/m^3)			
	8-Hour (Lake Tahoe)	6ppm (7 mg/m^3)		—			
Nitrogen Dioxide (NO_2)	Annual Arithmetic Mean	0.030 ppm (56 µg/m^3)	Gas Phase Chemiluminescence	0.053 ppm (100 µg/m^3)	Same as Primary Standard	Gas Phase Chemiluminescence	4 Any equivalent procedure that can be shown to the satisfaction of the CARB to give equivalent results at or near the level of the air quality standard may be used.
	1-Hour	0.18 ppm (338 µg/m^3)		100 ppb			5 National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
Lead (Pb)[8]	30-Day Average	1.5 µg/m^3	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption	6 National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
	Calendar Quarter	—		1.5 µg/m^3	Same as Primary Standard		7 Reference method as described by the EPA. An “equivalent method” of measurement may be used but must have a “consistent relationship to the reference method” and must be approved by the EPA.
	Rolling 3-Month Average	—		0.15 µg/m^3			8 The CARB has identified lead and vinyl chloride as ‘toxic air contaminants’ with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
Sulfur Dioxide (SO_2)	Annual Arithmetic Mean	—	Ultraviolet Fluorescence	0.030 ppm (80 µg/m^3)	—	Spectrophotometry (Pararosaniline Method)	
	24-Hour	0.04 ppm (105 µg/m^3)		0.14 ppm (80 µg/m^3)	—		
	3-Hour	—		—	0.5 ppm (1300 µg/m^3)		
	1-Hour	0.25 ppm (655 µg/m^3)		75 ppb	—		
Visibility-Reducing Particles Sulfates	8-Hour	Extinction coefficient of 0.23 per kilometer—visibility of 10 miles or more (0.07-30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70%. Method: Beta Attenuation and Transmittance through Filter Tape. Method: Beta Attenuation and transmittance through Filter Tape.		**No Federal Standards**			
Sulfates	24-Hour	25 µg/m^3	Ion Chromatography				
Hydrogen Sulfide	1-Hour	0.03 ppm (42 µg/m^3)	Ultraviolet Fluorescence				
Vinyl Chloride[8]	24-Hour	0.01 ppm (26 µg/m^3)	Gas Chromatography				

Source: California Air Resources Board (February 7, 2012).

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Table 4.3.B: Summary of Health Risks from Some of the Common Pollutants Found in Air

Pollutants	Health Risks	Examples of Sources
Particulate Matter ($PM_{10:}$ less than or equal to 10 microns)	Increase respiratory disease Lung damage Premature death	Cars and trucks, especially diesels. Fireplaces, wood stoves. Windblown dust from roadways, agriculture, and construction.
Ozone (O_3)	Breathing difficulties Lung damage	Formed by chemical reactions of air pollutants in the presence of sunlight; common sources are motor vehicles, industries, and consumer products.
Carbon Monoxide (CO)	Chest pain in heart patients Headaches, nausea Reduced mental alertness Death at very high levels	Any source that burns fuel such as cars, trucks, construction and farming equipment, and residential heaters and stoves.
Nitrogen Dioxide (NO_2)	Lung damage	See carbon monoxide sources.
Toxic Air Contaminants	Cancer Chronic eye, lung, or skin irritation Neurological and reproductive disorders	Cars and trucks, especially diesels. Industrial sources such as chrome planters. Neighborhood businesses such as dry cleaners and service stations. Building materials and products.

Source: CARB 2005.

Table 4.3.C: Ambient Air Quality in the Project

Pollutant	Standard	2008	2009	2010
Carbon Monoxide				
Max 1-hr concentration (ppm)		2.7	2.7	2.0
No. days exceeded: State	> 20 ppm/1-hr	0	0	0
Federal	> 35 ppm/1-hr	0	0	0
Max 8-hr concentration (ppm)		1.86	1.85	1.20
No. days exceeded: State	9.0 ppm/8-hr	0	0	0
Federal	9 ppm/8-hr	0	0	0
Ozone				
Max 1-hr concentration (ppm)		0.146	0.116	0.076
No. days exceeded: State	> 0.09 ppm/1-hr	54	25	0
Max 8-hr concentration (ppm)		0.116	0.100	0.067
No. days exceeded: State	> 0.07 ppm/1-hr	89	57	0
No. days exceeded: Federal[2]	> 0.08 ppm/8-hr	64	36	0
Course Particulates (PM_{10})				
Max 24-hr concentration ($\mu g/m^3$)		115	77	50
No. days exceeded: State	> 50 $\mu g/m^3$/24-hr	46	30	ND
Federal	> 150 $\mu g/m^3$/24-hr	0	0	ND
Annual Arithmetic Average ($\mu g/m^3$)		44.8	41.1	ND
Exceeded: State	> 20 $\mu g/m^3$ ann. arth. avg.	Yes	Yes	ND
Fine Particulates ($PM_{2.5}$)				
Max 24-hr concentration ($\mu g/m^3$)		57.6	54.4	ND
No. days exceeded: Federal	> 65 $\mu g/m^3$/24-hr	13	13	ND
Annual Arithmetic Average ($\mu g/m^3$)		16.3	15.2	ND
Exceeded: State	> 12 $\mu g/m^3$ ann. arth. avg.	Yes	Yes	ND
Federal	> 15 $\mu g/m^3$ ann. arth. avg.	Yes	Yes	ND
Nitrogen Dioxide				
Max 1-hr concentration (ppm)		0.092	0.078	0.052
No. days exceeded: State	> 0.25 ppm/1-hr	0	0	0
Annual arithmetic average concentration (ppm)		0.019	0.017	ND
Exceeded: Federal	> 0.053 ppm ann. arth. avg.	No	No	ND
Sulfur Dioxide				
Max 24-hr concentration (ppm)		0.003	0.003	0.002
No. days exceeded: State	> 0.04 ppm/24-hr	0	0	0
Federal	> 0.14 ppm/24-hr	0	0	0
Annual arithmetic average concentration (ppm)		0.000	0.001	ND
Exceeded: Federal	> 0.030 ppm ann. arth. avg.	No	No	ND

[1] Monitored at the Riverside-Rubidoux Monitoring Station, 5888 Mission Blvd.
[2] Exceedance counts shown are of the 1997 federal standard; no data is available for the new standard of 0.075 ppm.
$\mu g/m^3$ = microgram of pollutant per cubic meter of air
ppm = parts per million
Source: United States Environmental Protection Agency and California Air Resources Board, 2008-2010.

Table 4.3.D: Attainment Status of Criteria Pollutants in the South Coast Air Basin

Pollutant	State	Federal
1-hour O_3	Nonattainment	Revoked June 2005
8-hour O_3	Not Established	Severe-17 Nonattainment
PM_{10}	Nonattainment	Serious Nonattainment
$PM_{2.5}$	Nonattainment	Nonattainment
CO	Attainment	Attainment/Maintenance
NO_2	Attainment	Attainment/Maintenance
SO_2	Attainment	Attainment
Lead	Attainment	Attainment
All others	Attainment/Unclassified	Attainment/Unclassified

CO = carbon monoxide
NO_2 = nitrogen dioxide
O_3 = ozone (smog)
PM_{10} = particular matter less than 10 microns in size
$PM_{2.5}$ = particular matter less than 2.5 microns in size
SO_2 = sulfur dioxide
Source: CARB (www.arb.ca.gov/desig/desig.htm) and EPA (www.epa.gov/air/data/monvals.html) 2011

4.3.1.5 Sensitive Land Uses in the Project Vicinity

Sensitive receptors include residences, schools, medical offices, convalescent facilities, and similar uses that are sensitive to air pollutants. The nearest sensitive receptors in the vicinity of the project site are the existing single-family residences located approximately 50 feet southeast of the southern boundary of the project site, approximately 395 feet southeast of the proposed warehouse buildings, and approximately 664 feet southeast of the proposed loading docks. Other sensitive uses in the area include existing single-family residences approximately 200 feet away from the northern project boundary north of SR-60 along Mesa Top Trail. Future sensitive receptors that may be located in close proximity to the proposed project site include the L'Aquila D'Pietra development located to the south, and the potential residential uses that may occur within areas designated RA-2 to the east and south.

At the time that the Notice of Preparation (NOP) was released for the proposed project, the Moreno Valley Unified School District (MVUSD) had plans to locate an elementary school (MVUSD Elementary School #24), a middle school (MVUSD Middle School #7), and a high school (MVUSD High School #5) in the vicinity of Redlands Boulevard and future Eucalyptus Avenue, in close proximity to the proposed project (refer to Figure 4.11.2, q.v.). After the NOP was released, MVUSD decided to abandon plans for these school sites and relocate the future school facilities in a different area of the City.[1] Therefore, there are no proposed schools that would be located next to the proposed project. For purposes of analysis, the nearest sensitive receptor (the existing residences located southwest of the project site) was utilized as this represents the worst-case scenario.

4.3.2 Existing Policies and Regulations

4.3.2.1 Federal Regulations

Clean Air Act. Pursuant to the Federal Clean Air Act (CAA) of 1970, the EPA established national ambient air quality standards (NAAQS). The NAAQS were established for six major pollutants, termed "criteria" pollutants. Criteria pollutants are defined as those pollutants for which the Federal and State governments have established ambient air quality standards, or criteria, for outdoor concentrations in order to protect public health. In April 2003, the EPA was cleared by the White House Office of Management and Budget (OMB) to implement the eight-hour ground-level O_3

[1] *Resolution No. 2007-08-81*, Moreno Valley Unified School District Board of Education, approved April 15, 2008.

standard. The EPA issued the proposed rule implementing the eight-hour O_3 standard in April 2003. The EPA completed final eight-hour nonattainment status on April 15, 2004. The EPA issued the final $PM_{2.5}$ implementation rule in fall 2004. The EPA issued final designations on December 15, 2004.

4.3.2.2 State Regulations

Mulford-Carrell Act. The state first set California Ambient Air Quality Standards (CAAQS) in 1969 under the mandate of the Mulford-Carrell Act. The CAAQS are generally more stringent than the NAAQS. In addition to the six criteria pollutants covered by the NAAQS, there are CAAQS for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles. Originally, there were no attainment deadlines for CAAQS; however, the CCAA of 1988 provided a time frame and a planning structure to promote their attainment. The CCAA required nonattainment areas in the state to prepare attainment plans and proposed to classify each such area on the basis of the submitted plan, as follows: moderate, if CAAQS attainment could not occur before December 31, 1994; serious, if CAAQS attainment could not occur before December 31, 1997; and severe, if CAAQS attainment could not be conclusively demonstrated at all. The attainment plans are required to achieve a minimum 5 percent annual reduction in the emissions of nonattainment pollutants unless all feasible measures have been implemented. The EPA has designated the Southern California Association of Governments (SCAG) as the Metropolitan Planning Organization (MPO) responsible for ensuring compliance with the requirements of the CAA for the Basin.

California Code of Regulations Title 24, Part 6. Enacted in 1978, this part of the California Code established energy efficiency standards for residential and nonresidential buildings in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and incorporation of new energy efficiency technologies and methods. The latest amendments were enacted in 2011 as part of the new California "Green" Building Code.

4.3.2.3 Regional Regulations

Lewis Air Quality Management Act. The 1976 Lewis Air Quality Management Act established the SCAQMD and other air districts throughout the State. The Federal Clean Air Act Amendments of 1977 required that each state adopt an implementation plan outlining pollution control measures to attain the Federal standards in nonattainment areas of the state. The CARB is responsible for incorporating air quality management plans for local air basins into a State Implementation Plan (SIP) for EPA approval. Significant authority for air quality control within them has been given to local air districts that regulate stationary source emissions and develop local nonattainment plans.

Regional Air Quality Management Plan (AQMP). The SCAQMD and the SCAG are responsible for formulating and implementing the AQMP, which has a 20-year horizon for the Basin. The SCAQMD and SCAG must update the AQMP every three years. The current regional air quality plan is the Final 2007 AQMP adopted by the SCAQMD on June 1, 2007.

The Final 2007 AQMP proposes attainment demonstration of the Federal $PM_{2.5}$ standards through a more focused control of sulfur oxides (SO_X), directly-emitted $PM_{2.5}$, and nitrogen oxides (NO_X) supplemented with volatile organic compounds (VOC) by 2015. The 8-hour ozone control strategy builds upon the $PM_{2.5}$ strategy, augmented with additional NOx and VOC reductions to meet the standard by 2024 assuming a bump-up[1] is obtained.

[1] A "bump-up" is a voluntary reclassification of a nonattainment area to a higher classification allowing for an extension of an attainment deadline.

The Final 2007 AQMP proposes policies and measures currently contemplated by responsible agencies to achieve Federal standards for healthful air quality in the Basin and those portions of the Salton Sea Air Basin that are under SCAQMD jurisdiction. This Final Plan also addresses several Federal planning requirements and incorporates significant new scientific data, primarily in the form of updated emissions inventories, ambient measurements, new meteorological episodes, and new air quality modeling tools. This Final Plan builds upon the approaches taken in the 2003 AQMP for the Basin for the attainment of the Federal ozone air quality standard.[1] The Basin is currently a Federal and State nonattainment area for PM_{10}, $PM_{2.5}$, and ozone.

4.3.2.4 City of Moreno Valley General Plan Policies

Local jurisdictions, such as the City of Moreno Valley, have the authority and responsibility to reduce air pollution through its police power and decision-making authority. Specifically, the City is responsible for the assessment and mitigation of air emissions resulting from its land use decisions. The City is also responsible for the implementation of transportation control measures as outlined in the AQMP. Examples of such measures include bus turnouts, energy-efficient streetlights, and synchronized traffic signals. In accordance with CEQA requirements and the CEQA review process, the City assesses the air quality impacts of new development projects, requires mitigation of potentially significant air quality impacts by conditioning discretionary permits and monitors and enforces implementation of such mitigation. In accordance with CEQA requirements, the City does not, however, have the expertise to develop plans, programs, procedures, and methodologies to ensure that air quality within the City and region will meet Federal and State standards. Instead, the City relies on the expertise of the SCAQMD and utilizes the CEQA *Air Quality Handbook* as the guidance document for the environmental review of plans and development proposals within its jurisdiction.

Chapter 9 of the City's General Plan defines goals and policies related to air quality within the City of Moreno Valley. The specific policies of the General Plan that are relevant to the proposed project are as follows:

Objective 6.7 Reduce mobile and stationary source air pollutant emissions.

Policy 6.7.1 Cooperate with regional efforts to establish and implement regional air quality strategies and tactics.

Policy 6.7.2 Encourage the financing and construction of park and ride facilities.

Policy 6.7.4 Locate heavy industrial and extraction facilities away from residential areas and sensitive receptors.

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.

Policy 6.7.6 Require building construction to comply with the energy conservation requirements of Title 24 of the California Administrative Code.

4.3.3 Methodology

Evaluation of air quality impacts associated with the proposed project includes the following:

- Determine the short-term construction air quality impacts based on SCAQMD emissions thresholds;
- Determine the long-term air quality impacts, including vehicular traffic, on both on-site and off-site air quality sensitive uses based on SCAQMD emissions thresholds; and

[1] *Final 2007 Air Quality Management Plan,* South Coast Air Quality Management District, June 1, 2007.

- Determine the required mitigation measures to reduce short-term and long-term on-site air quality impacts from all sources.

A number of modeling tools are available to assess air quality impacts of projects. In addition, certain air districts, such as the SCAQMD, have created guidelines and requirements to conduct air quality analysis. SCAQMD's current guidelines, *CEQA Air Quality Handbook*, *April 1993*, were adhered to in the assessment of air quality impacts for the proposed project. The air quality models identified in the document are outdated; therefore, the CalEEMod model was used to estimate project-related mobile and stationary source emissions in this air quality assessment.

The air quality assessment includes estimating emissions associated with short-term construction of the proposed project. Localized air quality impacts (i.e., higher CO concentrations [CO hot spots] near intersections or roadway segments in the project vicinity) would be small and less than significant due to the generally low ambient CO concentrations (2.7 parts per million [ppm] versus the State one-hour CO standard of 20.0 ppm and 1.9 ppm versus the State eight-hour CO standard of 9.0 ppm) in the project area. The net increase in pollutant emissions determines the significance and impact on regional air quality as a result of the proposed project. The results also allow the local government to determine whether the proposed project will deter the region from achieving the goal of reducing pollutants in accordance with the AQMP in order to comply with Federal and State AAQS.

Air quality in the project area would be affected by long-term air pollutant emissions from stationary sources and mobile sources related to the proposed project. The CalEEMod model was used to predict these project-related long-term impacts. Localized air quality impacts (i.e., CO hot spots) in the project area would be affected by increased traffic flow due to the proposed project. The Caltrans CALINE4 model and the CARB's CalEEMod model were used to assess the project's impact on the local CO concentrations.

The SCAQMD has developed Local Significance Threshold (LST) methodology that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable Federal or State AAQS and are developed based on the ambient concentrations of that pollutant for each source receptor area. SCAQMD current guidelines, *Final Localized Significance Threshold Methodology* (June 2003), were adhered to in the assessment of air quality impacts for the proposed project. The LST mass rate look-up tables are used to determine whether the daily emissions for the proposed construction activities could result in significant localized air quality impacts. The emissions of concern from construction activities are NO_X, CO, PM_{10}, and $PM_{2.5}$ combustion emissions from construction equipment and fugitive PM_{10} dust from construction site preparation activities.

A health risk assessment (HRA) has also been included due to the close proximity of current residents to the project site that would be exposed to construction emissions and to warehouse operations and their diesel-powered delivery trucks, both potentially resulting in a significant exposure. An HRA is a process used to estimate the increased risk of health problems in people who are exposed to different amounts of toxic substances. An HRA combines results of studies on the health effects of various animal and human exposures to toxic air pollutants with results of studies that estimate the level of people's exposures at different distances from the sources of the pollutants.

4.3.3.1 Types of Impacts

Direct Impacts. Direct impacts are the result of the project itself (from its construction and operation) in the form of project activity and trips generated by the project. For example, in the case of a warehouse project, construction emissions (e.g., equipment exhaust, wind erosion, and vehicle exhaust) and trips to and from the warehouse site (e.g., vehicle exhaust and tire wear) represent direct impacts.

Indirect Impacts. Indirect impacts are the result of changes that would not occur without the project. In the case of a warehouse project, indirect impacts on the surrounding community can be generated in many ways: nearby construction of roadways (or roadway modifications) and other infrastructure to support the subdivision, construction and operation of development, changes in traffic/circulation patterns that result in increased congestion/delays, etc.

Cumulative Impacts. Cumulative impacts are direct and indirect impacts to which the project contributes. In the case of a warehouse project, a given project has a cumulative impact with all other warehouse projects, from the standpoint of each type of impact (cumulative construction emissions, residential natural gas consumption, solvent use, transportation emissions, congestion, etc.).

Conformity Impacts. A project is non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project is conforming if it complies with all applicable air district rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan). Conformity with regional growth forecasts can be established by demonstrating that the project is consistent with the land use plan that was used to generate the growth forecast, such as a City's General Plan (i.e., a project is consistent with the established local land use and zoning designations of the General Plan at the time the regional plan was prepared).

4.3.4 Thresholds of Significance

Appendix G of the *State CEQA Guidelines* recognizes the following significance thresholds related to air quality. Based on these significance thresholds, potential impacts to air quality could be considered significant if the proposed project would:

- Violate any AAQS;
- Contribute substantially to an existing air quality violation;
- Expose sensitive receptors to substantial pollutant concentrations;
- Create objectionable odors affecting a substantial number of people; and/or
- Conflict with adopted environmental plans and goals of the community in which it is located.

In addition to the Federal and State AAQS, there are daily emissions thresholds for construction and operation of a proposed project in the Basin. The Basin is administered by the SCAQMD, and guidelines and emissions thresholds established by the SCAQMD in its CEQA Air Quality Handbook (SCAQMD, April 1993) are used in this analysis.

It should be noted that the emissions thresholds were established based on the attainment status of the air basin with regard to air quality standards for specific criteria pollutants. Because the concentration standards were set at a level that protects public health with an adequate margin of safety (EPA), these emissions thresholds are regarded as conservative and would overstate an individual project's contribution to health risks.

4.3.4.1 Thresholds for Construction Emissions

The following CEQA significance thresholds for construction emissions have been established by the SCAQMD for the Basin:

- 75 pounds per day of reactive organic compounds (ROC).

- 100 pounds per day of NO_X.
- 550 pounds per day of CO.
- 150 pounds per day of PM_{10}.
- 50 pounds per day of SO_2.
- 55 pounds per day of $PM_{2.5}$.

Projects in the Basin with construction-related emissions that exceed any of the emission thresholds are considered to be significant under CEQA.

4.3.4.2 Thresholds for Operational Emissions

Projects with operation-related emissions that exceed any of the emission thresholds listed below are considered significant under the SCAQMD guidelines with respect to CEQA.

- 55 pounds per day of ROC.
- 55 pounds per day of NO_X.
- 550 pounds per day of CO.
- 150 pounds per day of PM_{10}.
- 150 pounds per day of SO_2.
- 55 pounds per day of $PM_{2.5}$.

4.3.4.3 Air Pollutant Standards for CO with Localized Effects

The significance of localized project impacts under CEQA depends on whether ambient CO levels in the vicinity of the project are above or below State and Federal CO standards. If ambient levels are below the standards, a project is considered to have a significant impact if project emissions result in an exceedance of one or more of these standards. If ambient levels already exceed a State or Federal standard, project emissions are considered significant if they increase one-hour CO concentrations by 1.0 ppm or more or eight-hour CO concentrations by 0.45 ppm or more. The Basin (with the exception of Los Angeles County) meets State and Federal attainment standards for CO; therefore, the proposed project would have a significant CO impact if project emissions result in an exceedance of State or Federal one-hour or eight-hour standard. The following emission concentration standards for CO apply to the proposed project:

- California State one-hour CO standard of 20.0 ppm.
- California State eight-hour CO standard of 9.0 ppm.

4.3.4.4 Diesel Exhaust Health Risk Thresholds

For pollutants without defined significance standards or air contaminants not covered by the standard criteria cited above, the definition of substantial pollutant concentrations varies. For toxic air contaminants (TAC), “substantial” is taken to mean that the individual cancer risk exceeds a threshold considered to be a prudent risk management level. If best available control technology for toxics (T-BACT) has been applied, the individual cancer risk to the maximum exposed individual (MEI) must not exceed 10 in 1 million if an impact is to be considered less than significant.

The following limits for maximum individual cancer risk (MICR), cancer burden and non-cancer acute and chronic hazard indices (HI) from project emissions of TACs have been established for the Basin:

- **MICR and Cancer Burden.** MICR is the estimated probability of a potential maximally exposed individual contracting cancer as a result of exposure to TACs over a period of 70 years for residential and 40 years for worker receptor locations. The MICR calculations include multipathway consideration, when applicable. Cancer burden is the estimated increase in the occurrence of cancer cases in a population subject to a MICR of greater than or equal to one in one million (1.0×10^{-6}) resulting from exposure to TACs.

  The total increase in MICR that is the sum of the calculated MICR values for all TACs emitted from the project will not result in any of the following:

  (A) An increased MICR greater than 10 in 1 million (1.0×10^{-5}) at any receptor location (assumes the project will be constructed with T-BACT); or

  (B) A cancer burden greater than 0.5.

- **Chronic HI.** This is the ratio of the estimated long-term level of exposure to a TAC for a potential maximally exposed individual to its chronic reference exposure level. The chronic HI calculations include multipathway consideration, when applicable.

  The cumulative increase in total chronic HI for any target organ system due to total emissions from the project will not exceed 1.0 at any receptor location.

- **Acute HI.** This is the ratio of the estimated maximum one-hour concentration of a TAC for a potential maximally exposed individual to its acute reference exposure level.

  The cumulative increase in total acute HI for any target organ system due to total emissions from the project will not exceed 1.0 at any receptor location.

4.3.4.5 Local Significance Thresholds

For this project, the appropriate Source Receptor Area (SRA) is the Perris Valley, according to the SRA/City Table on the SCAQMD LST web site.[1] The site is approximately 122.8 acres; however, it is expected that the site would be graded in phases, with no more than 4 acres being graded in any one day. Construction-period emissions were evaluated using the Industrial Source Complex Short Term (ISCST) dispersion model that was developed by the EPA and recommended by the SCAQMD. The on-site mass emissions were input into the ISCST model to ascertain the project-related increases to air quality pollutant concentrations at sensitive receptor locations nearest the project site. The ISCST model was run using SCAQMD-provided meteorological data from the Riverside-Rubidoux Monitoring Station.

The nearest sensitive receptors to the project site are the existing residences located approximately 50 feet away from the southeastern property line, approximately 395 feet southeast of the proposed warehouse buildings, and approximately 664 feet southeast of the proposed loading docks. Other sensitive uses in the area include existing single-family residences approximately 200 feet away from the northern project boundary north of SR-60 along Mesa Top Trail. Future sensitive receptors that may be located in close proximity to the proposed project site include the L'Aquila D'Pietra development located to the south, and the potential residential uses that may occur within areas designated RA-2 to the east and south.

Although the nearest existing sensitive receptors are located approximately 50 feet away, the SCAQMD recommends utilizing the 82-foot (25 meters [m]) distance when receptors are located 82 feet or less from the project site. This distance has been utilized for the construction phase of the project, as construction activity would occur along the boundaries of the project site.

Local air quality construction thresholds are as follows:

- 270 lbs/day of NO_x at 25 m.
- 1,577 lbs/day of CO at 25 m.

[1] www.aqmd.gov/ceqa/handbook/LST/LST.html.

- 13 lbs/day of PM_{10} at 25 m.
- 8 lbs/day of $PM_{2.5}$ at 25 m.

For the operational phase of the proposed project, a distance of 82 feet (25 m) was utilized for LST operational thresholds:

- 270 lbs/day of NO_X at 25 m.
- 1,577 lbs/day of CO at 25 m.
- 4 lbs/day of PM_{10} at 25 m.
- 2 lbs/day of $PM_{2.5}$ at 25 m.

4.3.5 No Impact/Less than Significant Impacts

The following impacts were determined to be less than significant. In each of the following issues, either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards, and policies would reduce impacts to a less than significant level.

4.3.5.1 Construction-Chronic Health Risk Impacts

Threshold	Would the proposed project expose sensitive receptors to substantial pollutant concentrations? For MICR, the applicable thresholds are: • An increased cancer risk greater than 10 in 1 million (1.0×10^{-5}) at any receptor location; or • A cancer burden greater than 0.5. For non-cancer chronic HI; the applicable threshold is: • A cumulative increase for any target organ system exceeding 1.0 at any receptor location.

The only toxic air pollution emissions in any significant quantity associated with the construction of the project occur from diesel-powered equipment exhaust. The Office of Environmental Health Hazard Assessment (OEHHA) currently describes the health risk from diesel exhaust entirely in terms of the amount of particulates, or PM_{10}, that are emitted. Currently, the health risk associated with diesel exhaust PM_{10} has only a carcinogenic and chronic effect; no short-term acute effect is recognized.

Health risks are determined by defining the exposure of sensitive receptors such as homes, schools, hospitals, etc., to toxic air contaminants. Thus, there is a relationship between proximity of the source of the emissions to the sensitive receptor. The nature of the mobile equipment used in construction operations is that mobile equipment only operates in one location a short time, relative to the length of time required for carcinogenic and chronic health impacts (usually 6 months or less). The anticipated level of diesel-powered equipment use will, on average for the entire construction period, emit approximately 6.0 lbs/day of diesel exhaust particulate. A screening health risk assessment was performed using this emission rate and assuming the mobile equipment operates for 22 days per month and 4 months continuously at this high rate. This is considered conservative even though the total construction period will be longer than 4 months due to the extreme variation from day to day of heavy-duty construction equipment usage. All of these values are deliberately higher than expected so that the risk levels will not be underestimated.

Following published OEHHA health risk techniques,[1] Table 4.3.E shows potential impacts from air toxics associated with diesel exhaust during project construction.

Table 4.3.E: Screening Health Risk Results

Distance (feet)	Inhalation Cancer Risk (No. in 1 million)	Inhalation Chronic Risk Factor
50	0.530	0.300
56	0.530	0.290
59	0.510	0.280
66	0.520	0.290
69	0.510	0.280
75	0.510	0.280
79	0.500	0.280
85	0.500	0.270
Health Risk Thresholds	**10**	**1.0**

Source: Table Q, *Air Quality Analysis Eucalyptus Industrial Park,* LSA Associates, Inc. November 2011.

As identified in Table 4.3.E, the health risk is below the cancer threshold of 10 in 1 million and the chronic threshold of 1.0; therefore, both health risks would be less than significant and no mitigation is required.

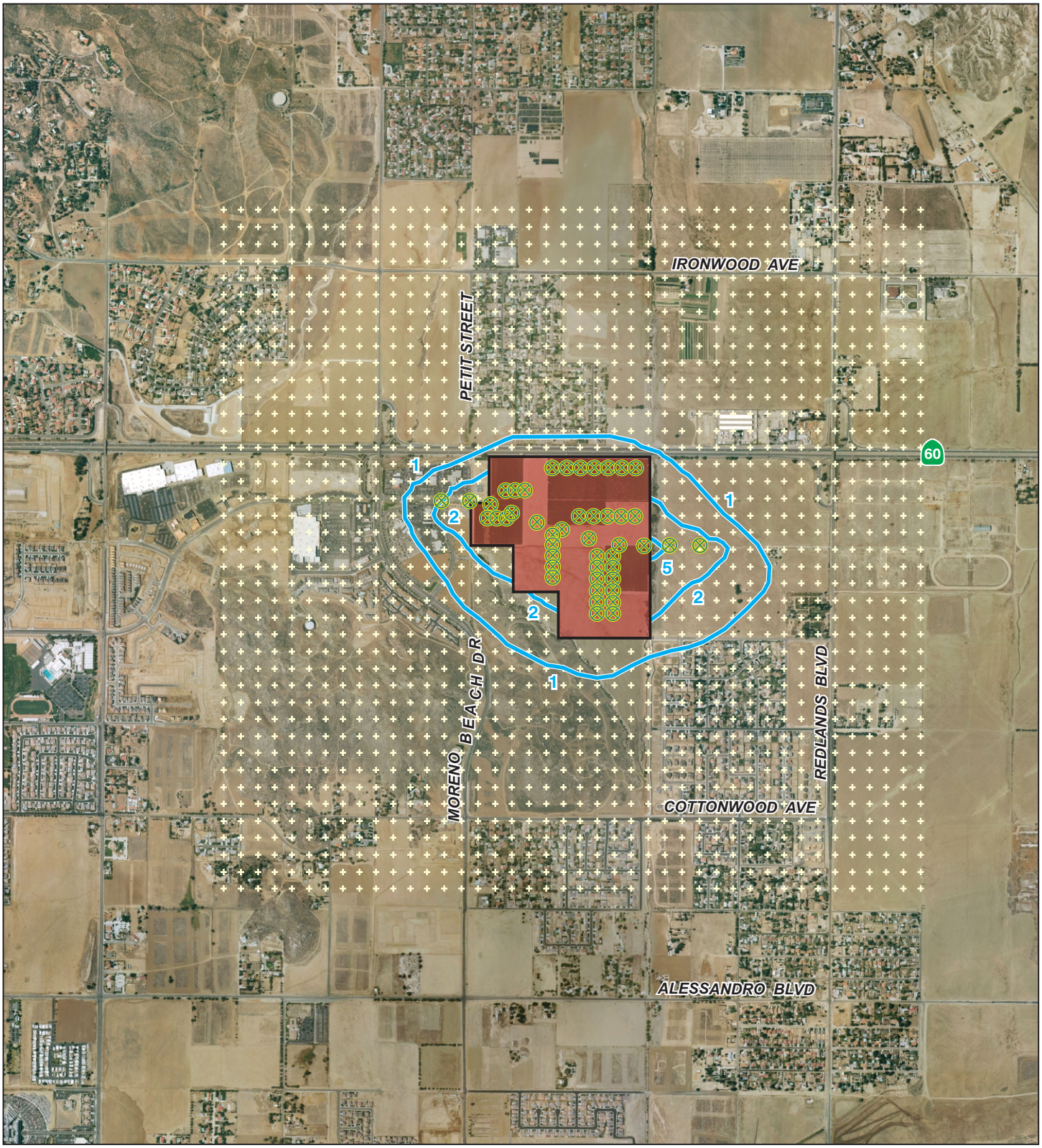
4.3.5.2 Operational-Acute Health Risk Emission Impacts

Threshold	Would the proposed project expose sensitive receptors to substantial pollutant concentrations? For MICR, the applicable thresholds are: • An increased cancer risk greater than 10 in 1 million (1.0×10^{-5}) at any receptor location; or For non-cancer chronic and acute HI; the applicable threshold is: • A cumulative increase for any target organ system exceeding 1.0 at any receptor location.

A screening level health risk assessment was performed for the operational emissions associated with the proposed project based on the SCAQMD's *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* guidance. The operations expected to occur at this facility will not emit any toxic chemicals in any significant quantity other than vehicle exhaust. While there may be other toxic substances in use on site, compliance with State and Federal handling regulations will bring emissions to below a level of significance. Due to the lack of data, precise evaluation of vehicle exhaust impacts is not feasible; however, based on the limited amount of TAC from vehicle exhaust associated with the project operations in relation to background levels, the impact is not expected to be significant.

To predict the impacts on human health by both diesel-powered trucks that perform delivery services for the project industrial warehouses and gasoline-powered vehicles operated by employees, the following analysis has been performed. The first step is to characterize the delivery truck emissions. The traffic study identifies a daily trip rate of 1,246 heavy duty trucks. For purposes of analysis, these 1,246 trucks are assumed to be virtually all semi-trailer diesel trucks. The proposed project has six warehouses, each having their own loading docks. As identified in Figure 4.3.1, the loading emissions

[1] OEHHA, *Air Toxics Hot Spots Program Risk Assessment Guidelines*, August 2003, Appendix D, *Risk Assessment Procedures to Evaluate Particulate Emissions from Diesel-Fueled Vehicles*.



LSA

LEGEND

- 1 - Carcinogenic Risk Level - 1 in 1 Million
- 2 - Carcinogenic Risk Level - 2 in 1 Million
- 5 - Carcinogenic Risk Level - 5 in 1 Million
- Modeling Receptors
- Emission Locations
- Project Site

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FEET

MAP SOURCE: AirPhotoUSA

FIGURE 4.3.1

Eucalyptus Industrial Park
Environmental Impact Report

Health Risk Levels

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were modeled by a series of volume sources in a line adjacent to each warehouse using the truck delivery distribution from the traffic study.

These delivery trucks operate in two modes: stationary idling and moving on and off the site. The emissions from the trucks while idling result in much higher concentrations of TAC at nearby residences than the emissions from the trucks while moving. This occurs because the distance between the moving truck and residences is changing and the motion of the truck tends to disperse the exhaust. For this screening level assessment, the moving emissions of all trucks and all cars were modeled as if all were concentrated on the future portion of Eucalyptus Avenue that will run through the middle of the project. The idling times of the trucks were assumed to conform to State and Federal regulations of no more than 5 minutes per stop while deliveries are assumed to occur 12 hours per day and 7 days a week.

Since building wake effect[1] influences can significantly increase concentrations for receptors located close to the emissions source, all six buildings were included, with an assumed height of 65 feet.

The PM_{10} and reactive organic gas (ROG) emission factors were determined by using the CARB model, CalEEMod, for the year 2025. This year was chosen to best approximate the average emission factor over the entire period of an HRA, 70 years. Due to the anticipated technological improvements over this time period, and the higher emission levels at present, 2025 is the statistical median point for emission rates.

The nearest existing sensitive land uses are single-family residences located approximately 50 feet southeast of the southern boundary of the project site, approximately 395 feet southeast of the proposed warehouse buildings, and approximately 664 feet southeast of the proposed loading docks. Sensitive receptors were placed in a general grid extending in all directions to characterize the risk level surrounding the project site. Meteorological data from the Perris area[2] were utilized to represent the conditions at the project site.

Exposure to diesel exhaust can have immediate health effects, such as irritation of the eyes, nose, throat, and lungs, and it can cause coughs, headaches, light headedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (CARB 1998), the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute non-cancer health risk guidance value. While the lung is a major target organ for diesel exhaust, studies of the gross respiratory effects of diesel exhaust in exposed workers have not provided sufficient exposure information to establish a short-term non-cancer health risk guidance value for respiratory effects. Therefore, the potential for short-term acute exposure from diesel exhaust are considered to be less than significant. Table 4.3.F provides the results of the short-term acute heath risk assessment conducted.

Table 4.3.F: Operational-Related Health Risk Assessment Results

	Carcinogenic Inhalation Health Risk (with Cancer Risk Adjustment Factor Applied)	Chronic Hazard Index	Acute Hazard Index
Residential, 30-Year	3.88 in 1 million	0.0016	0.0000088
Residential, 70-Year	4.33 in 1 million		
Worker	1.50 in 1 million	0.0016	0.0000088
Threshold	**10 in 1 million**	**1.0**	**1.0**

Source: *Air Quality Analysis Eucalyptus Industrial Park,* LSA Associates, Inc. November 2011.

[1] Building wake effects occur when aerodynamic turbulence, induced by nearby buildings, cause pollutants emitted from an elevated source to be mixed rapidly toward the ground (downwash), resulting in higher ground-level concentrations.

[2] Downloaded from the SCAQMD web site, www.aqmd.gov/smog/metdata/MeteorologicalData.html, on May 27, 2008.

As identified in Table 4.3.F, the nearest residences would experience a cancer risk of 4.33 in 1 million, which is below the 10 in 1 million threshold. The nearest residences would also experience a chronic HI of 0.0016 and an acute HI of 0.0000088. Both the chronic and acute HI would be below the chronic and acute HI threshold of 1.0. Since the operational phase of the proposed project would not exceed any of the short-term acute health risk assessment thresholds, a less than significant impact would occur. No mitigation is required.

4.3.5.3 Operational-Carcinogenic and Chronic Health Risk Emission Impacts

Threshold	Would the proposed project expose sensitive receptors to substantial pollutant concentrations? For MICR, the applicable thresholds are: • An increased cancer risk greater than 10 in 1 million (1.0×10^{-5}) at any receptor location; or For non-cancer health risk HI; the applicable threshold is: • A cumulative increase for any target organ system exceeding 1.0 at any receptor location.

Previously referenced Figure 4.3.1 shows the results of the screening level analysis of carcinogenic risk levels to residents. The closest residences to the north would be exposed to a lifetime inhalation cancer risk of no more than 4.33 in 1 million, a 30-year inhalation cancer risk of no more than 3.88 in 1 million, and nearby workers a 40-year career inhalation cancer risk of no more than 1.5 in 1 million.

The chronic health risk index is significantly less than the threshold of 1.0, in this case 0.0016 for residents and workers. No significant carcinogenic or chronic health risks would occur from project-related traffic. No mitigation is necessary. This assessment determined the increase in health risks to the nearby sensitive receptors from the proposed project's air emissions. The CARB website "Maps of Estimated Cancer Risk From Air Toxics"[1] shows a carcinogenic risk of over 250 in 1 million for the Riverside area. This HRA shows that the project's incremental increase is only a very small fraction of the ambient condition. No significant health risk would occur from project-related truck traffic, and no mitigation is necessary.

4.3.5.4 Air Quality Impacts to Adjacent Future Development

Threshold	Would the proposed project expose sensitive receptors to substantial pollutant concentrations?

Based on the land use assumptions for the future L-Aquila D'Pietra (LADP) project, residential development would be located along the southern project boundary between the proposed project and the proposed LADP. It is anticipated that the proposed project site would be fully developed prior to the occupation of any dwelling units in LADP; therefore, no construction-related air quality impacts to adjacent sensitive receptors would result from development of the proposed project. The primary health risk from heavy-duty truck emissions is diesel particulate exhaust. Maximum incremental cancer risk is the estimated probability of a potential maximally exposed individual contracting cancer as a result of exposure to toxic air contaminants over a standard period of time (70 years for residential and 40 years for worker receptors).

The HRA performed for the EIR is a screening-level assessment. A screening-level assessment, compared with the more sophisticated detailed-level assessment, is a useful tool in proving that an impact is not significant (i.e., if a screening-level analysis demonstrates an impact is not significant, its conservative nature provides confidence in this conclusion). The HRA was performed by placing

[1] http://www.arb.ca.gov/toxics/cti/hlthrisk/hlthrisk.htm.

volume sources along the loading dock areas of all buildings and along the future Eucalyptus Avenue through the project site, extending several hundred meters east and west of the site, where the project-related vehicles mix into the general traffic. Thus, the HRA includes the effects of both the diesel-powered trucks that perform delivery services for the project industrial warehouses and gasoline-powered vehicles operated by employees, light delivery trucks, etc.

The future residential units south of the project site would be exposed to an unmitigated inhalation cancer risk of approximately 4.3 in 1 million, which is less than the threshold of 10 in 1 million. The corresponding chronic and acute hazard indices would be approximately 0.0016 and 0.000088, which is less than the threshold of 1.0 for the chronic hazard index and acute hazard index. Since the screening-level analysis overall project health risks are below established thresholds, any detailed assessment would also produce less than significant health risk levels. Therefore, a less than significant impact associated with future uses that may occupy adjacent properties subsequent to development of the proposed project would occur. No mitigation is required.

4.3.5.5 Long-Term Microscale (CO Hotspot) Impacts

Threshold	Would the proposed project violate any air quality standard or contribute substantially to an existing or projected air quality violation? For CO, the applicable thresholds are: • California State one-hour CO standard of 20.0 ppm; and • California State eight-hour CO standard of 9.0 ppm.

Vehicular trips associated with the proposed project would contribute to traffic levels at intersections and along roadway segments in the project vicinity. Localized air quality impacts would occur when emissions from vehicular traffic increase in local areas as a result of the proposed project. The primary mobile-source pollutant of local concern is CO, which is a direct function of vehicle idling time and, thus, traffic flow conditions. CO transport is extremely limited and disperses rapidly with distance from the source under normal meteorological conditions; however, under certain extreme meteorological conditions, CO concentrations proximate to a congested roadway or intersection may reach unhealthful levels affecting local sensitive receptors (residents, schoolchildren, the elderly, hospital patients, etc). While the entire Basin is in attainment for the State standards for CO, the Basin is designated as "Severe Maintenance" area under the Federal CO standards.

The proposed project would have a significant CO impact if project emissions increase 1-hour CO concentrations by 1.0 ppm or more. Similarly, the proposed project would also have a significant CO impact if project emissions increase 8-hour CO concentrations by 0.45 ppm or more. Existing Year, Opening Year (2012), Project Build Out Year (2035), and General Plan Build Out scenarios were evaluated for traffic impacts from the proposed project. It is anticipated that emissions in the future years, including CO, would decrease with advances in technology. The highest one-hour CO concentrations for intersections within the project vicinity are identified in Table 4.3.G.

Table 4.3.G: One-Hour Carbon Monoxide Concentrations (ppm)

Scenario	Highest One-Hour CO Concentration		Exceeds State Standards
	Without Project	With Project	1-Hour (20 ppm)
Existing Year (2011)	3.5	3.6	No
Opening Year (2012)	3.5	3.6	No
Project Build Out Year (2035)	3.2	3.2	No
General Plan Build Out Year	3.3	3.3	No

Source: Tables M, N, and O, *Air Quality Analysis Eucalyptus Industrial Park,* LSA Associates, Inc. November 2011.

As identified in Table 4.3.G, the highest one-hour CO concentration experienced at any of the intersections in the project vicinity would not exceed the one hour CO State standard of 20 ppm. Based on the *Air Quality Analysis* prepared for the proposed project, the proposed project would contribute, at most, a 0.1 ppm increase to the one-hour CO concentrations for all scenarios. This is below the 1.0 ppm increase threshold. Table 4.3.H identifies the highest eight-hour CO concentrations for intersections within the project vicinity.

Table 4.3.H: Eight-Hour Carbon Monoxide Concentrations (ppm)

Scenario	Highest Eight-Hour CO Concentration		Exceeds State Standard
	Without Project	With Project	8-Hour (35 ppm)
Existing Year (2011)	2.4	2.5	No
Opening Year (2012)	2.4	2.5	No
Project Build Out Year (2035)	2.2	2.2	No
General Plan Build Out Year	2.3	2.2	No

Source: Tables M, N, and O, *Air Quality Analysis Eucalyptus Industrial Park,* LSA Associates, Inc. November 2011.

As identified in Table 4.3.H, the highest eight-hour CO concentration experienced at any of the intersections in the project vicinity would not exceed the eight-hour CO State standard of 35 ppm. Based on the Air Quality Analysis prepared for the proposed project, the proposed project would contribute, at most, a 0.1 ppm increase to the eight-hour CO concentrations for all scenarios. This is below the 0.45 ppm increase threshold.

Since the proposed project would not exceed the one-hour or eight-hour CO concentration standards, it is reasonable to conclude that no CO hot spots would occur. Therefore, the proposed project would not have a significant impact on local air quality for CO and no mitigation measures would be required.

4.3.5.6 Odors

Threshold	Would the proposed project create objectionable odors affecting a substantial number of people?

During construction, the various diesel-powered vehicles and equipment in use on the site would create odors. SCAQMD Rule 402 states that air discharged from any source shall not cause injury, nuisance, or annoyance to the health, safety, or comfort of the public. With the exception of short-term construction-related odors (e.g., equipment exhaust and asphalt odors), the proposed uses do not include uses that are generally considered to generate offensive odors. While the application of architectural coatings and installation of asphalt may generate odors, these odors are temporary and not likely to be noticeable beyond the project boundaries. SCAQMD Rules 1108 and 1113 identify standards regarding the application of asphalt and architectural coatings, respectively.

Long-term objectionable odors are not expected to occur during the operation of the proposed project. There are no fueling stations associated with the proposed project; therefore, evaporative emissions from fuel storage tanks would not be emitted from the site.

Solid waste generated by the proposed on-site uses would be collected by a contracted waste hauler, ensuring that any odors resulting from on-site operations would be adequately managed. Due to the distance to the trash enclosures to the nearest sensitive receptors, and because solid waste from the project would be managed and collected in manner to prevent the proliferation of odors, no significant odor impact would occur and no mitigation is required.

4.3.6 Significant Impacts

4.3.6.1 Air Quality Plan Management Plan Consistency

Threshold	Would the proposed project conflict with or obstruct implementation of the applicable air quality plan?

An Air Quality Management Plan (AQMP) describes air pollution control strategies to be taken by counties or regions classified as nonattainment areas. The AQMP's main purpose is to bring the area into compliance with the requirements of Federal and State air quality standards. The AQMP uses the assumptions and projections by local planning agencies to determine control strategies for regional compliance status. Therefore, any projects causing a significant impact on air quality would impede the progress of the AQMP. CEQA requires that projects resulting in a General Plan Amendment be analyzed for consistency with the AQMP.

The 2007 AQMP was prepared to accommodate growth, to reduce the high levels of pollutants within the areas under the jurisdiction of the SCAQMD, and to reestablish clean air to the region. For a project in the Basin to be consistent with the AQMP, the pollutants emitted from the project must not exceed the SCAQMD significant threshold or cause a significant impact on air quality. If feasible mitigation measures can be implemented to reduce the project's impact level from significant to less than significant, the project is considered to be consistent with the AQMP.

A consistency determination plays an essential role in local agency project review by linking local planning and unique individual projects to the air quality plans. It fulfills the CEQA goal of fully informing local agency decision-makers of the environmental costs of the project under consideration at a stage early enough to ensure that air quality concerns are addressed. Only new or amended General Plan elements, Specific Plans, and significantly unique projects need to undergo a consistency review due to the air quality plan strategy being based on projections from local General Plans.

One measurement tool in determining consistency with the AQMP is to determine how a project accommodates the expected increase in population or employment. Generally, if a project is planned in a way that results in the minimization of vehicle miles traveled (VMT) both within the project and the community in which it is located, and consequently the minimization of air pollutant emissions, that aspect of the project is consistent with the AQMP. The proposed project site is located in an urbanizing area of the City of Moreno Valley along SR-60, which accommodates traffic in the area. In addition, the proposed warehouse uses would be within walking distance of existing homes and commercial areas in the local vicinity. The proposed project would add jobs resulting from the development of the warehouse uses to the City, with the potential to minimize the VMT traveled within the project site and community.

The SCAQMD has the following consistency criteria:

- Consistency Criterion No. 1: The proposed project 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.
- Consistency Criterion No. 2: The proposed project will not exceed the assumptions in the AQMP in 2010 or increments based on the year of project build-out phase.

Implementation of the proposed project would require a General Plan Amendment that would change the General Plan designations for a portion of the project site from Residential to Business Park/Light Industrial. The project also proposes an amendment to the Circulation Element of the General Plan.

Changes to the City's Circulation Element involve the following:

- Elimination of undeveloped Quincy Street south of Eucalyptus Avenue;

- Elimination of undeveloped Encilia Avenue roadway segment between Quincy Channel and Moreno Beach Drive;
- The extension and connection of future Eucalyptus Avenue to its current terminus, east of Auto Mall Drive;
- Renaming of existing Fir Avenue to future Eucalyptus Avenue; and
- Renaming of existing Eucalyptus Avenue to future Encilia Avenue.

Implementation of the proposed project would require a zone change from Business Park (BP), Business Park Mixed Use (BPX), Multi-Family Residential (R-15), Suburban Residential (R-5), and Residential Agriculture (RA-2) to Light Industrial for the entire 122.8 acres.

The traffic study conducted for the proposed project (LSA Associates, Inc. November 2011, Appendix I of this EIR) compared the trip generation from the proposed project (522 passenger car equivalent [PCE] trips in the a.m. peak hour, 604 PCE trips in the p.m. peak hour, and 7,527 daily PCE trips) to the existing General Plan uses (1,407 PCE trips in the a.m. peak hour, 1,543 PCE trips in the p.m. peak hour, and 14,229 daily PCE trips). A comparison of these two trip generations identifies a 47 percent reduction in daily trips when the proposed project is compared to the General Plan build out conditions. Since future levels of traffic in the area would be lower with the proposed project than with the General Plan build out conditions, it can be reasonable to conclude that air pollutant emissions would be correspondingly reduced. Therefore, there is a potential for the proposed project to reduce total VMT in the area when compared to existing zoning of the project site. This could ultimately result in the reduction in criteria air pollutants in build out conditions, as fewer daily trips would be generated when compared to the trips that would be generated under existing zoning. Since the proposed project will require a General Plan Amendment, the project has not been considered in preparation of the General Plan and therefore it is uncertain if it is consistent with the AQMP.

Because the project site is located in a nonattainment air basin for ozone, PM_{10} and $PM_{2.5}$, the proposed project's emission of ozone precursors (CO, ROG, and NO_X), PM_{10} and $PM_{2.5}$ would contribute to the existing nonattainment status in the Basin. Thus, according to the SCAQMD Consistency Criterion No. 1, the proposed project in not consistent with the AQMP.

Mitigation Measures. Please refer to **Mitigation Measures 4.3.6.2A** through **4.3.6.2M** and **Mitigation Measures 4.3.6.3A** through **4.3.6.3H.**

Level of Significance after Mitigation. As identified in this section of the EIR, the proposed project would have significant impacts, although feasible mitigation measures shall be implemented as part of the proposed project. Hence, the proposed project would be considered to be consistent only after the City of Moreno Valley General Plan Amendment is approved. Once the City's General Plan Amendment and the required zoning changes are approved, the proposed project would be included in the next SCAG and SCAQMD AQMP projections. When that occurs, the proposed project would be consistent with the regional AQMP and the SIP. However, until that occurs, the project is inconsistent with the regional AQMP and the impacts are considered significant and unavoidable.

4.3.6.2 Equipment Exhaust from Construction-Related Activities

Threshold	Would the proposed project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable Federal or State ambient air quality standard? For construction operations, the applicable daily thresholds are:

- 75 pounds of ROC;
- 100 pounds of NO_X;
- 550 pounds of CO;
- 150 pounds of PM_{10};
- 55 pounds of $PM_{2.5}$; and
- 150 pounds of SO_2.

Grading and other construction activities would result in combustion emissions from various sources such as grading, utility engines, on-site heavy-duty construction vehicles, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew. Exhaust emissions from construction activities envisioned on site would vary daily as construction activity levels change. The use of construction equipment on site would result in exhaust emissions. Table 4.3.I identifies a set of emissions sources that represents a peak day during the most intense of the planned construction phases.

Table 4.3.I: Emissions from Construction Equipment Exhaust

Construction Phase	Peak Daily Emissions (lbs./day)					
	CO	ROG	NOx	SO_2	PM_{10} [1]	$PM_{2.5}$ [1]
Site Preparation	49	11	85	0.07	11.6	8.2
Grading	57	13	104	0.1	8.7	6.3
Building Construction	139	18	111	0.26	23.4	5.39
Architectural Coatings	16	344	4.2	0.02	3.27	0.4
Paving	22	8	34	0.03	3.13	2.9
SCAQMD Threshold	**550**	**75**	**100**	**150**	**150**	**55**
Do Any of the Phases Exceed A Threshold?	**No**	**Yes**	**Yes**	**No**	**No**	**No**

[1] Includes both fugitive and exhaust sources.
Source: *Air Quality Analysis Eucalyptus Industrial Park,* LSA Associates, Inc. November 2011.

The construction emissions estimates summarized in Table 4.3.I are based on the assumed construction scenario described in the *Air Quality Analysis* prepared for the proposed project, which used emission factors from the SCAQMD *CEQA Air Quality Handbook* and the CARB CalEEMod model. The emission rates shown in Table 4.3.I are from the CalEEMod output tables listed as "Mitigated Construction," even though the only mitigation measures that have been applied to the analysis are the required construction emission control measures. They are also the combination of the on- and off-site emissions. Table 4.3.I lists a representative set of emission sources that represent a peak day during the various construction years.

As identified in Table 4.3.I, construction equipment/vehicle emissions during proposed on-site grading periods would exceed the SCAQMD daily thresholds for ROG and NO_X. Although construction of the structures uses different types of equipment on site than during grading periods, similarities do exist in terms of equipment exhaust emissions and fugitive dust emissions. While it is anticipated that total emissions during construction would be below the peak grading day emissions presented in Table 4.3.I, construction emissions of ROG and NO_X would still exceed the SCAQMD daily threshold. This is a significant impact requiring mitigation.

Mitigation Measures. The following mitigation measures have been identified to reduce short-term pollutant emissions during construction:

4.3.6.2A Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall place construction equipment staging areas at least

200 feet away from sensitive receptors. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

4.3.6.2B Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize power sources (e.g., power poles) or clean-fuel generators. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

4.3.6.2C Prior to the issuance of a grading permit, the project developer shall require by contract specifications that contractors shall utilize California Air Resources Board (CARB) Tier II Certified equipment or better during the rough/mass grading phase for the following pieces of equipment: rubber-tired dozers and scrapers. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City.

4.3.6.2D All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.

4.3.6.2E 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.

4.3.6.2F The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions. Speed limit signs (15 mph maximum) shall be posted at entry points to the project site, and along any unpaved roads providing access to or within the project site and/or any unpaved designated on-site travel routes.

4.3.6.2G Groundcover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).

4.3.6.2H The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

4.3.6.2I The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

4.3.6.2J Grading plans, construction specifications and bid documents shall also include the following notations:

- Off-road construction equipment shall utilize alternative fuels where feasible e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;
- Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;
- Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;
- The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site;

- The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;
- High-pressure injectors shall be provided on diesel construction equipment where feasible;
- Engine size of construction equipment shall be limited to the minimum practical size;
- Substitute gasoline-powered for diesel powered construction equipment where feasible;
- Use electric construction equipment where feasible;
- Install catalytic converters on gasoline-powered equipment where feasible;
- Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
- Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
- Lunch vendor services shall be provided on site during construction to minimize the need for off-site vehicle trips; and
- All forklifts used during construction and in subsequent operation of the project shall be electric or natural gas powered.

4.3.6.2K Throughout project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.

4.3.6.2L All project entrances 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 (3) minutes; and
- Telephone numbers of the building facilities manager and CARB, to report violations.

These measures shall be enforced by the on-site facilities manager (or equivalent).

4.3.6.2M During project grading and construction, the various project contractors shall adhere to the control measures listed in Tables 1 and 2.

Air Quality Measure 4.3.6.2M Table 1: Best Available Control Measures for Fugitive Dust (Applicable to All Construction Activity Sources)

Source Category	Control Measures	Guidance
Backfilling	• Stabilize backfill material when not actively handling; and • Stabilize backfill material during handling; and • Stabilize soil at completion of activity.	• Mix backfill soil with water prior to moving; and • Dedicate water truck or high capacity hose to backfilling equipment; and • Empty loader bucket slowly so that no dust plumes are generated; and • Minimize drop height from

Air Quality Measure 4.3.6.2M Table 1: Best Available Control Measures for Fugitive Dust (Applicable to All Construction Activity Sources)

Source Category	Control Measures	Guidance
		loader bucket.
Clearing and grubbing	• Maintain stability of soil through pre-watering of site prior to clearing and grubbing; and • Stabilize soil during clearing and grubbing activities; and • Stabilize soil immediately after clearing and grubbing activities.	• Maintain live perennial vegetation where possible; and • Apply water in sufficient quantity to prevent generation of dust plumes.
Clearing forms	• Use water spray to clear forms; or • Use sweeping and water spray to clear forms; or • Use vacuum system to clear forms.	• Use of high pressure air to clear forms may cause exceedance of Rule requirements.
Crushing	• Stabilize surface soils prior to operation of support equipment; and • Stabilize material after crushing.	• Follow permit conditions for crushing equipment; and • Pre-water material prior to loading into crusher; and • Monitor crusher emissions opacity; and • Apply water to crushed material to prevent dust plumes.
Cut and fill	• Pre-water soils prior to cut and fill activities; and • Stabilize soil during and after cut and fill activities.	• For large sites, pre-water with sprinklers or water trucks and allow time for penetration; and • Use water trucks/pulls to water soils to depth of cut prior to subsequent cuts.
Demolition – mechanical/ manual	• Stabilize wind erodible surfaces to reduce dust; and • Stabilize surface soil where support equipment and vehicles will operate; and • Stabilize loose soil and demolition debris; and • Comply with AQMD Rule 1403.	• Apply water in sufficient quantities to prevent the generation of visible dust plumes.
Disturbed soil	• Stabilize disturbed soil throughout the construction site; and • Stabilize disturbed soil between structures.	• Limit vehicular traffic and disturbances on soils where possible; and • If interior block walls are planned, install as early as possible; and • Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes.
Earthmoving activities	• Pre-apply water to depth of proposed cuts; and • Re-apply water as necessary to maintain soils in a damp condition and to ensure that visible emissions do not exceed 100 ft in any direction; and • Stabilize soils once earthmoving activities are complete.	• Grade each project phase separately, timed to coincide with construction phase; and • Upwind fencing can prevent material movement on site; and • Apply water or a stabilizing agent in sufficient quantities to prevent the generation of

Air Quality Measure 4.3.6.2M Table 1: Best Available Control Measures for Fugitive Dust (Applicable to All Construction Activity Sources)

Source Category	Control Measures	Guidance
		visible dust plumes.
Importing/ exporting of bulk materials	• Stabilize material while loading to reduce fugitive dust emissions; and • Maintain at least 6 inches of freeboard on haul vehicles; and • Stabilize material while transporting to reduce fugitive dust emissions; and • Stabilize material while unloading to reduce fugitive dust emissions; and • Comply with CVC Section 23114.	• Use tarps or other suitable enclosures on haul trucks; and • Check belly-dump truck seals regularly and remove any trapped rocks to prevent spillage; and • Comply with track-out prevention/mitigation requirements; and • Provide water while loading and unloading to reduce visible dust plumes.
Landscaping	Stabilize soils, materials, slopes	• Apply water to materials to stabilize; and • Maintain materials in a crusted condition; and • Maintain effective cover over materials; and • Stabilize sloping surfaces using soil binders until vegetation or ground cover can effectively stabilize the slopes; and • Hydroseed prior to rain season.
Road shoulder maintenance	• Apply water to unpaved shoulders prior to clearing; and • Apply chemical dust suppressants and/or washed gravel to maintain a stabilized surface after completing road shoulder maintenance.	• Installation of curbing and/or paving of road shoulders can reduce recurring maintenance costs; and • Use of chemical dust suppressants can inhibit vegetation growth and reduce future road shoulder maintenance costs.
Screening	• Pre-water material prior to screening; and • Limit fugitive dust emissions to opacity and plume length standards; and • Stabilize material immediately after screening.	• Dedicate water truck or high capacity hose to screening operation; and • Drop material through the screen slowly and minimize drop height; and • Install wind barrier with a porosity of no more than 50 percent upwind of screen to the height of the drop point.
Staging areas	• Stabilize staging areas during use; and • Stabilize staging area soils at project completion.	• Limit size of staging area; and • Limit vehicle speeds to 15 miles per hour; and • Limit number and size of staging area entrances/exits.
Stockpiles/ bulk material handling	Stabilize stockpiled materials, and stockpiles within 100 yards of off-site occupied buildings must not be greater than 8 ft in height; or must have a road bladed to the top to allow water truck access or must have an operational	• Add or remove material from the downwind portion of the storage pile; and • Maintain storage piles to avoid steep sides or faces.

Air Quality Measure 4.3.6.2M Table 1: Best Available Control Measures for Fugitive Dust (Applicable to All Construction Activity Sources)

Source Category	Control Measures	Guidance
	water irrigation system that is capable of complete stockpile coverage.	
Traffic areas for construction activities	• Stabilize all off-road traffic and parking areas; and • Stabilize all haul routes; and • Direct construction traffic over established haul routes.	• Apply gravel/paving to all haul routes as soon as possible to all future roadway areas; and • Barriers can be used to ensure vehicles are only used on established parking areas/haul routes.
Trenching	• Stabilize surface soils where trencher or excavator and support equipment will operate; and • Stabilize soils at the completion of trenching activities.	• Pre-watering of soils prior to trenching is an effective preventive measure. For deep trenching activities, pre-trench to 18 inches, soak soils via the pre-trench and resuming trenching; and • Washing mud and soils from equipment at the conclusion of trenching activities can prevent crusting and drying of soil on equipment.
Truck loading	• Pre-water material prior to loading; and • Ensure that freeboard exceeds 6 inches (CVC 23114).	• Empty loader bucket such that no visible dust plumes are created; and • Ensure that the loader bucket is close to the truck to minimize drop height while loading.
Turf overseeding	• Apply sufficient water immediately prior to conducting turf vacuuming activities to meet opacity and plume length standards; and • Cover haul vehicles prior to exiting the site.	• Haul waste material immediately off site.
Unpaved roads/parking lots	• Stabilize soils to meet the applicable performance standards; and • Limit vehicular travel to established unpaved roads (haul routes) and unpaved parking lots.	• Restricting vehicular access to established unpaved travel paths and parking lots can reduce stabilization requirements.
Vacant land	In instances where vacant lots are 0.10 ac or larger and have a cumulative area of 500 sf or more that are driven over and/or used by motor vehicles and/or off-road vehicles, prevent motor vehicle and/or off-road vehicle trespassing, parking and/or access by installing barriers, curbs, fences, gates, posts, signs, shrubs, trees, or other effective control measures.	

ac = acre(s) AQMD = Air Quality Management District
CVC = California Vehicle Code ft = feet sf = square feet

Air Quality Measure 4.3.6.2M Table 2: Contingency Control Measures for Fugitive Dust (During High Winds in Excess of 25 mph)

Fugitive Dust Source Category	Control Measures
Earthmoving	• Cease all active operations; or • Apply water to soil not more than 15 minutes prior to moving such soil.
Disturbed surface areas	• On the last day of active operations prior to a weekend, holiday, or any other period when active operations will not occur for not more than 4 consecutive days: apply water with a mixture of chemical stabilizer diluted to not less than $^1/_{20}$ of the concentration required to maintain a stabilized surface for a period of 6 months; or • Apply chemical stabilizers prior to wind event; or • Apply water to all unstabilized disturbed areas 3 times per day. If there is any evidence of wind driven fugitive dust, watering frequency is increased to a minimum of 4 times per day; or • Establish a vegetative ground cover within 21 days after active operations have ceased. Ground cover must be of sufficient density to expose less than 30 percent of unstabilized ground within 90 days of planting, and at all times thereafter; or • Utilize any combination of these control actions such that, in total, these actions apply to all disturbed surface areas.
Unpaved roads	• Apply chemical stabilizers prior to wind event; or • Apply water 2 times per hour during active operation; or • Stop all vehicular traffic.
Open storage piles	• Apply water 2 times per hour; or • Install temporary coverings.
Paved road track-out	• Cover all haul vehicles; or • Comply with the vehicle freeboard requirements of Section 23114 of the CVC for both public and private roads.
All categories	• Executive Officer and the USEPA as equivalent to the methods specified in this table may be used.

CVC = California Vehicle Code
USEPA = United States Environmental Protection Agency

Level of Significance after Mitigation. The use of low-NO_X diesel fuel in construction equipment typically reduces NO_X emissions by 16 percent.[1] Use of this fuel would reduce NO_X emissions but not below SCAQMD thresholds. In addition, there is no reasonable way to ensure that that retrofitted diesel-powered equipment, low- NO_X diesel fuel, and alternative fuel sources would be available during the construction period; therefore, it is not possible to quantify reductions in NO_X emissions that would result from **Mitigation Measures 4.3.6.2A** through **4.3.6.2M**. Because no additional feasible mitigation is available to reduce construction-related NO_X emissions, this impact remains significant and unavoidable. Furthermore, there is no feasible mitigation to reduce the ROG emissions during architectural coating phase to less than the daily threshold. Thus, the emissions during construction of NO_X and ROG will remain significant.

4.3.6.3 Localized Construction Equipment Exhaust Emissions Impacts

Threshold	Would the proposed project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard? For short-term construction, the applicable localized daily thresholds are: • 270 lbs/day of NO_X;

[1] http://www.aqmd.gov/ceqa/igr/2006/feb/10-01.pdf, site accessed December 30, 2011.

- 1,577 lbs/day of CO;
- 13 lbs/day of PM_{10}; and
- 8 lbs/day of $PM_{2.5}$.

SCAQMD has developed LST methodology that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. LSTs represent the maximum emissions from a project that would not cause or contribute to an exceedance of the most stringent applicable Federal or State ambient air quality standard and are developed based on the ambient concentrations of that pollutant for each source receptor area. The emissions of concern from construction activities are NO_X, CO, PM_{10}, and $PM_{2.5}$ resulting from on-site combustion emissions from construction equipment and on-site fugitive PM_{10} dust from construction site preparation activities.

As identified in Table 4.3.J, the air pollutant emission rates for the proposed construction activities are below the localized construction thresholds at the nearest sensitive receptor for CO, NO_X, PM_{10}, and $PM_{2.5}$. Thus, no mitigation is required.

Table 4.3.J: Localized Concentrations from Construction Equipment Exhaust

Emission Sources	Pollutants (lbs/day)			
	CO	**NO_2**	**PM_{10}**	**$PM_{2.5}$**
On-site (grading) emissions	55	104	8.4	6.3
Localized Significance Threshold	**1,577**	**270**	**13**	**8**
Exceed Significance Threshold?	**No**	**No**	**No**	**No**

Source: *Air Quality Analysis Eucalyptus Industrial Park,* LSA Associates, Inc. November 2011.

Mitigation Measures. Although adherence to these requirements is required of all development within the City, implementation of **Mitigation Measures 4.3.6.2A** through **4.3.6.2M** and the incorporation of these additional requirements as **Mitigation Measures 4.3.6.3A** through **4.3.6.3C** is designed to track both standard requirements and mitigation measures as part of the project's Mitigation Monitoring and Reporting Program (MMRP).

4.3.6.3A Prior to the issuance of grading permits, the project applicant shall require by contract specifications that all trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and top of the trailer).

4.3.6.3B Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that construction access roads shall be paved at least 100 feet onto the site from the main road.

4.3.6.3C Prior to the issuance of grading permits, the project applicant shall require by contract specifications that all streets within the construction site shall be swept once per day if visible soil materials are carried to adjacent streets.

Level of Significance after Mitigation. As shown in Table 4.3.J, impacts associated with localized construction emissions are all less than significant.

4.3.6.4 Architectural Coating Impacts

Threshold	Would the proposed project violate any air quality standard or contribute substantially to an existing or projected air quality violation? For VOC, the applicable threshold is 75 pounds per day.

Architectural coatings contain volatile organic compounds (VOC) that are similar to ROG and are part of the O_3 precursors. Rule 1113 of the SCAQMD deals with the selling and application of architectural coatings. Rule 1113 is applicable to any person who supplies, sells, offers for sale, or manufactures any architectural coating for use in the Basin that is intended to be applied to buildings, pavements, or curbs. This rule is also applicable to any person who applies or solicits the application of any architectural coating within the Basin. Rule 1113 sets limits on the amount of VOC emissions allowed for all types of architectural coatings, along with a time table for tightening the emissions standards in the future.

At this stage of project planning, no detailed architectural coatings information is available. Based on the site plan and project information, the project would have up to 6 buildings totaling 2.2 million square feet. As previously identified in Table 4.3.I, approximately 344 pounds of ROG would be generated during the architectural coating phase of the project. Manual applications such as paintbrush, hand roller, trowel, spatula, dauber, rag, or sponge have 100 percent transfer efficiency. Construction of the project using the required HVLP spray method reduces the daily VOC emissions to 224 pounds per day during the architectural coatings application period. These emissions would occur after grading activities, near the end of the construction phase. The amount of VOC generated per day from the application of architectural coating even with the use of the required HVLP spray method (224 pounds) during the application of architectural coatings would exceed the SCAQMD VOC threshold of 75 lbs/day. This is a significant impact requiring mitigation.

Mitigation Measures. Typical mitigation identified to reduce the level of architectural coating impacts includes the following:

4.3.6.4A The project applicant shall use “Low-Volatile Organic Compounds” paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the project applicant shall use materials that do not require painting or are pre-painted.

Level of Significance after Mitigation. Emissions associated with architectural coatings can be reduced by using precoated/natural-colored building materials, water-based or low VOC coating or by using coating transfer or spray equipment with high transfer efficiency. For example, the HVLP spray method is a coating application system operates at air pressure between 0.1 and 10 pounds per square inch gauge (psig) with 65 percent transfer efficiency, which could reduce VOC emissions to 224 lbs/day. Manual coating applications, such as paintbrush, hand roller, trowel, spatula, dauber, rag, or sponge have 100 percent transfer efficiency. Adherence to SCAQMD Rule 1113 would reduce the project’s architectural coatings emissions impact. However, even with adherence to SCAQMD Rule 1113, the SQAQMD VOC threshold would still be exceeded. Therefore, impacts associated with this issue would remain significant and unavoidable.

4.3.6.5 Long-Term Project-Related Emissions Impacts

Threshold	Would the proposed project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable Federal or State ambient air quality standard?

For long-term operations, the applicable daily thresholds are:

- 55 pounds of ROC;
- 55 pounds of NO_X;
- 550 pounds of CO;
- 150 pounds of PM_{10};
- 55 pounds per day of $PM_{2.5}$.; and
- 150 pounds of SO_X.

Long-term air pollutant emission impacts are those associated with stationary sources and mobile sources related to the proposed project. Under build out of the proposed development, the project would consist of warehouse distribution uses on 122.8 acres. The stationary source emissions from these land uses would come from consumption of natural gas and electricity. Mobile source emissions would come from automobiles and trucks traveling to and from the site and from landscape maintenance equipment used to maintain the site. Average truck trip length in this area has been shown to be greater than the default trip length in the CalEEMod model. Table 4.3.K lists the potential origin and destination points for the truck trips that would be associated with the proposed project. The average trip length for the employee commute is assumed to be 17 miles. This is also greater than the default commute trip length included in the CalEEMod model for the Inland Empire area.

Table 4.3.K: Average Truck Trip Lengths

Truck Route	Route Length (miles)	Percentage of Trucks on Route
East on State Route 60 to Basin Boundary	30	10%
Port of Los Angeles/Long Beach	80	50%
South on the I-215 to San Diego	50	20%
Inland Empire (i.e., Ontario, Mira Loma, Fontana)	50	10%
Perris Destinations	40	5%
Moreno Valley Destinations	20	5%
Average Truck Trip (54% of trips)	**61**	**—**
Employee Trips (46% of trips)	**17**	**—**

Source: Table J, *Air Quality Analysis Eucalyptus Industrial Park,* LSA Associates, Inc. November 2011.

Project emissions resulting from the operation of the project, using the average trip lengths listed in Table 4.3.K, are presented in Table 4.3.L. It should be noted that the *Traffic Impact Analysis* considers a General Plan Build Out scenario; however, for purposes of the operational emissions analysis, an evaluation of the General Plan Build Out scenario was not required as the existing year (2011) and opening year (2012) with project analysis provides the most conservative estimate for operational emissions. Due to stringent vehicle emissions regulations in place and proposed by the CARB and the EPA, tailpipe emissions of CO are expected to decrease by more than 70 percent for Year 2030 conditions (the General Plan Build Out analysis year) thus, the emissions decrease in tailpipe emissions of CO would more than offset the increase in traffic at the study area intersections during the p.m. peak-hour and an evaluation of General Plan Build Out p.m. peak-hour CO concentrations would likely be less than the existing year (2011) and opening year (2012) with project conditions analysis. As identified in Table 4.3.L, project-related emissions for CO, ROG, NO_X, PM_{10}, and $PM_{2.5}$ would exceed the SCAQMD daily emissions thresholds. As previously noted, the vehicle trips generated by the proposed project will not result in any CO hotspots. Pollutant emissions of ROG and NO_X that would exceed the SCAQMD thresholds would contribute to the existing nonattainment status in the Basin. This is a significant impact requiring mitigation.

Table 4.3.L: Long-Term Operational Emissions

Source	Pollutants, lbs./day					
	CO	**ROG**	**NO_X**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Area Sources	0.0	59	0	0	0	0
Energy Sources	1.1	0.14	1.3	0.01	0.1	0.1
Mobile Sources	1,800	230	2,000	3.1	370	85
Total Project Emissions	1,801	289	2,001	3.1	370	85
SCAQMD Thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Significant Impact?	**Yes**	**Yes**	**Yes**	**No**	**Yes**	**Yes**

Source: Table K, *Air Quality Analysis Eucalyptus Industrial Park,* LSA Associates, Inc. November 2011.

Mitigation Measures. The following mitigation measures have been identified to help reduce the operational emissions of CO, ROG, NOx, PM_{10}, and $PM_{2.5}$:

4.3.6.5A Prior to issuance of building permits, the project applicant shall provide evidence to the City that applicable (as determined by the City) Transportation Demand Management (TDM)/Transportation Control Measure (TCM) strategies such as preferential parking for employee vanpooling/carpooling, bicycle parking facilities (such as bicycle lockers and racks), bus turnouts, and other strategies are incorporated into the design of the proposed project.

4.3.6.5B Prior to issuance of building permits, the project applicant shall provide evidence to the City that energy-efficient and low-emission methods and features of building construction shall be incorporated into the project design. These methods and features may include (but are not limited to) the following:

- Construction of buildings that exceed statewide energy requirements beyond 20 percent of that identified in Title 24:
  - Use of low-emissions water heaters;
  - Use of central water-heating systems;
  - Use of energy-efficient appliances;
  - Use of increase insulation;
  - Use of automated controls for air conditioners;
  - Use of energy-efficient parking lot lighting; and
  - Use of lighting controls and energy-efficient lighting.
- Utilize low-VOC interior and exterior coatings during project repainting.
- Provide on-site improvements such as sidewalks or pedestrian walkways to promote pedestrian activity and reduce the amount of vehicle trips.
- Installation of skylights and energy-efficient lighting that exceeds California Title 24 standards where feasible, including electronic dimming ballasts and computer-controlled daylight sensors in the buildings.
- Shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and building shall be planted at the proposed project site. These strategies will minimize the heat island effect and thereby reduce the amount of air conditioning required.

- Strategies to be considered include fans to assist natural ventilation, centralized water and space conditioning systems, high efficiency individual heating and cooling units, and automatic setback thermostats.
- Reduction of energy demand associated with potable water conveyance through the following methods:
  - Incorporating drought-tolerant plants into the landscaping palette; and
  - Use of water-efficient irrigation techniques.
- Energy-efficient low-pressure sodium parking lot lights or lighting equivalent as determined by the City, shall be used;
- Buildings shall be oriented north-south where feasible;
- Implement an on-site circulation plan in parking lots to reduce vehicle queuing;
- Develop a trip reduction plan to achieve 1.5 average vehicle ridership (AVR) for businesses with fewer than 100 employees or multitenant worksites;
- Include bicycle parking facilities such as bicycle lockers and racks;
- Include showers for bicycling employees use; and
- Construct on-site pedestrian facility improvements such as building access that is physically separated from street and parking lot traffic and walk paths.

Level of Significance after Mitigation. Although implementation of **Mitigation Measures 4.3.6.5A** through **4.3.6.5B** may reduce vehicle trips associated with the proposed project, it is not possible to quantify the reduction in the amount of emissions that may occur. Considering the volume of emissions generated and current commuter habits, it is unlikely the implementation of TDMs/TCMs will result in a reduction of operational project emissions to below existing SCAQMD thresholds. Application of Leadership in Energy and Environmental Design (LEED) standards and green building design principles could reduce emissions from building operations such as heating and cooling; however, such standards and principles would not reduce emissions of CO, ROG, NO_X, PM_{10}, and $PM_{2.5}$ to below SCAQMD thresholds. No other feasible mitigation measures have been identified to reduce the operational emissions of CO, ROG, NO_X, PM_{10}, and $PM_{2.5}$ to a less than significant level. Because the project site is located in a nonattainment air basin for criteria pollutants, the addition of air pollutants resulting from operation of the proposed project would contribute to the continuation of nonattainment status in the Basin. In the absence of mitigation to reduce the proposed project's emission of contribution of CO, ROG, NO_X, PM_{10}, and $PM_{2.5}$ to below SCAQMD thresholds, long-term air quality impacts resulting from the operation of the proposed project would remain significant and unavoidable.

4.3.6.6 Project-Related Localized Operational Emissions Impacts

Threshold	Would the proposed project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable Federal or State ambient air quality standard? For long-term operations, the applicable daily thresholds at 25 meters (82 feet) are: • 270 pounds of NO_X; • 1,577 pounds of CO; • 4 pounds of PM_{10}; and • 2 pounds of $PM_{2.5}$.

The primary emissions from operational activities include but are not limited to NO_X, CO, PM_{10}, and $PM_{2.5}$ combustion emissions from stationary sources and/or on-site mobile equipment. Similar to the localized construction emissions analysis, the SRA is the Perris Valley. Table 4.3.M identifies the calculated emissions for the proposed operational activities compared with the appropriate localized significance thresholds.

Table 4.3.M: Localized Project Operational Emissions

	Pollutants, lbs./day			
	CO	**NOx**	**PM_{10}**	**$PM_{2.5}$**
On-site emissions	90	100	19	4.3
Localized Significance Threshold	**1,577**	**270**	**4**	**2**
Significant Impact?	**No**	**No**	**Yes**	**Yes**

Source: *Air Quality Analysis Eucalyptus Industrial Park,* LSA Associates, Inc. November 2011.

As identified in Table 4.3.M, all localized operational emissions for the proposed project, with the exception of PM_{10} and $PM_{2.5}$ emissions, are below the localized significance threshold. Since PM_{10} and $PM_{2.5}$ emissions exceed the localized significance thresholds, operational activities associated with the proposed project may cause long-term localized air quality impacts and mitigation would be required.

Mitigation Measures. The following measures have been identified to reduce operational emissions of ROG, NO_X, CO, and PM_{10}:

4.3.6.6A Prior to issuance of the first building permit, building and site plan designs shall ensure that the project's energy efficiencies surpass applicable 2008 California Title 24, Part 6 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and review and approved by the City. Any combination of design features, including but not limited to the following list, may be used to fulfill this requirement provided that the total increase in energy efficiency meets or exceeds 20 percent:

- Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the City.
- 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 shall be installed, as deemed acceptable by the City. Automatic devices to turn off lights when they are not needed shall be implemented.
- To the extent that they are compatible with landscaping guidelines established by the City, shade-producing trees, particularly those that shade paved surfaces such as streets and parking lots and buildings shall be planted at the project site.
- Paint and surface color palette for the project shall emphasize light and off-white colors which reflect heat away from the buildings.
- All buildings shall 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 shall implement the following:
  - Landscaping palette emphasizing drought-tolerant plants;
  - Use of water-efficient irrigation techniques; and,
  - U.S. EPA Certified WaterSense labeled for equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.
- The project shall provide secure, weather-protected, on-site bicycle storage/parking.
- The project shall provide on-site showers (one for males and one for females). Lockers for employees shall be provided.
- The project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce greenhouse gas (GHG) emissions. A plan will be submitted by the TMA to the City within two months of project completion that outlines the measures implemented by the TMA, as well as contact information.
- The project shall provide preferential parking for carpools and vanpools. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to final site plan approval, preferential parking for carpools and vanpools shall be delineated on the project site plan.
- The project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the project building plans.
- Lease/purchase documents shall identify that tenants are encouraged to promote the following:
  - Implementation of compressed workweek schedules.
  - SmartWay partnership;
  - Achievement of at least 20 percent per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 percent of all long-haul trips carried by SmartWay 1.0 or greater carriers.
  - Achievement of at least 15 percent 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 85 percent of all consolidator trips carried by SmartWay 1.0 or greater carriers.
  - Use of fleet vehicles conforming to 2010 air quality standards or better.
  - Installation of catalytic converters on gasoline-powered equipment.
  - Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets.
  - Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles.
  - Provision of preferential parking for EV and CNG vehicles.
  - Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance.

- Use of electric (instead of diesel or gasoline-powered) yard trucks.
- Use of SmartWay 1.25 rated trucks.

4.3.6.6B The project shall 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 are dedicated to the collection and storage of recyclable materials including paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the project site plan.

It is important to note that in addition to the operational activity mitigation measures identified above, the proposed project would incorporate physical attributes and operational programs that will act to generally reduce operational-source pollutant emissions including GHG emissions. These project characteristics are identified in Section 4.13 (Climate Change and Greenhouse Gas Emissions) of this EIR.

Level of Significance after Mitigation. Although implementation of **Mitigation Measures 4.3.6.6A** and **4.3.6.6B** may reduce vehicle trips associated with the proposed project, it is not possible to quantify the reduction in the amount of emissions that may occur. Considering the volume of emissions generated and current commuter habits, it is unlikely the implementation of TDMs/TCMs will result in a reduction of operational project emissions to below existing localized operation emissions thresholds. In the absence of mitigation to reduce the proposed project's localized emission of contribution of PM_{10} and $PM_{2.5}$ to below localized emission thresholds, long-term air quality impacts resulting from the operation of the proposed project would remain significant and unavoidable.

4.3.7 Cumulative Impacts

As stated in Section 15130(b) of the *CEQA Guidelines*, cumulative impacts can either be (1) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects out the control of the agency or (2) A summary of projections contained in a prior adopted or certified environmental document such as an adopted General Plan or related planning document which describes or evaluated regional or area-wide conditions contributing to the cumulative impact. For purposes of analysis, the cumulative area for air quality impacts is the Basin.

The 2007 AQMP describes and evaluated regional/area-wide conditions within the Basin and set regional emission significance thresholds for both construction and operation of development projects. The SCAQMD recommends that a project's potential contribution to cumulative impacts should be assessed using the same significance criteria as those for project-specific impacts. This would mean that if a project exceeds the SCAQMD recommended daily regional emission thresholds, the project-specific impacts would also result in a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment. Therefore, the SCAQMD daily regional emission thresholds are utilized in this cumulative discussion.

The project would contribute criteria pollutants to the area during project construction. A number of individual projects in the area may be under construction simultaneously with the proposed project. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. This would be a contribution to short-term cumulative air quality impacts.

The traffic study included vehicular trips from all present and future projects in the project vicinity; therefore, the CO hot spot concentrations calculated at these intersections include the cumulative traffic effect. Based on previously referenced Tables 4.3.G and 4.3.H, no significant cumulative CO

impacts would occur. Previously referenced Table 4.3.L identifies that the long-term operation of the project would exceed the standards for CO, ROC, NO_X, PM_{10}, and $PM_{2.5}$. The Basin is in nonattainment for PM_{10} and ozone at the present time; therefore, the construction and operation of the proposed project would exacerbate nonattainment of air quality standards for PM_{10} and ozone within the Basin and contribute to cumulative air quality impacts. Therefore, long-term cumulative air quality impacts are considered to be significant and avoidable.

The study included in the "Proposed Identification of Diesel Exhaust as a Toxic Air Contaminant" (June 1998) estimated that the population-weighted average outdoor diesel exhaust PM_{10} concentration in California for 1995 was 2.2 micrograms per cubic meter ($\mu g/m^3$), with it reaching as high as 10 $\mu g/m^3$ near a freeway. These concentrations of diesel particulates present a carcinogenic health risk ranging from 130 in 1 million to 2,400 in 1 million (using a 70-year exposure duration). The study suggests that virtually all residents of California are being exposed to large doses of diesel exhaust PM_{10}.

The HRA conducted for the proposed project identified the increase in health risks to the nearby sensitive receptors from the proposed project's air pollutant emissions. The CARB web site "Maps of Estimated Cancer Risk From Air Toxics"[1] identifies a carcinogenic risk of over 250 in 1 million for the Riverside area. This HRA identified that the project's incremental increase is only a very small fraction of the ambient condition. Therefore, the concentration of diesel particulates at the project site is below the established risk threshold. Individuals living and working in southern California may be exposed to levels of diesel emissions that are cumulatively significant; however, that circumstance is not created by the project.

It is reasonable to anticipate that advancements in truck/transportation technology would reduce the amount of particulate matter in future years. However, a determination of the amount and extent of that reduction in diesel particulate matter from these types of activities is not available at this time. Therefore, in an overabundance of caution, because other cumulative projects in the area would also contribute diesel particulates in the area and because the Riverside area has a level of particulate matter that is above the SCAQMD's recommended cancer risk threshold of 10 in one million, regional impacts associated with diesel particulate matter are considered cumulatively considerable and the proposed project will make a significant contribution to that cumulative impact.

[1] http://www.arb.ca.gov/toxics/cti/hlthrisk/hlthrisk.htm.

4.4 BIOLOGICAL RESOURCES

This section discusses the effects of development of the proposed project on biological resources. Information to evaluate and analyze the proposed project's impacts to biological resources is derived from the *MSHCP Consistency Analysis and Burrowing Owl Habitat Assessment and Focused Survey for the Eucalyptus Industrial Development PA07-0083* (ICF International, original July 2011 updated January 2012), the *Jurisdictional Delineation Report for the ProLogis Eucalyptus Project Site* (ICF International, original July 2011 updated January 2012), and the *Determination of Biologically Equivalent or Superior Preservation Report* (ICF International, original August 2011 updated January 2012), which are included in their entirety in Appendix C. The presence or likelihood of presence of sensitive species is based on information compiled through field reconnaissance and applicable reference materials.

The habitat assessment information summarized in this section was collected during a site visit to the project site on May 29, 2008, which was updated in 2011. The site reconnaissance consisted of walking the entire site, including adjacent properties up to 500 feet where possible and recording information on the vegetation communities and wildlife present. In addition, a search for sensitive plant communities and evidence of special-status species or habitats that could support such species was conducted during the site visits. Soil conditions, topography, and quality of habitat were also documented. The project site is within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Burrowing Owl Survey Area. A focused western burrowing owl (*Athene cunicularia hypugaea*) survey was conducted for the proposed project site on five separate days. Under the MSHCP, the focused survey protocol was divided into two parts: 1) a Focused Burrow Survey and 2) a Focused Burrowing Owl Survey. The focused survey was conducted during the breeding season (March 1–August 31) as defined under the MSHCP,[1] and also in accordance with the California Burrowing Owl Consortium's (CBOC) *Burrowing Owl Survey Protocol and Mitigation Guidelines*.[2]

4.4.1 Existing Setting

4.4.1.1 Topography and Soils

The proposed project site is located in the eastern portion of the City of Moreno Valley, Riverside County. The approximately 122.8-acre project site is generally located south of SR-60, east of Moreno Valley Auto Mall, and adjacent to the Quincy Channel. The site topography is level with little variation (slight southward grade). The site has three drainages that occur on or near the project site, on the eastern, southern, and western portions of the site. The proposed project site occurs within an elevation range of approximately 1,720 to 1,795 feet above mean sea level (amsl). The project site is bordered by existing retail development to the west, residential development to the north across SR-60, and vacant land to the south and east zoned for Residential/Agricultural uses.

The soils on the proposed project site, as mapped by the *Soil Survey of Western Riverside Area, California* (1971),[3] consist of Gullied land (GzG); San Emigdio fine sandy loam, 2–8 percent slopes, eroded (SeC2); San Emigdio loam, 0–2 percent slopes (SgA); and Sam Emigdio loam, 2–8 percent slopes (SgC). The site is mapped as being dominated by San Emigdio loam. The observed surface soils on the project site contain evidence of heavy disturbance from agriculture-related activities. None of the soils present is considered sensitive pursuant to the MSHCP.

1 *Western Riverside County Multiple Species Habitat Conservation Plan, Volume I, Part I*, Dudek & Associates, June 17, 2003.
2 *Burrowing Owl Survey Protocol and Mitigation Guidelines*, California Burrowing Owl Consortium, 1993.
3 *Soil Survey of Western Riverside Area, California,* United States Department of Agriculture, November 1971.

4.4.1.2 Vegetation

Vegetation communities present on site are scarce as portions of the site are currently utilized for agricultural uses and the remaining land is fallow. Figure 5.9-2 of the City's *General Plan Final Program EIR*[1] identifies the proposed project site's vegetation communities as both Field Cropland and Grove/Orchard. The *MSHCP Consistency Analysis Report*[2] indicates that the project site consists of four vegetation communities: former agriculture, ruderal, non-native grassland, and mule fat scrub.

Agriculture-Citrus (citrus tree orchards) occur on the northwestern, northeastern, and east-central portions of the project site and occupy approximately 57.2 acres. Approximately 47.4 acres of ruderal vegetation occurs on the project site and is dominated by weedy vegetation that is typically associated with a past disturbance (agriculture). The ruderal plant community is dominated by several mustard species (*Brassica* ssp.), annual bur ragweed (*Ambrosia acanthicarpa*), Russian thistle (*Salsola tragus*), cheeseweed (*Malva parviflora*), and non-native grass species. Non-native grassland occurs in a small area (approximately 16.6 acres) in the northern portion of the project site. Non-native grassland is generally characterized by a dense-to-sparse cover of non-native, annual grasses often associated with numerous weedy species, as well as some native annual forbs, such as wildflowers that emerge especially in years of plentiful rain. Dominant plant genera typically found within non-native grassland include bromes (*Bromus* spp.), wild oats (*Avena* spp.), fescues (*Vulpia* spp.), and barleys (*Hordeum* spp.).

The drainage that occurs along the eastern boundary (within the Quincy Channel) of the project site is heavily disturbed and contains a number of non-native species, including Peruvian pepper (*Schinus molle*), tree tobacco (*Nicotiana glauca*), castor bean (*Ricinus communis*), eucalyptus (*Eucalyptus* spp.), and tree of heaven (*Ailanthus altissima*). Patches of mule fat scrub (*Baccharis salicifolia*) and one Gooding's black willow tree (*Salix gooddingii*) also occur within the eastern drainage. The western and southern drainages located within the project boundary include several mustard species, annual bur ragweed, Russian thistle, cheeseweed, and non-native grass species. As indicated in Figure 4.4.1, the project site consists of highly disturbed land from which most natural vegetation has been removed by regular disking and ongoing citrus cultivation.

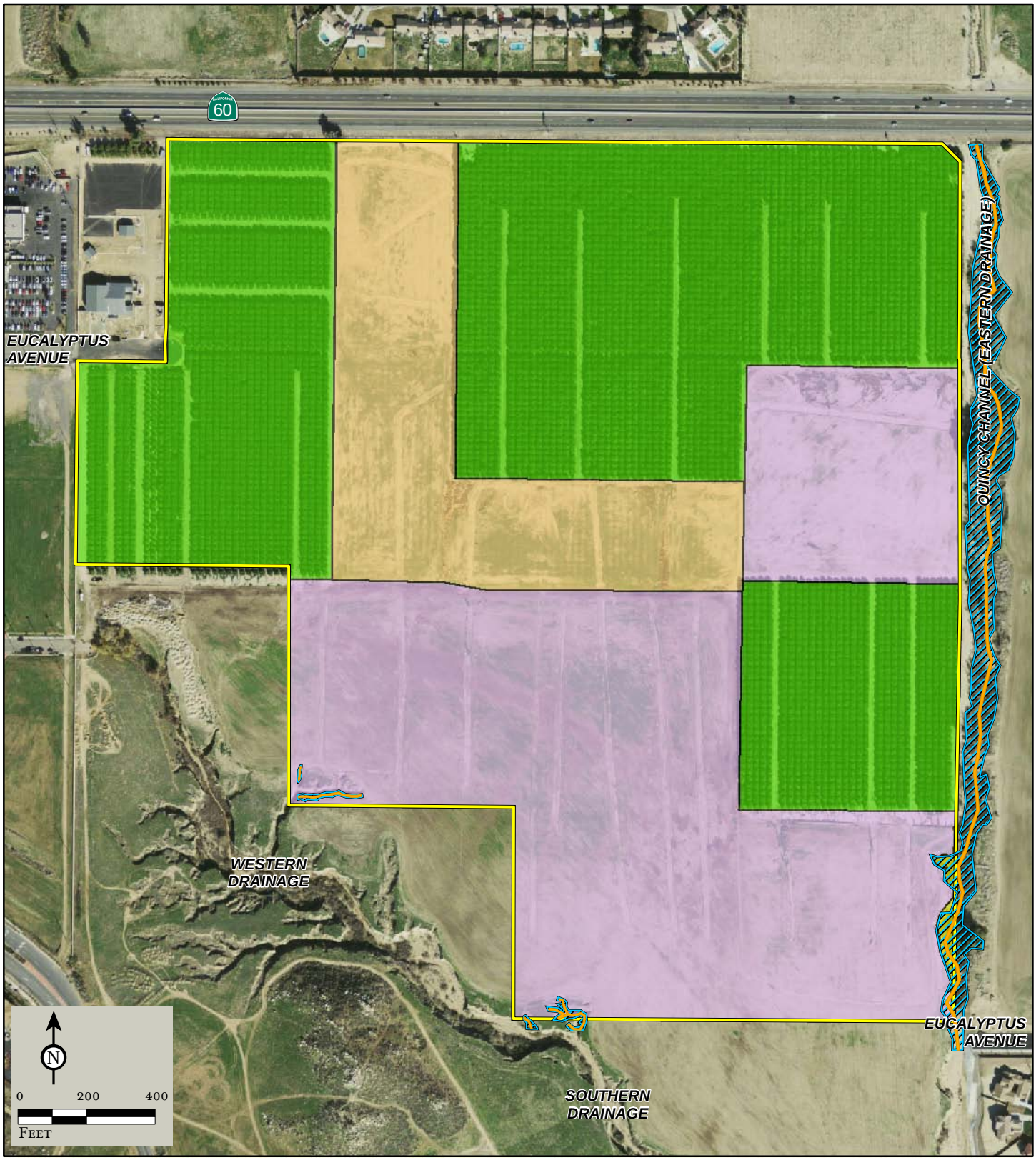
4.4.1.3 Wildlife

Despite the disturbed nature of the site, common wildlife species that have adapted to human-modified landscapes were observed on site during the biological survey. Species include the red-tailed hawk (*Buteo jamaicensis*), house finch (*Carpodacus mexicanus*), mourning dove (*Zenaidia macroura*), common raven (*Corvus corax*), coyote (*Canis latrans*), desert cottontail (*Sylvilagus audubonii*), and California ground squirrel (*Spermophilus beecheyi*). A complete list of species observed on site is included in Appendix B of the *MSHCP Consistency Analysis* contained in Appendix C to this EIR. Utilization of agricultural areas by wildlife varies greatly depending upon the type of crop and the time of the year. Numerous bird and mammal species may occur within certain Field/Croplands dependent on the season. Orchards/Groves adjacent to Field/Croplands or Non-native Grasslands may be utilized as a perching area that facilitates raptor foraging.

4.4.1.4 Sensitive Biological Resources

Special status species are plant and animal species or sub-species for which there is concern for population sustainability or that are otherwise considered worthy of consideration by the California Department of Fish and Game (CDFG), US Fish and Wildlife Service (USFWS), local agencies, or special interest groups such as the California Native Plant Society (CNPS). In addition to species federally or State listed as Endangered or Threatened, these include species that are Candidates or Proposed for listing as Endangered or Threatened, plant species that are State listed as Rare, animal

1 *City of Moreno Valley Final Program EIR Conservation Element,* City of Moreno Valley, October 2006.
2 *MSHCP Consistency Analysis and Burrowing Owl Habitat Assessment and Focused Survey for the Eucalyptus Industrial Development PA07-0083 City of Moreno Valley, County of Riverside, California,* ICF Jones & Stokes, July 2011.



LSA

FIGURE 4.4.1

Project Boundary
CDFG* Potential Jurisdictional Waters
ACOE*/RWQCB* Potential Jurisdictional Waters

Vegetation and Land Use

Agricultural, Citrus (57.20 Ac)
Non-Native Grassland (16.62 Ac)
Ruderal (47.39 Ac)
Disturbed Mulefat Scrub (0.62 Ac)

Eucalyptus Industrial Park
Environmental Impact Report

On-Site Vegetation Communities

SOURCE: AirPhotoUSA, 2008; ICF Jones & Stokes, 2008.
I:\PLO1101\Reports\EIR\fig4-4-1_plant_community.mxd (09/23/11)

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species designated as Fully Protected or Species of Special Concern by the State of California, and plant species designated as California Rare Plant Rank (RPR) 1A, 1B, or 2. California Rare Plant Ranks are assigned by a committee of government agency and non-governmental botanical experts, including experts from CNPS, and are not official State designations of rarity status. Legal protection for sensitive species varies widely, from the comprehensive protection extended to federally-listed threatened and/or endangered species to species without legal protection at the current time. It is the general practice in the biology industry to base the presence or likelihood of presence of sensitive species within a specific area on the following criteria:

- Direct observation of the species or its sign in the study area or immediate vicinity during site-specific surveys or reported in previous biological studies;
- Sighting by other qualified observers;
- Record reported by the Natural Diversity Data Base (NDDB) published by CDFG; and
- Presence or location of specific species lists provided by private groups (e.g., CNPS).

4.4.1.5 Endangered, Threatened, and Special Status Species

Threatened and Endangered Species. The USFWS and the CDFG list species as Threatened or Endangered under the Federal and California Endangered Species Acts (FESA and CESA, respectively). An Endangered species is one that is in danger of extinction throughout all or a significant portion of its range. A Threatened species is one that is likely to become endangered in the foreseeable future.

The USFWS may designate "critical habitat" that identifies specific areas, both occupied and unoccupied, that are essential to the conservation of a listed species. To make a determination of Critical Habitat, biologists consider physical and biological habitat features needed for life and successful reproduction of the species, which include:

- Space for individual and population growth and for normal behavior;
- Cover or shelter;
- Food, water, air, light, minerals, or other nutritional or physiological requirements;
- Sites for breeding and rearing offspring; and
- Habitats that are protected from disturbances or are representative of the historic geographical and ecological distributions of a species.

Critical Habitat areas may require special management considerations or protections.

The project site is not located within any USFWS designated Critical Habitat area, and no Threatened or Endangered species were observed within the project site during the field surveys.

Table 4.4.A identifies Threatened and Endangered species identified in the City's *General Plan Final EIR* and in searches of the CDFG's *California Natural Diversity Data Base* (CNDDB) and the CNPS's *Electronic Inventory of Rare and Endangered Vascular Plants of California* that may potentially occur in the project vicinity.

Table 4.4.A: Threatened and Endangered Species Potentially Occurring in the Project Vicinity

Species	Status	Habitat and Distribution	On-site Potential
Plants			
Dodecahema leptoceras	US: FE CA: SE/1B MSHCP: S	In the Vail Lake area, occurs in gravel soils of Temecula arkose deposits in openings in chamise chaparral. In other areas, occurs in	Absent. No alluvial fan sage scrub on site.

Table 4.4.A: Threatened and Endangered Species Potentially Occurring in the Project Vicinity

Species	Status	Habitat and Distribution	On-site Potential
Slender-horned spineflower		sandy cobbly riverbed alluvium in alluvial fan sage scrub (usually late seral stage), on floodplain terraces and benches that receive infrequent overbank deposits from generally large washes or rivers, where it is most often found in shallow silty depressions dominated by leather spineflower (*Lastarriaea coriacea*) and other native annual species, and is often associated with cryptogamic soil crusts composed of bryophytes, algae and/or lichens. Occurs at 600 to 2,500 feet elevation. Known only from Los Angeles, Riverside, and San Bernardino Counties, California.	
Birds			
Buteo swainsoni (nesting) Swainson's hawk	US: – CA: ST MSHCP: C	Open desert, grassland, or cropland containing scattered, large trees or small groves. Breeds in stands with few trees in juniper-sage flats, riparian areas, and in oak savannah in the Central Valley. Forages in adjacent grasslands or suitable grain or alfalfa fields, or livestock pastures. Breeds and nests in western North America; winters in South America. Uncommon breeding resident and migrant in the Central Valley, Klamath Basin, Northeastern Plateau, Lassen County, and Mojave Desert. Very limited breeding reported from Lanfair Valley, Owens Valley, Fish Lake Valley, and Antelope Valley. In southern California, now mostly limited to spring and fall transient. Formerly abundant in California, with wider breeding range. Species is not known to nest in Riverside County.	Low. Most open habitat of lowlands in the region, including the habitat on site, is potentially suitable foraging habitat for this species, which is not known to nest in Riverside County. The species is likely to forage on site only briefly during migration, if at all.
Coccyzus americanus occidentalis (nesting) Western yellow-billed cuckoo	US: FC CA: SE MSHCP: S	Breeds and nests in extensive stands of dense cottonwood/willow riparian forest along broad, lower flood bottoms of larger river systems at scattered locales in western North America; winters in South America.	Absent. No extensive stands of riparian habitat on site.
Empidonax traillii extimus Southwestern willow flycatcher	US: FE CA: SE MSHCP: S	Rare and local breeder in extensive riparian areas of dense willows or (rarely) tamarisk, usually with standing water, in the southwestern U.S. and (formerly?) northwestern Mexico. Winters in Central and South America. Below 6,000 feet elevation.	Absent. No dense willows on site.
Polioptila californica californica Coastal California gnatcatcher	US: FT CA: SSC MSHCP: C	Inhabits coastal sage scrub in low-lying foothills and valleys in cismontane southwestern California and Baja California.	Absent. No coastal sage scrub on site.
Vireo bellii pusillus Least Bell's vireo	US: FE CA: SE MSHCP: S	Riparian forests and willow thickets. The most critical structural component of least Bell's vireo habitat in California is a dense shrub layer 2 to 10 feet above ground. Nests from central California to northern Baja California. Winters in southern Baja California.	Absent. No riparian forest or willow thickets on site.

Table 4.4.A: Threatened and Endangered Species Potentially Occurring in the Project Vicinity

Species	Status	Habitat and Distribution	On-site Potential
Mammals			
Dipodomys merriami parvus San Bernardino kangaroo rat	US: FE CA: SSC MSHCP: S	Gravelly and sandy soils of alluvial fans, braided river channels, active channels and terraces; San Bernardino Valley (San Bernardino County) and San Jacinto Valley (Riverside County). In San Bernardino County, this species occurs primarily in the Santa Ana River and its tributaries north of Interstate 10, with small remnant populations in the Etiwanda alluvial fan, the northern portion of the Jurupa Mountains in the south Bloomington area, and in Reche Canyon. In Riverside County, this species occurs along the San Jacinto River east of approximately Sanderson Avenue, and along Bautista Creek. Remnant populations may also occur within Riverside County in Reche Canyon, San Timoteo Canyon, Laborde Canyon, the Jurupa Mountains, and the Santa Ana River Wash north of State Route 60.	Absent. No alluvial fans or river channels on site.
Dipodomys stephensi Stephens' kangaroo rat	US: FE CA: ST MSHCP: C	Found in plant communities transitional between grassland and coastal sage scrub, with perennial vegetation cover of less than 50%. Most commonly associated with *Artemesia tridentata, Eriogonum fasciculatum,* and *Erodium.* Requires well-drained soils with compaction characteristics suitable for burrow construction. Not found in soils that are highly rocky, less than 20 inches deep, or heavily alkaline or clay, or in areas exceeding 25% slope. Occurs only in western Riverside County, northern San Diego County, and extreme southern San Bernardino County, below 915 meters (3,000 feet) elevation. In northwestern Riverside County, known only from east of Interstate 15. Reaches its northwest limit in south Norco, southeast Riverside, and in the Reche Canyon area of Riverside and extreme southern San Bernardino Counties.	Low. No coastal sage scrub on site, but may potentially occur along the southwest edge of the site near undisturbed scrubland.

US: Federal Classifications

FE Listed as Endangered.

FT Listed as Threatened.

FC Candidate for listing as Threatened or Endangered.

CA: State Classifications

SE State-listed as Endangered.

ST State-listed as Threatened.

SSC Species of Special Concern. Refers to animals with vulnerable or seriously declining populations.

1B California Rare Plant Rank 1B – rare, threatened or endangered in California and elsewhere.

MSHCP: Western Riverside County Multiple Species Habitat Conservation Plan Status

C Species is covered and adequately conserved under the MSHCP.

S Species is covered and adequately conserved under the MSHCP, but surveys are required within indicated habitats and/or survey areas.

Source: *City of Moreno Valley General Plan Final EIR,* City of Moreno Valley, approved October, 2006; *California Natural Diversity Data Base* records for *Sunnymead, California* USGS 7.5-minute quadrangle searched on December 16, 2011, using *Rarefind 3* (version 3.1.0, California Department of Fish and Game, dated September 3, 2011); *Electronic Inventory of Rare and Endangered Vascular Plants of California* (online edition, v8-01a, California Native Plant Society, 2011, http://www.rareplants.cnps.org/) records for *Sunnymead, California* USGS 7.5-minute quadrangle searched on December 23, 2011.

Two species identified in Table 4.4.A, Swainson's hawk (*Buteo swainsoni*) and Stephens' kangaroo rat (*Dipodomys stephensi*), have potential to occur on site. Swainson's hawk is unlikely to occur, based on the typical range of the species. Any occurrence on site would be expected to be brief foraging by migrating individuals, as the species is not known to breed or winter in the area. Impacts to foraging habitat of these raptors would be minimal at most because areas in the vicinity that are not to be disturbed would still provide adequate foraging habitat. Swainson's hawk is State listed as Threatened, but is not listed under the FESA. This species is covered by the MSHCP, meaning that it is considered adequately conserved within the MSHCP plan area if the MSHCP is implemented as intended. The MSHCP is an element of the Riverside County Integrated Project (the integration of land use, transportation, and conservation planning, and implementation, to develop a consensus for the future development of Riverside County). It is designed to protect over 150 species and conserve over 500,000 acres in western Riverside County. Any project-related impacts to Swainson's hawk will be offset by implementing the agreements established in the MSHCP, which include the formation of the MSHCP Conservation Area and reducing edge effects to preserved habitat (by following the Guidelines pertaining to the Urban/Wildlands Interface in MSHCP Section 6.1.4). The MSHCP was conceived, developed, and is being implemented specifically to address the direct, indirect, cumulative, and growth-related effects on covered species resulting from build out of planned land use and infrastructure, including the proposed project.

Stephens' kangaroo rat (SKR) is unlikely to occur based on habitat quality, but has a low potential to occur along the southwest border of the site near higher quality off-site habitat. The project is within the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP) fee area. The SKR HCP provides take authorization for the SKR within the fee area, and no focused surveys for the species are required.

Other Special Status Species. Based on the CDFG and CNPS database searches mentioned above, 26 special status species that are not listed as Threatened or Endangered have the potential to occur in the project vicinity (Table 4.4.B). Species that are not covered under the MSHCP or are not adequately conserved by the MSHCP at this time are also included in Table 4.4.B. All but six of the species in Table 4.4B are covered by the MSHCP, meaning that they are considered adequately conserved if the MSHCP is implemented as intended.

Table 4.4.B: Special Interest Species Potentially Occurring in the Project Vicinity

Species	Status	Habitat and Distribution	On-site Potential
Plants			
Calochortus plummerae Plummer's mariposa lily	US: – CA: 1B MSHCP: P	Sandy or rocky sites of (usually) granitic or alluvial material in valley and foothill grassland, coastal scrub, chaparral, cismontane woodland, and lower montane coniferous forest at 300 to 5,600 feet elevation. Known from the Santa Monica Mountains to San Jacinto Mountains in Riverside, San Bernardino, Orange, Los Angeles, and Ventura Counties. In western Riverside County, this species is known from the foothills of the San Bernardino Mountains, northeastern Santa Ana Mountains, Box Springs Mountains, and from the Lake Skinner area (*The Vascular Plants of Western Riverside County*, California. F.M. Roberts et al., 2004).	Absent. No suitable granitic or alluvial habitat on site.
Centromadia pungens ssp. *laevis* Smooth tarplant	US: – CA: 1B MSHCP: S	Alkaline areas in chenopod scrub, meadows, playas, riparian woodland, valley and foothill grassland below 1,600 feet elevation. Known from Riverside and San Bernardino Counties, extirpated from San Diego County.	Absent. No alkaline areas on site.

Table 4.4.B: Special Interest Species Potentially Occurring in the Project Vicinity

Species	Status	Habitat and Distribution	On-site Potential
Chorizanthe parryi var. *parryi* Parry's spineflower	US: – CA: 1B MSHCP: P	Sandy or rocky soils in chaparral, coastal scrub, or woodlands at 100 to 5,600 feet elevation. Known only from Los Angeles, Riverside, and San Bernardino Counties.	Absent. No sandy or rocky soils in chaparral, coastal sage scrub, or woodlands on site.
Lasthenia glabrata ssp. *coulteri* Coulter's goldfields	US: – CA: 1B MSHCP: S	Usually alkaline soils in marshes, playas, vernal pools, and valley and foothill grassland below 4,600 feet elevation. Known from Colusa, Merced, Tulare(?), Orange, Riverside, Santa Barbara, San Diego, San Luis Obispo, and Ventura Counties. Believed extirpated from Kern, Los Angeles, and San Bernardino Counties. Also occurs in Mexico.	Absent. No alkaline soils or suitable wet areas on site.
Lepidium virginicum var. *robinsonii* Robinson's pepper-grass	US: – CA: 1B MSHCP: NC	Dry soils in coastal sage scrub and chaparral below 2,900 feet elevation. In California, known only from Los Angeles, Orange, Riverside, Santa Barbara, San Bernardino and San Diego Counties, and Santa Cruz Island. Also occurs in Mexico.	Absent. No coastal sage scrub or chaparral on site.
Symphyotrichum defoliatum (Aster defoliatus) San Bernardino aster	US: – CA: 1B MSHCP: NC	Vernally wet sites (such as ditches, streams, and springs) in many plant communities below 6,700 feet elevation. In California, known from Ventura, Kern, San Bernardino, Los Angeles, Orange, Riverside, and San Diego Counties. May also occur in San Luis Obispo County. In western Riverside County, this species is scarce, and documented only from Temescal and San Timoteo Canyons (*The Vascular Plants of Western Riverside County, California*. F.M. Roberts et al., 2004).	Low. The east drainage may be marginally suitable.
Amphibians			
Spea hammondii Western spadefoot	US: – CA: SSC MSHCP: C	Grasslands and occasionally hardwood woodlands; largely terrestrial but requires rain pools or other ponded water persisting at least three weeks for breeding; burrows in loose soils during dry season. Occurs in the Central Valley and adjacent foothills, the non-desert areas of southern California, and Baja California.	Absent. No breeding habitat on site.
Reptiles			
Anniella pulchra California legless lizard	US: – CA: SSC MSHCP: NC	Inhabits sandy or loose loamy soils with high moisture content under sparse vegetation from central California to northern Baja California.	Low. East drainage may provide marginally suitable habitat.
Aspidoscelis hyperythra Orangethroat whiptail	US: – CA: SSC MSHCP: C	Prefers washes and other sandy areas with patches of brush and rocks, in chaparral, coastal sage scrub, juniper woodland, and oak woodland from sea level to 3,000 feet elevation. Perennial plants required. Occurs in Riverside, Orange, and San Diego Counties west of the crest of the Peninsular Ranges, in extreme southern San Bernardino County near Colton, and in Baja California.	Absent. No coastal sage scrub, chaparral, or woodlands on site.
Crotalus ruber Red diamond rattlesnake	US: – CA: SSC MSHCP: C	Desert scrub, thornscrub, open chaparral and woodland; occasional in grassland and cultivated areas. Prefers rocky areas and dense vegetation. Morongo Valley in San Bernardino and Riverside Counties to the west and south into Mexico.	Low. No rocky areas on site.

Table 4.4.B: Special Interest Species Potentially Occurring in the Project Vicinity

Species	Status	Habitat and Distribution	On-site Potential
Phrynosoma blainvillii (coronatum) Coast horned lizard	US: – CA: SSC MSHCP: C	Primarily in sandy soil in open areas, especially washes and floodplains, in many plant communities. Requires open areas for sunning, bushes for cover, patches of loose soil for burial, and an abundant supply of ants or other insects. Occurs west of the deserts from northern Baja California north to Shasta County below 8,000 feet elevation.	Low. East drainage may provide marginally suitable habitat.
Birds			
Agelaius tricolor (nesting colony) Tricolored blackbird	US: – CA: SSC (breeding) MSHCP: C	Open country in western Oregon, California, and northwestern Baja California. Breeds near fresh water, preferably in emergent wetland with tall, dense cattails or tules, but also in thickets of willow, blackberry, wild rose, tall herbs and forages in grassland and cropland habitats. Seeks cover for roosting in emergent wetland vegetation, especially cattails and tules, and also in trees and shrubs.	Absent. No marshy areas nearby.
Ammodramus savannarum (nesting) Grasshopper sparrow	US: – CA: SSC (breeding) MSHCP: P	Grasslands, agricultural fields, prairie, old fields and open savanna. Uncommon and very local summer resident on grassy slopes and mesas west of the deserts. Only rarely in migration and in winter. Coastal Southern California.	Present. Observed during burrowing owl surveys.
Asio flammeus (nesting) Short-eared owl	US: – CA: SSC (breeding) MSHCP: NC	Open country, usually with tall grass, in scattered regions around the Northern Hemisphere. Primarily a rare winter visitor in southwestern California, but recorded at Mystic Lake in the San Jacinto Valley, Riverside County, in summer 1992, and Harper Dry Lake, San Bernardino County, summer 1993.	Low. A rare winter visitor in region. No tall grassy areas on site.
Athene cunicularia (burrow sites) Burrowing owl	US: – CA: SSC (breeding) MSHCP: S	Open country in much of North and South America. Usually occupies ground squirrel burrows in open, dry grasslands, agricultural and rangelands, railroad rights-of-way, and margins of highways, golf courses, and airports. Often utilizes man-made structures, such as earthen berms, cement culverts, cement, asphalt, rock, or wood debris piles. They avoid thick, tall vegetation, brush, and trees, but may occur in areas where brush or tree cover is less than 30 percent.	Low. Not found during focused survey.
Charadrius montanus (wintering) Mountain plover	US: – CA: SSC (wintering) MSHCP: C	Forages in areas with flat topography and bare ground or short vegetation: short grasslands, freshly plowed fields, newly sprouting grain fields, grazed areas, and sometimes sod farms. Found on short grasslands and plowed fields of the Central Valley from Sutter and Yuba Counties southward. Also found in foothill valleys west of San Joaquin Valley, Imperial Valley, plowed fields of Los Angeles and western San Bernardino Counties, and along the central Colorado River Valley. Recent extralimital records exist for locations along the northern coast of California. Winters below 3,200 feet.	Low. Habitat on site may be marginally suitable for brief winter foraging if plowed or mowed.
Circus cyaneus (nesting) Northern harrier	US: – CA: SSC (breeding) MSHCP: C	Marshy habitats, grassland and other open country; uncommon in open desert and brushlands. Nests on the ground in open (treeless) wetland and upland areas, including cultivated cropland and dry	Low. Open habitat on site is marginally suitable.

Table 4.4.B: Special Interest Species Potentially Occurring in the Project Vicinity

Species	Status	Habitat and Distribution	On-site Potential
		grassland. Nest usually constructed in tall, dense clumps of vegetation. Found in the Temperate Zone worldwide.	
Elanus leucurus (nesting) White-tailed kite	US: – CA: CFP MSHCP: C	Typically nests in riparian trees such as oaks, willows, and cottonwoods at low elevations. Forages in open country. Found in South America and in southern areas and along the western coast of North America.	Low. May forage over site.
Icteria virens (nesting) Yellow-breasted chat	US: – CA: SSC (breeding) MSHCP: C	Riparian thickets of willow, brushy tangles near watercourses. Nests in riparian woodland throughout much of western North America. Winters in Central America.	Absent. No riparian thickets or woodland on site.
Lanius ludovicianus (nesting) Loggerhead shrike	US: – CA: SSC (breeding) MSHCP: C	Prefers open habitats with scattered shrubs, trees, posts, fences, utility lines, or other perches. Inhabits open country with short vegetation, pastures, old orchards, cemeteries, golf courses, riparian areas, and open woodlands. Highest density occurs in open-canopied valley foothill hardwood, valley foothill hardwood-conifer, valley foothill riparian, pinyon-juniper, juniper, desert riparian, and Joshua tree habitats. Occurs only rarely in heavily urbanized areas, but often found in open cropland. Found in open country in much of North America.	Low. Uncommon in urbanized areas, but habitat on site is otherwise suitable.
Mammals			
Chaetodipus fallax fallax Northwestern San Diego pocket mouse	US: – CA: SSC MSHCP: C	Found in sandy herbaceous areas, usually associated with rocks or coarse gravel in coastal scrub, chaparral, grasslands, and sagebrush, from Los Angeles County through southwestern San Bernardino, western Riverside, and San Diego Counties to northern Baja California.	Low. Site may be marginally suitable.
Eumops perotis Western mastiff bat	US: – CA: SSC MSHCP: NC	Occurs in many open, semi-arid to arid habitats, including conifer and deciduous woodlands, coastal scrub, grasslands, chaparral, etc.; roosts in crevices in vertical cliff faces, high buildings, and tunnels, and travels widely when foraging.	Low. No roosting habitat on site, but may forage over site.
Lasiurus xanthinus Western yellow bat	US: – CA: SSC (in process) MSHCP: NC	Found in desert and riparian areas of the southwest U.S. Individuals roost in the dead fronds of palm trees, and have also been documented roosting in cottonwood trees.	Low. Roosting habitat is sparse in site vicinity.
Lepus californicus bennettii San Diego black-tailed jackrabbit	US: – CA: SSC MSHCP: C	Variety of habitats including herbaceous and desert scrub areas, early stages of open forest and chaparral. Most common in relatively open habitats. Restricted to the cismontane areas of Southern California, extending from the coast to the Santa Monica, San Gabriel, San Bernardino, and Santa Rosa Mountain ranges.	Moderate. Open areas of site are suitable.
Perognathus longimembris brevinasus Los Angeles pocket mouse	US: – CA: SSC MSHCP: S	Prefers sandy soil for burrowing, but has been found on gravel washes and stony soils. Found in coastal sage scrub in Los Angeles, Riverside, and San Bernardino Counties.	Absent. No coastal sage scrub and very little sandy soil on site.

Table 4.4.B: Special Interest Species Potentially Occurring in the Project Vicinity

Species	Status	Habitat and Distribution	On-site Potential
Taxidea taxus American badger	US: – CA: SSC MSHCP: NC	Primary habitat requirements seem to be sufficient food and friable soils in relatively open uncultivated ground in grasslands, woodlands, and desert. Widely distributed in North America.	Absent. Avoids urbanized areas. Widely but sparsely distributed in the region.

LEGEND

US: Federal Classifications

– No Federal classification

CA: State Classifications

SSC Species of Special Concern. Refers to animals with vulnerable or seriously declining populations.

CFP California Fully Protected. Refers to animals protected from take under Fish and Game Code sections 3511, 4700, 5050, and 5515.

1B California Rare Plant Rank 1B – rare, threatened or endangered in California and elsewhere.

MSHCP: Western Riverside County Multiple Species Habitat Conservation Plan Status

C Species is covered and adequately conserved under the MSHCP.

S Species is covered and adequately conserved under the MSHCP, but surveys are required within indicated habitats and/or survey areas.

P Species is covered and will be adequately conserved when MSHCP specified requirements are met.

NC Species not covered under the MSHCP.

Source: *City of Moreno Valley General Plan Final EIR,* City of Moreno Valley, approved October, 2006; *California Natural Diversity Data Base* records for *Sunnymead, California* USGS 7.5-minute quadrangle searched on December 16, 2011, using *Rarefind 3* (version 3.1.0, California Department of Fish and Game, dated September 3, 2011); *Electronic Inventory of Rare and Endangered Vascular Plants of California* (online edition, v8-01a, California Native Plant Society, 2011, http://www.rareplants.cnps.org/) records for *Sunnymead, California* USGS 7.5-minute quadrangle searched on December 23, 2011.

One of the species in Table 4.4.B, grasshopper sparrow (*Ammodramus savannarum*), was observed on the site during the burrowing owl survey. Fourteen others, including burrowing owl, have a low to moderate potential to occur on the site based on existing habitat quality.

The project site is within the MSHCP burrowing owl survey area, and a habitat assessment and focused survey were conducted. During the habitat assessment, one location within the project site contained burrowing owl sign (i.e., whitewash and bone fragments). Field surveys also identified suitable burrows on the proposed project site that may provide habitat for the western burrowing owl; however, no occurrence of the burrowing owl was documented on site during the survey. To confirm continued absence of the burrowing owl from the project site, an MSHCP 30-day pre-construction protocol survey for the burrowing owl prior to ground-disturbing activities will be required.

Of the species with potential to occur on the site, none is listed as threatened or endangered under State or Federal law, all are relatively widespread, and the site does not contain high quality habitat for any of these species. Therefore, any impacts to these species by the project would not be considered significant. Neither additional surveys nor additional conservation measures for these species will be required for the proposed project. This includes the San Bernardino aster, California legless lizard, short-eared owl, western mastiff bat, the western yellow bat, and the grasshopper sparrow.

4.4.1.6 Onsite Drainages

The jurisdictional delineation report,[1] originally conducted in June of 2008 and verified in June of 2011, identified three areas that are jurisdictional drainages on the proposed project site. All drainages on site connect to the San Jacinto watershed and are subject to regulatory authority by the U.S. Army Corps of Engineers (USACE) and Regional Water Quality Control Board (RWQCB). The

[1] Jurisdictional Delineation Report for the ProLogis Eucalyptus Project Site, ICF International, July 2011.

definable bed to bank observed for all drainages are subject to regulatory authority by the CDFG. Figure 4.4.2 illustrates the location and extent of these three drainages in relation to the project site.

The eastern drainage (within the Quincy Channel) appears to carry water flows more frequently and contains a small area of disturbed mule fat scrub habitat. The eastern drainage flows from north of the project site off site south of the southern boundary. The portion of the eastern drainage within the project site does not meet the wetland requirements for hydrophytic vegetation within the ordinary high water mark (OHWM). Rubbish and green waste has been dumped in the past on both sides of the eastern drainage. Ruderal weeds dominated by short-pod mustard (*Hirshfeldia incana*) filled the margin between the drainage and adjacent fields. The eastern drainage was dry within the proposed project area at the time of this study. However, the eastern drainage contains evidence of high-velocity seasonal flow events, including drainage patterns. When taken into context with the vegetation and soils present in the eastern drainage, these indicators are more suggestive of flood flow hydrology than wetland hydrology. No organic streaking, high levels of organic matter in the surface layer, or other hydric soil indicators for sandy soils were observed in the upper 12 inches of sample soil pits. The sample does not meet wetland hydric soil criteria. Although the eastern drainage is not a wetland, it is subject to USACE and RWQCB jurisdiction as non-wetland waters and to CDFG jurisdiction as a streambed.

The western drainage begins at Pettit Street west of the project boundary. The southern drainage is a continuation of the western drainage. The western drainage is an eroded channel that appears to be storm water runoff from the culverts located at the intersection of Pettit Street and Auto Mall Drive.

The western drainage begins at the culverts and then meanders in a southeasterly direction until it meets with the southern drainage near the southwest corner of the project site. The combined drainage then continues southeasterly and meets with the eastern drainage near Cottonwood Avenue. The dominant plant communities associated with the western and southern drainages within the project boundaries are identified as several mustard species, annual bur ragweed, Russian thistle, cheeseweed, and non-native grass species. These drainages do not meet the wetland requirements for hydrophytic vegetation within the OHWM. The southern and western drainage were dry within the proposed project area at the time of this study; however, they contain evidence of high-velocity seasonal flow events, including drainage patterns. When taken in context with the vegetation and soils present in the western and southern drainages, these indicators are more suggestive of flood flow hydrology than wetland hydrology. No organic streaking, high levels of organic matter in the surface layer, or other hydric soil indicators for sandy soils were observed in the upper 12 inches of the sample soil pits. The samples do not meet wetland hydric soil criteria. Because of the presence of a bed and bank and the potential to support wildlife and aquatic resources, the western and southern drainages are considered jurisdictional streambeds under the jurisdiction of CDFG.

Like the eastern drainage, the southern and western drainages are subject to USACE and RWQCB jurisdiction as non-wetland waters and to CDFG jurisdiction as streambeds.

4.4.2 Existing Policies and Regulations

4.4.2.1 Federal Regulations

Federal Endangered Species Act. The FESA was promulgated to protect any species of plant or animal that is endangered or threatened with extinction. Section 9 of the FESA prohibits “take” of federally threatened or endangered wildlife. Take, as defined under the FESA, means to harass, harm, pursue, hunt, wound, kill, trap, capture, collect, or attempt to engage in any such conduct (16 USC 1532[19]). Section 9 also prohibits the removal and reduction of endangered plants from lands under federal jurisdiction, and the removal, cutting, digging, damage, or destruction of endangered plants on any other area in “knowing violation of State law or regulation.”

Section 9 of the FESA (16 USC 1538) prohibits take of a federally listed endangered species of fish or wildlife except pursuant to a permit and Habitat Conservation Plan (HCP) approved under Section

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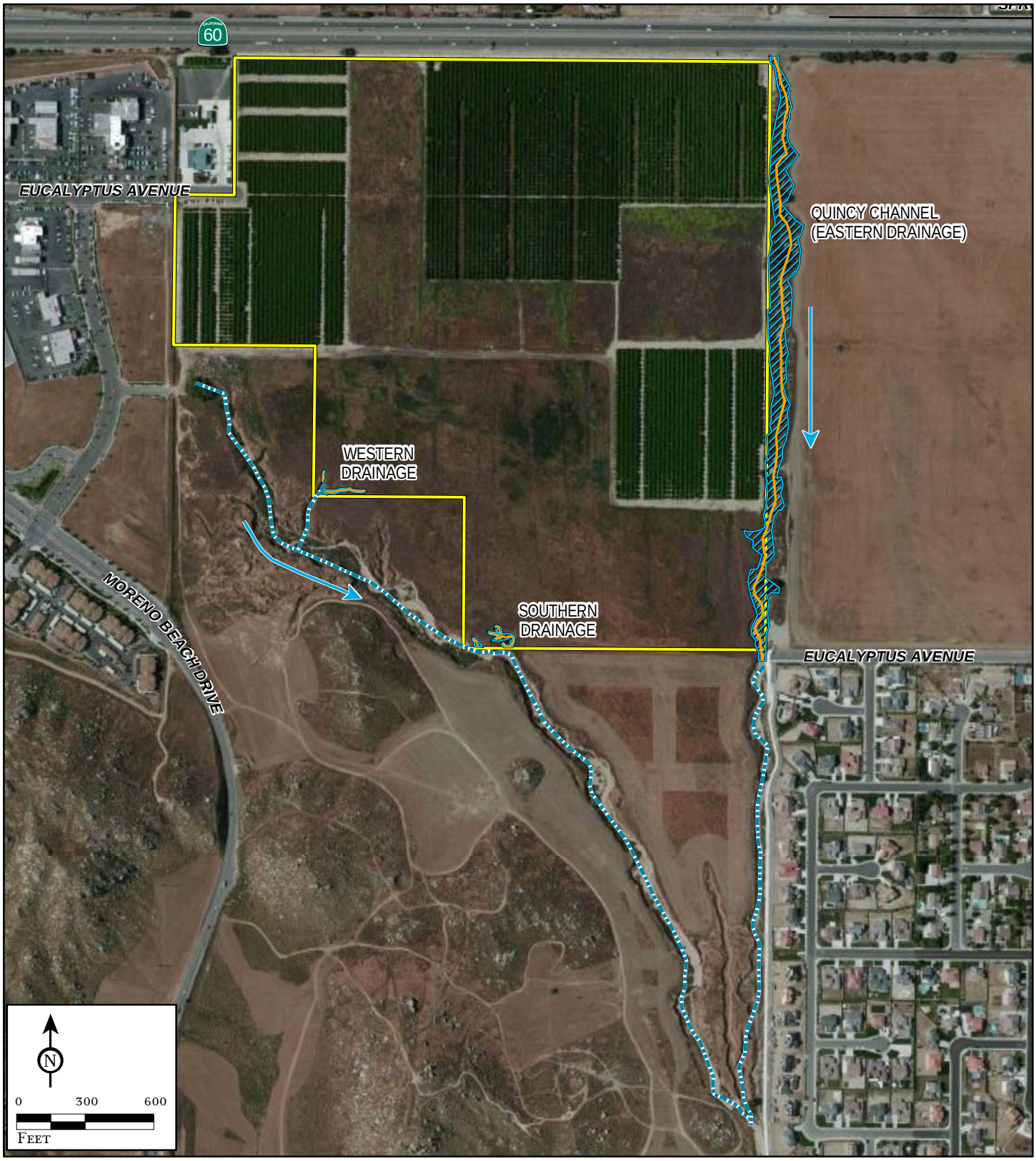

LSA

FIGURE 4.4.2A

Project Boundary

Eroded Channel

ACOE*/RWQCB* Potential Jurisdictional Waters

CDFG* Potential Jurisdictional Waters

Flow Direction

SOURCE: ICF Jones & Stokes, 2008; Bing Aerial Map, 2010

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*ACOE: Army Corps of Engineers
RWQCB: Regional Water Quality Control Board
CDFG: California Department of Fish and Game

Eucalyptus Industrial Park
Environmental Impact Report

Onsite Drainages

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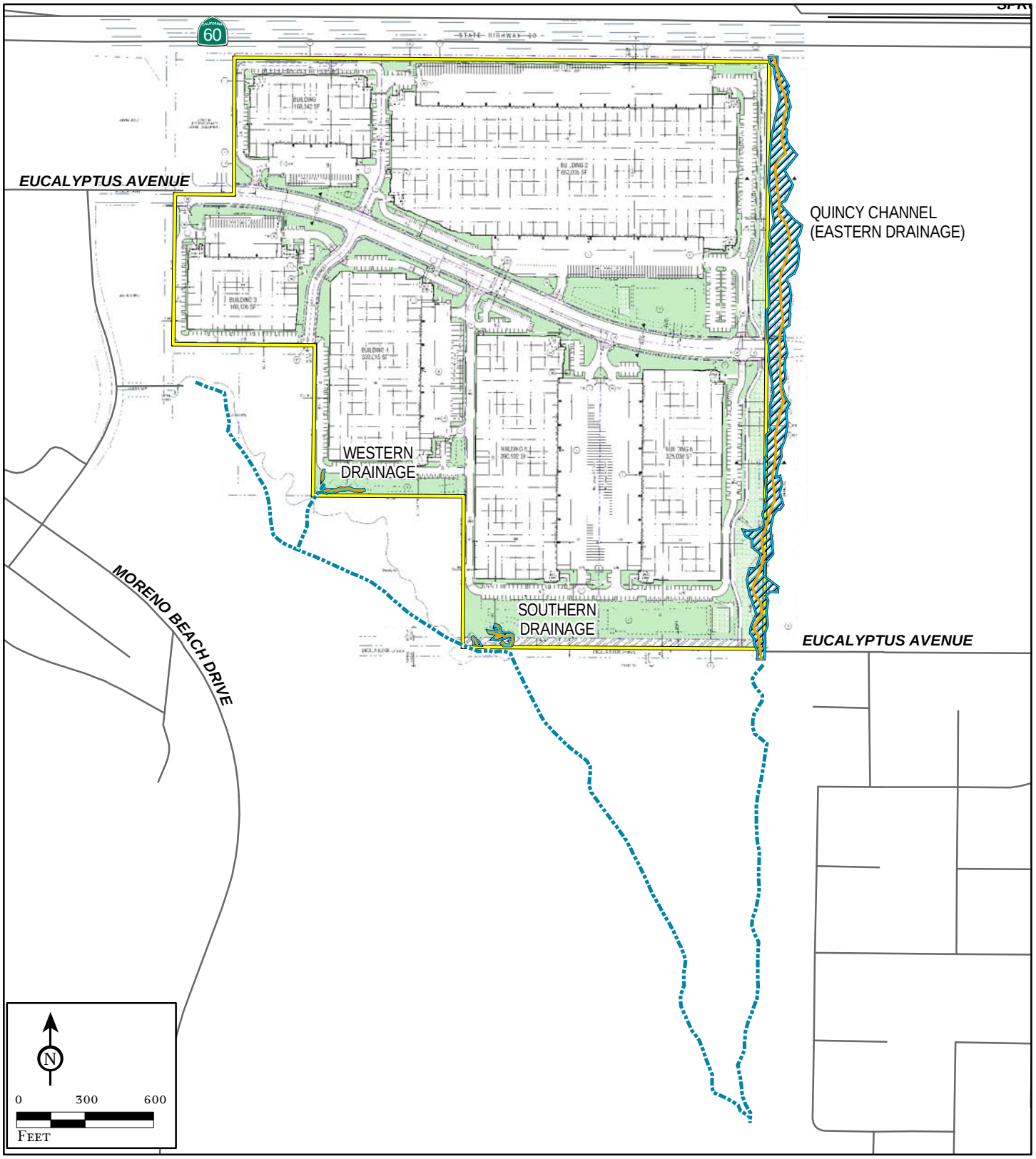

LSA

FIGURE 4.4.2B

Project Boundary

Eroded Channel

ACOE*/RWQCB* Potential Jurisdictional Waters

CDFG* Potential Jurisdictional Waters

*ACOE: Army Corps of Engineers
RWQCB: Regional Water Quality Control Board
CDFG: California Department of Fish and Game

SOURCE: ICF Jones & Stokes, 2008; RGA, 2011

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Eucalyptus Industrial Park
Environmental Impact Report

Onsite Drainages with Site Plan

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10(a) of the FESA (16 USC 1539). The FESA prohibitions and requirements are different, however, for endangered species of plants. Section 9 prohibits the take of endangered plants only from areas under Federal jurisdiction, or if such take would violate State law.

The proposed project site is located on private land. For listed plants located on private land, formal consultation with the USFWS is required when a project has a Federal "nexus" (i.e., a Federal permit is required or Federal funding is involved). In the absence of a Federal nexus, a project does not require a permit under the FESA for impacts to listed plants on private lands.

Clean Water Act. The USACE regulates discharges of dredged or fill material into waters of the United States. These waters include wetlands and non-wetland bodies of water that meet specific criteria, including a direct or indirect connection to interstate commerce. The USACE regulatory jurisdiction pursuant to Section 404 of the Federal Clean Water Act (CWA) is founded on a connection, or nexus, between the water body in question and interstate commerce. This connection may be direct (through a tributary system linking a stream channel with traditional navigable waters used in interstate or foreign commerce) or may be indirect (through a nexus identified in the USACE regulations). The USACE typically regulates as non-wetland waters of the U.S. any body of water displaying an OHWM. In order to be considered a jurisdictional wetland under Section 404, an area must possess three wetland characteristics: hydrophytic vegetation, hydric soils, and wetland hydrology. Each characteristic has a specific set of mandatory wetland criteria that must be satisfied in order for that particular wetland characteristic to be met.

In 2006, the United States Supreme Court in the consolidated cases *Rapanos v. United States* and *Caravell v. United States*, Nos. 04-1034 and 04-1384 (*Rapanos*: June 19, 2006) addressed CWA jurisdiction over wetlands adjacent or abutting navigable, non-navigable and ephemeral tributaries and jurisdiction over permanent and relatively permanent non-navigable tributaries. The CWA does not assert jurisdiction over upland erosional features, gullies, and roadside ditches that have infrequent, low volume, and short duration of water flow. In addition, USACE uses a significant nexus analysis. Application of this standard will involve a comprehensive review of the tributary flow characteristics, functions of the tributary, and functions of any adjacent wetlands. The analysis involves completion of a seven-page "Approved Jurisdiction Form." The USACE uses the standard to determine if the tributary or wetland significantly affects the hydrological, ecological, chemical, physical, and biological integrity of the downstream navigable water. Additional information is provided in the EPA memorandum titled "Clean Water Act Jurisdiction Following the U.S. Supreme Court's Decision in *Rapanos v. United States* & *Caravell v. United States*," dated June 5, 2007 (USACE 2007), and also the *U.S. Army Corps of Engineers Jurisdictional Determination Form Instructional Guidebook* (USACE and EPA 2007).

The CDFG, through provisions of the California Fish and Game Code (Sections 1601–1603), is empowered to issue agreements for any alteration of a river, stream, or lake where fish or wildlife resources may be adversely affected. Streams (and rivers) are defined by the presence of a channel bed and banks, and at least an intermittent flow of water. The CDFG regulates wetland areas only to the extent that those wetlands are part of a river, stream, or lake as defined by the CDFG.

The RWQCB is responsible for the administration of Section 401 of the Clean Water Act, through water quality certification of any activity that may result in a discharge to jurisdictional waters of the U.S. The RWQCB may also regulate discharges to "waters of the State," including wetlands, under the California Porter-Cologne Water Quality Control Act.

Migratory Bird Treaty Act. The Migratory Bird Treaty Act of 1918 (MBTA) protects most native birds as well as their nests and eggs, but does not regulate impacts to the species' habitats. The MBTA prohibits "take" (pursuit, possession, or destruction of birds, their nests, or eggs) (16 U.S.C. 703–711). Activities that can cause destruction of active nests, or that cause nest abandonment and subsequent death of eggs or young, may constitute violations of the MBTA.

4.4.2.2 State Regulations

California Endangered Species Act. The State of California has promulgated the California Endangered Species Act. The CESA is similar to the FESA in that its intent is to protect species of fish, wildlife, and plants that are in danger of, or threatened with, extinction because their habitats are threatened with destruction, adverse modification, or severe curtailment, or because of overexploitation, disease, predation, or other factors.

"Take" as defined under CESA means hunt, pursue, capture, or kill, or attempt to hunt, pursue, capture, or kill. Under certain conditions, CESA has provisions for take through a 2081 Permit or a Section 2081 Memorandum of Understanding. The impacts of the authorized take must be minimized and fully mitigated. No permit may be issued if the issuance of the permit would jeopardize the continued existence of the species.

California Environmental Quality Act. Section 15380(b) of the *CEQA Guidelines* provides that a species not listed on the Federal or State lists of protected species may be considered rare or endangered if the species can be shown to meet specified criteria. These criteria have been modeled after the definitions in FESA and CESA and § 2780-2781 of Article 1 of the California Fish and Game Code dealing with the California Wildlife Protection Act of 1990. This section was included in the guidelines primarily to deal with situations in which a public agency is reviewing a project that may have a significant effect on a species that has not yet been listed by either the USFWS or CDFG.

California Fish and Game Code. Section 3503 of the California Fish and Game Code prohibits the destruction of bird nests or eggs except as otherwise provided for in the Fish and Game Code. This regulation applies to the individual nests of native bird species, but does not regulate impacts to the species' habitats. Activities that can cause destruction of active nests, or that cause nest abandonment and subsequent death of eggs, may constitute violations of this regulation.

Streambed Alteration Agreement. Sections 1600 et seq. of the California Fish and Game Code define the responsibilities of the CDFG and require public and private applicants to obtain an agreement for projects that would "divert, obstruct, or change the natural flow or bed, channel, or bank of any river, stream, or lake designated by CDFG in which there is at any time an existing fish or wildlife resource or from which those resources derive benefit, or would use material from the streambed designated by the department." CDFG wardens and/or unit biologists typically have the responsibility for formulating and issuing Streambed Alteration Agreements. The CDFG, through provisions of the Code (Sections 1601–1603), is empowered to issue agreements for any alteration of a river, stream, or lake where fish or wildlife resources may be adversely affected. Streams (and rivers) are defined by the presence of a channel bed and banks, and at least an intermittent flow of water. The CDFG regulates wetland areas only to the extent that those wetlands are part of a river, stream, or lake as defined by the CDFG.

Native Plant Protection Act (NPPA). Sections 1900–1913 of the California Fish and Game Code (Native Plant Protection Act) direct the CDFG to carry out the Legislature's intent to "…preserve, protect and enhance endangered or rare native plants of this state." The NPPA gives the California Fish and Game Commission the power to designate native plants as "endangered" or "rare" and protect endangered and rare plants from take.

4.4.2.3 Local Regulations

Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The continued loss of habitat to new development and the cumbersome process of environmental review and habitat mitigation on a project-by-project basis led to preparation of the MSHCP. The MSHCP area

encompasses an area stretching from the San Jacinto Mountains to the Orange County border. The MSHCP is a multi-jurisdictional effort that provides a regional conservation solution to species and habitat issues that have historically threatened to stall infrastructure and land use development. The MSHCP's underlying goal is to protect multiple species by preserving a variety of habitat and providing linkages between different habitat areas and other undeveloped lands that would ensure long-term survival of 146 species of plants and animals. As long as adherence to the policies and requirements of the MSHCP is maintained, participants in the MSHCP, which include the County of Riverside and fourteen cities (including the City of Moreno Valley), are allowed to authorize "incidental take" of plant and wildlife species of concern.

The MSHCP provides for the assembly of Conservation Areas consisting of Core Areas and Linkages for the conservation of Covered Species (Riverside County Transportation and Land Management Agency, 2003). Covered Species include 146 species of plants and animals that receive varying levels of protection from State and Federal authorities. The MSHCP provides an incentive-based program, the Habitat Evaluation and Acquisition Negotiation Strategy (HANS) for adding land to the MSHCP Conservation Area. If it is determined that all or a portion of the property is needed for inclusion in the MSHCP Conservation Area, then various incentives may be available to the property owner in exchange for the conveyance of a property interest. Projects located in proximity to the MSHCP Conservation Area may result in edge effects that could adversely affect biological resources within the MSHCP Conservation area. MSHCP Urban/Wildlands Interface Guidelines (MSHCP Section 6.1.4) are intended to reduce such indirect effects. The MSHCP and the SKR HCP are the principal habitat conservation plans in western Riverside County.

Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP). The USFWS issued a permit to the Riverside County Habitat Conservation Agency on May 3, 1996, to incidentally take the Stephens' kangaroo rat. The 30-year plan is designed to acquire and permanently conserve, maintain, and fund the conservation, preservation, restoration, and enhancement of Stephens' kangaroo rat occupied habitat. The SKR HCP covers approximately 534,000 acres within the member jurisdictions (including the City of Moreno Valley), and includes an estimated 30,000 acres of occupied Stephens' kangaroo rat habitat. The SKR HCP requires members to preserve and manage 15,000 acres of occupied Stephens' kangaroo rat habitat in 7 Core Reserves encompassing over 41,000 acres. Currently 12,460 acres of occupied habitat exists within the Core Reserves.

4.4.2.4 City of Moreno Valley General Plan Policies

The General Plan defines goals and policies related to biological resources within the City of Moreno Valley. The specific policies of the General Plan that are relevant to the proposed project are as follows:

Conservation Element

Policy 7.4.1 Require all development, including roads, proposed adjacent to riparian and other biologically sensitive habitats to provide adequate buffers to mitigate impacts to such areas.

Policy 7.4.3 Preserve natural drainage courses in their natural state and the natural hydrology, unless the protection of life and property necessitate improvement as concrete channels.

Policy 7.4.5 The City shall fulfill its obligations set forth within any agreement(s) and permit(s) that the City may enter into for the purpose of implementing the Western Riverside County Multiple Species Habitat Conservation Plan.

4.4.3 Methodology

4.4.3.1 Habitat Assessment Survey

Prior to the field visit, a literature review to determine potential environmental conditions occurring on the project site was conducted. Literature reviewed includes the United States Department of Agriculture (USDA) (1971) Soil Survey. The Riverside County Integrated Project Conservation Summary Report was queried to determine habitat assessment and potential survey requirements for the site (Appendix A). The project site was assessed to determine consistency with the requirements set forth in the MSHCP. Geographic Information Systems (GIS) software was utilized to map the site in relation to MSHCP areas including criteria cells; conservation areas and wildlife movement corridors and linkages; criteria area species survey areas for plant, bird, mammal, and amphibian species; narrow endemic plants survey areas; and survey requirements for inadequately covered species.

The MSHCP also requires that an assessment be completed to determine the potentially significant effects of the project on riparian/riverine areas and vernal pools. In addition, the NDDB (CDFG 2008a) and the CNPS Electronic Inventory (California Native Plant Society 2008) was reviewed for the project site and a 5-mile radius. The MSHCP was also reviewed for habitat assessment requirements as well as habitat suitability elements for sensitive wildlife species, narrow endemic plant species, and criteria area plant species. The review was conducted to evaluate the potential for suitable habitat for sensitive plant and wildlife species and to determine the applicability of other MSHCP and CEQA biological resources requirements as they pertain to the proposed project.

A habitat assessment of the project site was conducted to assess physical parameters such as vegetation composition, soil substrate conditions, slope, aspect, hydrology, and disturbance to the land. Special attention was directed toward determining the plant communities that occur on and in the immediate vicinity of the site in an effort to qualify the suitability of the site for sensitive plant and wildlife species that are known to occur in the region.

A riparian/riverine habitat assessment of the project site concurrent with the MSHCP burrowing owl habitat assessment was also conducted. The riparian/riverine habitat assessment focused on all drainage features on the project site. Special attention was directed toward features that were considered to meet the minimum criteria to be considered riparian/riverine habitat per the definition provided within the MSHCP. All targeted drainage features were carefully inspected for the presence of riparian habitat characteristics and suitability to support associated species, including a dominance of hydrophytic vegetation, suitable topography and hydrology, and suitable soil substrate where necessary. Hydrophytic vegetation in riparian habitats typically consists of trees, shrubs, persistent emergents or emergent mosses and lichens that occur within permanent or near permanent watersheds, or occupy areas with moist soils that occur nearby a freshwater source, as defined in Section 6.1.2 of the MSHCP (pg. 6-21). The assessment was based upon an analysis of the functions and values of these features, including hydrologic regime, flood storage and flood flow modification, nutrient retention and transformation, sediment trapping and transport, toxicant trapping, public use, wildlife habitat, and aquatic habitat. Plant communities within the project site were mapped using 7.5-minute U.S. Geological Survey (USGS) topographic base maps and aerial photography. The plant communities within the project site were classified according to descriptions provided in Holland's *Preliminary Descriptions of the Terrestrial Natural Communities of California* (1986 and 1992 update). Common plant species observed during the field survey were identified by visual characteristics and morphology and recorded. Unusual and less familiar plants were identified in the office using taxonomical guides. A comprehensive list of all plant species observed on the project site was compiled from the survey data and is provided in Appendix B of the *MSHCP Consistency Analysis Report*. Taxonomic nomenclature used in this study follows Hickman (1993) and Munz (1974). Wildlife species detected during field surveys by sight, calls, tracks, scat, or other sign were recorded. Field guides were used to assist with identification of species during surveys. Although common names of wildlife species are fairly well standardized, scientific names are used in this report and are provided in Appendix B of the *MSHCP Consistency Analysis Report*.

Taxonomy and nomenclature used in this report follow Hickman (1993) for plants, Collins and Taggart (2002) for native herptiles (amphibians, reptiles, and relatives), American Ornithologists' Union (1998) and supplements (American Ornithologists' Union [AOU] 2000, 2002, 2003, 2004, and 2005) for birds, and Jones et al. (1997) for mammals. Taxonomy and nomenclature for higher-level taxa (kingdoms through classes) follow Raven and Johnson (1996). Subspecies taxonomy and nomenclature for birds follow AOU (1957) as updated by Browning (1990).

4.4.3.2 Burrowing Owl Focused Survey

A habitat assessment for the potential presence of burrowing owl was conducted on the project site in July 2011. Potential habitat was found to occur at a broad landscape level. Specifically, open lands that were sparsely vegetated with native or non-native vegetation were judged potentially suitable with particular emphasis made to the incised drainages along the east and south boundaries of the project site. During the habitat assessment, a complex of four burrows was found (refer to Exhibit 7 – location #14 of the *MSHCP Consistency Analysis Report*). The assessment involved walking the project site and adjacent properties up to 500 feet, where possible. All plant and vertebrate animal species detected either directly or indirectly (e.g., tracks, scat, and vocalizations) were recorded. Soil conditions, topography, vegetative communities, and quality of habitat were also documented. All encountered burrows were checked for the presence of feathers, scat, pellets, tracks, or other indications of use by burrowing owls.

Under the MSHCP, the focused survey protocol was performed in two parts: (A) a Focused Burrow Survey; and (B) a Focused Burrowing Owl Survey. The work was conducted during the breeding season as defined under the MSHCP (March 1–August 31). All work was conducted during weather conducive to observing owls outside their burrows and detecting burrowing owl sign. Surveys were not performed within five days following rain; during rain, high winds (> 20 mph), or dense fog; or when temperatures exceeded 90°F. For Part B, surveys were conducted in the morning between one hour before sunrise and two hours after sunrise.

Part A: Focused Burrow Survey. A systematic survey for burrows including burrowing owl sign was conducted by walking through potentially suitable habitat over the entire survey area (i.e., the project site and 500-foot buffer). Transects were walked to allow 100 percent visual coverage of the ground surface. The distance between transect center lines was no more than 30 meters (approximately 100 feet) and was reduced to account for differences in terrain, vegetation density, and ground surface visibility. The location of all suitable burrowing owl habitat, potential owl burrows, burrowing owl sign, and any owls observed were recorded and mapped, including GPS coordinates. Natural or man-made structures and debris piles that could potentially support burrowing owls were also noted and mapped.

Part B: Focused Burrowing Owl Surveys. The focused surveys consisted of site visits on five separate days. The first survey was conducted concurrently with Part A, which is permitted by guidelines. There are no timing restrictions on the burrow surveys. Prior to the walking survey, areas were scoped. All potentially suitable habitat as well as previously mapped burrows and known locations of owl sign and perch locations (if any) were scanned using binoculars. Once this had been accomplished, a survey for owls and owl sign was conducted by walking through suitable habitat over the entire project site and all areas within 150 meters (approximately 500 feet) of the project site. These pedestrian surveys followed transects spaced to allow 100 percent visual coverage of the ground surface and spaced no more than 30 meters (approximately 100 feet) apart. For potentially suitable habitat within the 150-meter buffer for which legal access had not been acquired, binoculars and a scope were used to determine if owls are present.

4.4.3.3 Jurisdictional Delineation Survey

Methods for delineating Federal wetlands followed the guidelines set forth by the USACE (Environmental Laboratory 1987). The routine on-site determination method was used to gather field data at potential wetland areas for most projects. Visual observations of vegetation types and hydrology were used to locate areas for evaluation. At each evaluation area, several parameters are considered to determine whether the sample point is within a wetland. Three criteria normally must be fulfilled in order to classify an area as a jurisdictional USACE wetland: 1) a predominance of hydrophytic vegetation, 2) the presence of hydric soils, and 3) the presence of wetland hydrology.

The delineation of non-wetland waters of the United States was based on indicators for the OHWM, following established criteria (33 CFR 328.3[e]). Specifically, 1) average OHWM width accurate to at least a half foot at points wherever clear changes in width occurred, and 2) OHWM length using drainage mapping that was confirmed in the field. The OHWM is defined in Federal regulations as "that line on the shore established by the fluctuations of water and indicated by physical characteristics such as [a] clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas" (33 CFR 328.3 [e]).

Evaluation of State jurisdiction followed guidance in the Fish and Game Code, related CDFG materials, and standard practices by CDFG personnel. Briefly, State jurisdiction was delineated by measuring outer width and length boundaries of State jurisdiction (lakes or streambeds), consisting of the greater of either the top of bank measurement (bank full width) or the extent of associated riparian or wetland vegetation.

4.4.4 Thresholds of Significance

Based on Appendix G of the *CEQA Guidelines*, significant biological resource impacts would occur if the proposed project would:

- Have a substantial adverse effect, either directly or indirectly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFG or USFWS;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFG or the USFWS;
- 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;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native or resident migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan.

4.4.5 Less than Significant Impacts

4.4.5.1 Habitat Fragmentation/Wildlife Movement

Threshold	Would the proposed project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Habitat fragmentation occurs when a single, contiguous habitat area is divided into two or more areas, or where an action isolates the two or more new areas from each other. Isolation of habitat occurs when wildlife cannot move freely from one portion of the habitat to another or to/from one habitat type to another. Habitat fragmentation may occur when a portion of one or more habitats is converted into another habitat, as when scrub habitats are converted into annual grassland habitat because of frequent burning. Wildlife movement includes seasonal migration along corridors, as well as daily movements for foraging. Examples of migration corridors may include areas of unobstructed movement for deer, riparian corridors providing cover for migrating birds, routes between breeding waters and upland habitat for amphibians, and between roosting and feeding areas for birds.

Migratory birds, including raptors, may use the site to forage and/or nest in trees on site and near the site, particularly within the Quincy Channel. The Quincy Channel is considered a local wildlife corridor trending in a north-to-south direction. While the Quincy Channel supports riparian habitat that may be used by migratory birds to forage and/or nest, the proposed project would be designed to minimize encroachment into this natural area through setback requirements established in Sections 9.16.120 and 9.05.040 of the City's Municipal Code, thus preserving this drainage in its natural state pursuant to the City's General Plan. The setbacks would provide a landscaped buffer area between the drainage and the structures proposed on site.

The MSHCP does not identify a regional wildlife corridor habitat preserve in the project vicinity. The nearest regional wildlife corridor identified in the MSHCP is within the Badlands/Norton Younglove Preserve located approximately three miles east of the project site. This area consists of an extensive pattern of dramatic and rugged mountainous terrain and serves as a crucial wildlife corridor. The preserve includes grasslands, riparian, and woodland habitats. In addition, the San Jacinto Wildlife Reserve/Mystic Lake ecological reserve is located south of the project site along the northern border of the San Jacinto River, next to Lake Perris State Recreation Area and Mystic Lake. This reserve includes wetlands, restored riparian habitat, grasslands, sage scrub, and marshes and also serves as a regional wildlife corridor.

The proposed project site is isolated from these regional wildlife corridors by existing barriers including urban development, agricultural uses, and roadways. Land uses adjacent to the project site include fallow agricultural land to the south and east, commercial uses to the west, and residential uses to the north across SR-60. Due to the nature of development occurring in the project area and the current condition of the project site, it is highly unlikely that the project site is utilized as a wildlife movement corridor, with the exception of the Quincy Channel. The proposed project will not affect the majority of Quincy Channel, thus allowing wildlife to continue using the existing channel to traverse the site.

Typical of similar agricultural activity in the City and similar to adjacent land uses, natural habitat on the project site is limited due to previous disturbance. The quality of on-site habitat has been diminished due to the previous and frequent ground disturbance and agricultural activities. In addition, the existing roadways and infrastructure features further isolate the project site from natural areas. Due to the disturbed condition of the project site, the nature of development to the southeast and west, the intervening presence of roadways and infrastructure, and adherence to City development standards identified in the Municipal Code, development of the proposed project will not result in significant habitat fragmentation or substantially affect established wildlife corridors or wildlife movement. A less than significant impact would result and no mitigation is required.

4.4.5.2 Adopted Policies and/or Ordinances

Threshold	Would the proposed project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

City policies or ordinances identified in the General Plan protecting biological resources include: mitigation of impacts to riparian areas or other natural sensitive communities (Policy 7.4.1), preservation of natural drainage courses in their natural hydrological state (Policy 7.4.3), and City fulfillment of obligations set forth within any agreements and permits related to MSHCP implementation (Policy 7.4.5). Adherence to Policy 7.4.5 is discussed in the following section (*4.4.5.6 Adopted Habitat Conservation Plans*).

The Quincy Channel, located adjacent and to the east of the proposed project site, is a natural drainage, which supports riparian habitat (mule fat scrub). This habitat type is considered a sensitive natural habitat due to the value it provides as nesting sites and foraging sites for migratory birds. As previously identified, the proposed project would be designed to minimize encroachment into this natural area through setback requirements established in Sections 9.16.120 and 9.05.040 of the City's Municipal Code, thus preserving this habitat area in its natural state pursuant to the City's General Plan. At the northeast corner of Building 2, the development plans call for a minimum setback from Quincy Channel due to the topography and alignment of the creek. From that point, the plan provides a setback and landscaped buffer area between the drainage area and the structures proposed on the site that widens and varies from 25 to 50 feet (including the flood control access road). Therefore, the proposed project would not conflict with local policies or ordinances protecting biological resources and a less than significant impact would occur. No mitigation is required.

4.4.5.3 Adopted Habitat Conservation Plans

Threshold	Would the proposed project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

While the project site is located within the Western Riverside County MSHCP, the project site is not within any MSHCP criteria cell or habitat linkage.[1] The nearest MSHCP criteria cell or habitat linkage to the project site is MSHCP Criteria Cell 841, which is approximately 1.15 miles northeast of the project site. Furthermore, the project site is not located within an MSHCP mammal or amphibian survey area; a Narrow Endemic Plant Species Survey Area or Criteria Area Plant Species Survey Area; or a riparian, wetland, or vernal pool habitat/species survey area.[2] A habitat assessment for the burrowing owl is required under the MSHCP. Potential impacts to this species are addressed in Section 4.4.6.1. While the project site is not within any MSHCP conservation areas, the project is still subject to provisions of the MSHCP. In particular, the project applicant will be required to provide payment of mitigation fees and adhere to the requirements established in the MSHCP. Pursuant to agreements with the USFWS and the CDFG, the payment of the mitigation fee prior to the issuance of a building permit by the City, and compliance with applicable provisions of the MSHCP provides full mitigation under CEQA, FESA, and CESA for impacts to the species and habitats covered by the MSHCP. Therefore, development of the proposed project will not conflict with the provisions of the MSHCP. A less than significant impact would occur and no mitigation is required.

In addition to the MSHCP, the project site is within the boundaries of the SKR HCP established by the County of Riverside. Development of the proposed project will not conflict with the provisions of the SKR HCP. Because the project is within the SKR HCP fee area, payment of a local mitigation fee prior to issuance of a grading permit by the City will be required. According to the City of Moreno Valley Fee Resolution Number 89-92, mitigation fees are set at $500 per acre. There are no other

[1] *Western Riverside County Multiple Species Habitat Conservation Plan, Volume I, Part I*, Dudek & Associates, June 17, 2003.
[2] Ibid.

requirements for the project under the SKR HCP and a less than significant impact would occur with payment of the fee.

4.4.5.4 Endangered and Threatened Species

Threshold	Would the proposed project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as endangered or threatened 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 species listed by the State and/or Federal Government as Endangered or Threatened was identified on site during the field surveys; however, Swainson's hawk, a State-listed species, and Stephens' kangaroo rat, a federally and State-listed species, have a low potential to occur on the site.

The project site is not located within any USFWS designated critical habitat[1]. Swainson's hawk would be expected to occur on the site, if at all, only during migration as foraging individuals. Impacts to foraging habitat of this species would be minimal at most because areas in the vicinity that are not to be disturbed would still provide adequate foraging habitat. Swainson's hawk is covered by the MSHCP. Mitigation for covered species consists of participation in the MSHCP.

The project site is within the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP) Fee Area. The SKR is relatively widespread throughout the SKR HCP Fee Area, but the main blocks of occupied habitat are concentrated in several Core Areas that must be conserved. The proposed project site is not within an SKR Core Area. The SKR HCP provides Take Authorization for the SKR within its boundaries, and no surveys or additional measures are required other than paying a development fee prior to issuance of a grading permit by the City, as discussed in the previous section.

4.4.6 Significant Impacts

4.4.6.1 Candidate, Non-listed Sensitive, or Other Special Status Species

Impact 4.4.6.1: *The proposed project has the potential to affect migratory bird species and 15 non-listed special status species, including burrowing owl.*

Threshold	Would the proposed project 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?

One non-listed special status species, grasshopper sparrow, was observed on the site during the burrowing owl survey. This species is conditionally covered by the MSHCP, which means that the species will be covered when the following conservation objectives are met (MSHCP Vol. II, p. B-225):

> Within the MSHCP Conservation Area, maintain occupancy within 3 large Core Areas (100 percent) and at least 3 of the 4 smaller Core Areas (75 percent) in at least 1 year out of any 5 consecutive year period. In order for this species to become a Covered Species Adequately Conserved, the following conservation must be demonstrated: Include within the MSHCP Conservation Area at least 8,000 acres in 7 Core Areas. Core areas may include the following: 1) Prado Basin, 2) Lake Skinner/Diamond Valley Lake/Johnson Ranch area, 3) Lake Mathews-Estelle Mountain, 4) Badlands, 5) Box Springs, 6) Santa Rosa Plateau/Tenaja, 7) Kabian Park, 8) Steele Peak, 9) Sycamore Canyon, 10) Potrero, and 11)

[1] *MSHCP Consistency Analysis,* ICF International. July 2011.

> Mystic Lake/San Jacinto Wildlife Area. Three of the 7 Core Areas will be large, consisting of a minimum of 2,000 acres of grassland habitat or grassland-dominated habitat (<20 percent shrub cover). The other 4 Core Areas may be smaller but will consist of at least 500 acres of contiguous grassland habitat or grassland-dominated habitat (<20 percent shrub cover). Five of the 7 Core Areas will be demonstrated to support at least 20 grasshopper sparrow pairs with evidence of successful reproduction within the first 5 years after permit issuance. Successful reproduction is defined as a nest which fledged at least one known young.

The project site is not within any of the proposed core areas. The proposed project would reduce foraging and potential nesting habitat of this species; however, because the project area is disturbed and nearly surrounded by existing development, the habitat is of low quality. Given that this species is not listed as threatened or endangered, is relatively widespread, and occupies relatively common habitat types, and given that the project site does not provide high quality habitat, the impacts to this species by the proposed project would not be considered significant and no mitigation is required.

Fourteen other non-listed special status species, including burrowing owl, have a low to moderate potential to occur on the site based on existing habitat quality (previously referenced Table 4.4.B). Of these fourteen, all are covered by the MSHCP except for five: San Bernardino aster, California legless lizard, short-eared owl, western mastiff bat, and western yellow bat. Each of these five species has only a low potential of occurring on site. The project may reduce habitat and result in death of individuals of San Bernardino aster and California legless lizard, but, due to the low habitat quality, substantial populations of these species are not expected to be present. The project may also reduce foraging habitat for short-eared owl, western mastiff bat, and western yellow bat. None of these species is listed as Threatened or Endangered under State or Federal law, all are relatively widespread, and the site does not contain high quality habitat for any of them. Therefore, any impacts to these species by the project would not be considered significant. Neither additional surveys nor additional conservation measures for these species will be required for the proposed project, with the exception of burrowing owl, which is discussed below.

Although not observed on the project site, the planning area may support habitat for bird species protected under the California Fish and Game Code and MBTA, which may utilize the project site, including raptors. If clearing and grubbing activities take place during the general bird nesting season (February 1 through August 31), potential impacts to bird species protected under the California Fish and Game Code and MBTA may occur, so mitigation is required.

The project site contains habitat suitable to support the burrowing owl. The burrowing owl is designated a California Species of Special Concern, is a migratory bird species protected by international treaty under the MBTA of 1918 (16 USC. 703–711), and is protected under Section 3503 of the California Fish and Game Code. Burrowing owls generally forage in short grass (2–6 inches in height), mowed and grazed pastures, and ruderal vegetation. Burrowing owls avoid vegetation taller than approximately three feet and avoid foraging in open fields that do not provide adequate cover from potential predators.

The *Focused Burrowing Owl Survey* was conducted in accordance to the burrowing owl survey instructions set forth in the California Burrowing Owl Consortium's *Burrowing Owl Survey Protocol and Mitigation Guidelines.*[1] The focused survey was conducted to determine locations of fossorial mammal burrows and/or burrows with burrowing owl sign (e.g., individuals, feathers, pellets, whitewash, and/or prey remnants) or other non-natural structures with the potential for the owl to inhabit (e.g., drainage pipes, concrete refuse piles, debris piles, and detention basin) within the project area. The focused surveys were conducted in July 2011. The focused surveys provided 100 percent coverage and included an approximately 500-foot buffer zone (approximately 150 meters) surrounding the property by observing areas with suitable burrows and walking areas near fence posts, rocks, and other low perching locations on the project site. Buffer areas that were inaccessible due to lack of acquisition of legal access were surveyed visually (with binoculars and a scope) from

[1] *Burrowing Owl Survey Protocol and Mitigation Guidelines,* California Burrowing Owl Consortium, 1993.

within the project's boundary. The survey consisted of walking transects, no more than 30 meters apart (approximately 100 feet), within the limits of the property boundary.

Although burrowing owl was not found on the site during the focused survey, the species is highly mobile, so there is a potential that at some future date prior to project development, this species may occupy the site. This is a potentially significant impact requiring mitigation.

Mitigation Measures. The following measures have been identified to reduce the significance of potential impacts to migratory bird species and the burrowing owl:

4.4.6.1A If tree removal or clearing and grubbing activities must take place during the general nesting season (February 1 through August 31), a nesting bird survey shall be conducted within seven (7) days prior to any vegetation disturbance activities. If passerine birds are found to be nesting or there is evidence of nesting behavior inside the impact area, an exclusion buffer, to be determined by the appropriate agency (e.g. the City, County, and/or CDFG), shall be set in place around the nest where no vegetation disturbance will be permitted. For raptor species, such as hawks and owls, this buffer may be as large as 500 feet. A qualified biologist shall closely monitor nests until it is determined that they are no longer active, at which time construction activity in the vicinity of nests may continue.

4.4.6.1B Prior to site grading, a pre-construction survey shall be required for the burrowing owl to confirm the presence/absence of this species from the site. The survey shall be conducted by a qualified biologist within 30 days prior to ground disturbance, and in accordance with MSHCP survey requirements, to avoid direct take of burrowing owls. If burrowing owls are determined to occupy the project site or immediate vicinity, the City of Moreno Valley Planning Department shall be notified and avoidance measures as identified in **Mitigation Measure 4.4.6.1C** shall be implemented. Implementation of avoidance measures shall be executed pursuant to the MSHCP, the California Fish and Game Code, and the MBTA, and according the *Burrowing Owl Survey Protocol and Mitigation Guidelines* (CBOC 1993) and reviewed the City of Moreno Valley, the County of Riverside, and/or by the CDFG.

4.4.6.1C As recommended in the *BUOW Survey and Mitigation Guidelines* prepared by the CBOC, no disturbance to an occupied burrow shall occur within approximately 160 feet of an occupied burrow during the non-breeding season (September 1 through January 31), or within approximately 250 feet of an occupied burrow during the breeding season (February 1 through August 31). For unavoidable impacts, passive relocation of burrowing owls shall be implemented. Passive relocation shall be conducted by a qualified biologist in accordance with procedures set forth by the MSHCP and California Burrowing Owl Consortium. Passive relocation of occupied burrows supporting a breeding pair of burrowing owls shall be conducted outside of the breeding season pursuant to the California Fish and Game Code and the MBTA.

Level of Significance after Mitigation. Implementation of the above-listed mitigation measures would reduce impacts to migratory bird species and non-listed sensitive species to a less than significant level.

4.4.6.2 Riparian Habitat or Other Sensitive Natural Communities

Impact 4.4.6.2: *The proposed project has the potential to permanently affect 0.36 acre of riparian/riverine habitat and to temporarily affect 0.35 acre of riparian/riverine habitat.*

Threshold	Would the proposed project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified 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 site consists of highly disturbed land from which most natural vegetation has been removed by regular disking for weed abatement and citrus cultivation. The existing drainage along the eastern boundary of the site (Quincy Channel) and the two drainages located at the southern and western portions of the proposed site were surveyed as part of the Determination of Biologically Equivalent or Superior Preservation (DBESP) to identify riparian habitat or other sensitive natural communities as defined in Section 6.1.2 of the MSHCP, with emphasis on hydrophytic (aquatic) plants. Hydrophytic plants are adapted for life in permanently or periodically saturated soils. The hydrophytic vegetation criterion is met if more than 50 percent of the dominant plant species from all strata (tree, shrub, and herb layer) are considered hydrophytic.

No special status species plants were recorded on site within the southern and western drainages due to the site's long-standing disturbances and the fact that on-site soils may not be capable of supporting most sensitive plant species. The project site does not fall within any MSHCP criteria cell. However, the eastern drainage (i.e., the Quincy Channel) supports one type of riparian habitat, mule fat scrub. Additionally, the eastern drainage is a naturally occurring stream system that meets the MSHCP definition of riparian/riverine habitat because it contains a predominance of riparian vegetation and/or freshwater flow for at least a portion of the year. The southern and western drainages were labeled separately for the purposes of impact calculations contained in the Jurisdictional Delineation Report because they cross the project site in two different locations. However, the western and southern drainages are actually part of one continuous drainage system that flows from the northwest of the project site to the southeast to its convergence with the Eastern Drainage. These combined drainages are identified as an intermittent stream on the *Sunnymead, California* USGS 7.5-minute quadrangle. Similar to the eastern drainage, the southern and western drainages meet the MSHCP definition of riparian/riverine because they contain a predominance of riparian vegetation and/or freshwater flow for at least a portion of the year. As identified in the DBESP, the southern and western drainages within the project boundaries contain 0.04 acre of riparian/riverine area. Table 4.4.C provides a summary of the total impacts vegetation within the identified riparian/riverine areas.

Table 4.4.C: Summary of Total Affected Vegetation within Riparian/Riverine Areas

Vegetation Community	Permanent	Temporary
Ruderal	0.04 acre	0.05 acre
Disturbed mule fat scrub	0.32 acre	0.28 acre
Unvegetated Streambed	0.0 acre	0.02 acre
Total	**0.36 acre**	**0.35 acre**

Source: Determination of Biologically Equivalent or Superior Preservation Report, ICF International, August 2011.

As identified in Table 4.4.C, implementation of the proposed project would result in permanent impacts on 0.36 acre of riparian/riverine areas as a result of the construction of the detention basins, and drain outlets. In addition to permanent impacts, the proposed project would result in temporary impacts on 0.35 acre of riparian/riverine areas associated with construction activities. Minimal intrusion into the drainages would be necessary and no construction is anticipated in the drainages themselves.

Following construction, temporary impact areas would be restored to their pre-construction contours and revegetated per a Habitat Mitigation and Monitoring Plan (HMMP) to be written for the project site. The HMMP would be developed to address temporary impacts on riverine/riparian areas subject to jurisdiction under the MSHCP, waters of the United States subject to jurisdiction under Section 404 of the CWA, waters of the state subject to jurisdiction under Section 401 of the CWA, and jurisdictional streambeds subject to jurisdiction under Sections1600–1616 of the California Fish and Game Code. It is important to recognize that under these authorities, the CDFG jurisdiction

encompasses these other jurisdictional boundaries. Therefore, the proposed mitigation design is directed at providing adequate mitigation based on impacts on the largest jurisdictional area (namely, CDFG jurisdictional streambeds). Because implementation of the proposed project would have impacts on riparian/riverine areas on site, mitigation would be required.

Mitigation Measures. The following measures have been identified to reduce the significance of potential impacts to riparian habitat:

4.4.6.2A As outlined in the project's Determination of a Biologically Equivalent or Superior Preservation (DBESP) report, the project applicant shall compensate for the permanent impact on and loss of jurisdictional waters and streambeds by providing a minimum 2:1 off-site replacement of equivalent riverine/riparian habitat (0.36 acre impact = 0.72 acre replacement). This off-site replacement shall be accomplished through the contribution of in-lieu fees to the Santa Ana Watershed Association (SAWA) for its efforts in removal of invasive plants and restoration of riparian habitat adjacent to the tributaries of the San Jacinto River or within the Santa Ana River watershed. Documentation of acceptance of the SAWA contribution shall be provided to the City prior to issuance of a grading permit.

4.4.6.2B The project applicant shall retain qualified personnel to prepare and implement a Habitat Mitigation and Monitoring Plan (HMMP) to oversee restoration of temporarily affected areas (0.35 acre of riverine/riparian habitat) to their pre-construction contours and vegetation. The HMMP will be approved by USACE and CDFG prior to the City issuing any occupancy permits.

Level of Significance after Mitigation. Implementation of the above-listed mitigation measures would reduce impacts to riparian habitat to a less than significant level.

4.4.6.3 Jurisdictional Waters/Wetlands

Impact 4.4.6.3: *The proposed project has the potential to permanently affect 0.051 non-wetland waters of the US and 0.362 acre of CDFG jurisdictional area, and to temporarily affect 0.054 acre of non-wetland waters of the U.S. and 0.33 acre of CDFG jurisdictional area.*

Threshold	Would the proposed project 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?

Pursuant to Division 2, Chapter 6, Section 1600–1603 of the California Fish and Game Code, the CDFG regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake which supports fish or wildlife. CDFG jurisdiction within altered or artificial waterways is based upon the value of those waterways to fish and wildlife. Based on the *Jurisdictional Delineation Report* prepared for the proposed project site, there is a clear connection to drainages associated with the San Jacinto watershed, and all three drainages (western, southern, and eastern) located on or adjacent to the project site are determined to be jurisdictional waters of the United States.

Any measurable modifications to the drainage, or any measurable dredge, fill, or placement of anything into the watercourse would trigger impacts. A Section 404 Permit from the USACE, a Section 401 Water Quality Certification from the RWQCB, and a Section 1602 Streambed Alternation Agreement from the CDFG would be required for impacts to jurisdictional waters of the U.S. and the State and areas regulated by the RWQCB. Table 4.4.D provides a summary of on-site jurisdictional areas that would be potentially affected by the proposed project.

Table 4.4.D: On-site Jurisdictional Areas

Drainage Feature	USACE and RWQCB				CDFG	
	Non-Wetland Waters		Wetlands			
	Permanent	Temporary	Permanent	Temporary	Permanent	Temporary
Quincy Channel (Eastern Drainage)	0.04 acre (223 linear ft)	0.03 acre (145 linear ft)	—	—	0.32 acre (294 linear ft)	0.28 acre (390 linear ft)
Southern Drainage	0.01 acre (119 linear ft)	0.02 acre (154 linear ft)	—	—	0.04 acre (134 linear ft)	0.04 acre (120 linear ft)
Western Drainage	0.001 acre (12 linear ft)	0.004 acre (33 linear ft)	—	—	0.002 acre (12 linear ft)	0.01 acre (37 linear ft)
Total Jurisdiction	**0.051 acre (354 linear ft)**	**0.054 acre (332 linear ft)**	—	—	**0.362 acre (440 linear ft)**	**0.33 acre (547 linear ft)**

Source: Jurisdictional Delineation Report, ICF International, July 2011.

As identified in Table 4.4.D, based on the most current project plans and site boundary provided by the project applicant, implementation of the proposed project would result in permanent impacts to 0.051 acre (354 linear feet) of non-wetland waters of the United States and waters of the State and 0.362 acre (440 linear feet) of state streambed associated with the eastern, southern, and western drainages. In addition to permanent impacts, the proposed project would result in temporary impacts to 0.054 acre (332 linear feet) of non-wetland waters of the United States and waters of the State and 0.33 acre (547 linear feet) of State streambed associated with construction activities. This is a significant impact requiring mitigation.

Mitigation Measure. The following mitigation measure has been identified to reduce the significance of potential impacts to jurisdictional waters:

4.4.6.3A The project applicant shall obtain a Section 404 Nationwide or Individual Permit, as appropriate, from the USACE and a Section 1602 Streambed Alteration Agreement from the CDFG. Direct temporary impacts to more than 0.1 acre of jurisdictional area that are regulated by the USACE, CDFG, and RWQCB shall be mitigated at a 2:1 ratio, including enhancement and/or creation of wetlands or the contribution of in-lieu feed to the Santa Ana Watershed Association (SAWA) for its efforts in removal of invasive plants and restoration of off-site riparian habitat, as outlined in **Mitigation Measure 3.3.6.2A.**

Level of Significance after Mitigation. The proposed on-site restoration of temporary impact areas and the long-term enhancement of off-site riparian/riverine habitat managed by SAWA provides adequate mitigation for identified impacts to on-site jurisdictional areas. Implementation of the recommended mitigation measure would reduce impacts to jurisdictional waters to less than significant levels.

4.4.7 Cumulative Impacts

Cumulative impacts refer to incremental effects of an individual project when viewed in connection with the effects of past projects, current projects, and probable future projects.

Project construction will contribute to the incremental loss of mule fat scrub and non-native grassland in the region, including potential habitat for some special status species. Cumulative impacts potentially include habitat fragmentation, increased edge effects, reduced habitat quality, and increased wildlife mortality. The MSHCP provides a comprehensive approach to the regional conservation of these habitats and, as a regional plan, serves to provide mitigation for cumulative

impacts to covered species. Project compliance and consistency with the MSHCP ensures that any cumulative impacts to covered species are effectively mitigated. Special status species that are not covered by the MSHCP also benefit from the surveys, conservation, and other measures of the MSHCP because they occupy many of the same habitats. Therefore, the proposed project will not make a significant contribution to any cumulatively considerable impacts to biological resources.

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4.5 CULTURAL AND PALEONTOLOGICAL RESOURCES

The purpose of this section is to identify and evaluate the potential for the proposed project to affect paleontological, archaeological, and historical resources. The resources of concern include, but are not limited to fossils, prehistoric/historic artifacts, burials, sites of religious or cultural significance to Native American groups, and historic structures. This section provides a detailed discussion of impacts attributable to the proposed project and criteria utilized in determining impacts to cultural and paleontological resources. This section is based in part on the City of Moreno Valley General Plan, the Cultural Resources Assessment for the Eucalyptus Industrial Park (LSA Associates, Inc., December 11, 2007, and updated in September 2011), and Paleontological Resources Assessment for the Eucalyptus Industrial Park (LSA Associates, Inc., March 8, 2008, and updated in September 2011), which are included as Appendices D and E of this Draft EIR.

4.5.1 Existing Setting

4.5.1.1 Archaeological Resources

Archaeological resources are those that are associated with prehistoric cultural sites and the remnants of historic cultural sites that lack substantive building remnants (termed "historic archaeological sites") such as roads and trails. Prehistoric cultural resources consist of those physical properties that predate the advent of written records in a particular region that are considered important to a culture, subculture, or community for scientific or humanistic reasons. These include geographic districts, structures, sites, objects, and other physical evidence of past human activity. Similar to prehistoric cultural resources, historic cultural resources in a particular geographic region maybe considered important to a culture, subculture, or community and postdate the advent of written records.

The City has identified approximately 190 archaeological locations within City boundaries; the vast majority of these resources are milling stations consisting only of bedrock grinding surfaces used by prehistoric people to grind chaparral seeds. These archaeological sites have been grouped into nine topographically distinct regions known as "complexes." These complexes often contain one or more archaeological resources. The proposed project is within the Moreno Hills Complex.[1] The Moreno Hills Complex is a small cluster of hills located northwest of the Moreno town site. The hills extend northwest to an unnamed drainage that separates the hills from the southern end of the Reche Hills.

As indicated in the Cultural Resources Assessment (Appendix D of the EIR), 26 cultural resources surveys have been conducted entirely or partially within one mile of the project site. Only one of these (RI-2172) encompassed the entire project. Sixty-five archaeological sites and 22 historic buildings have been documented within the one-mile radius. The records search determined that the nearest cultural resource to the project site is a prehistoric bedrock grinding slick (site number CA-RIV-2865), located within approximately a quarter mile (750 feet) southwest of the project boundary.

4.5.1.2 Paleontological Resources

Paleontological resources include fossils or assemblages of fossils that are unique, unusual, rare, or add to the existing body of knowledge in specific areas, either stratigraphically, taxonomically, or regionally. Such resources may include the remains of large to very small terrestrial and/or aquatic species that can assist in the interpretation of tectonic events, geomorphic evolution, paleoclimatology, and relationships of terrestrial and aquatic species. Pleistocene (10,000 years before present [ybp]) sediments within the project limits have been identified, in the Paleontological Resources Assessment, as having a high potential to contain significant paleontological resources.

[1] *Figure 5.10-2 Locations of Prehistoric Sites, Chapter 5.10 Cultural Resources*, City of Moreno Valley General Plan Final EIR, July 2006.

The Paleontological Resources Assessment conducted in the project area documents the potential for paleontological resources older than 9,000 years to occur.

4.5.1.3 Historic Resources

The Cultural Resources Assessment identifies that 22 historic buildings have been documented within a one-mile radius from the project site. However, the current records search did not identify any such historic building or feature within the project limits. Additionally, the City's General Plan states that there are no sites within the Moreno Valley study area listed as State landmarks, nor are there any sites in the National Register of Historic Places.[1]

4.5.1.4 Ethnographic Context

During the NOP period, the Pechanga Band indicated this area was within the traditional tribal area of the Luiseño Indians. In addition, the Cultural Resources Assessment (Appendix D of EIR) indicated the project site was within the traditional cultural territory of the Cahuilla. Like other Native American groups in southern California, the Cahuilla were semi-nomadic hunter-gatherers who subsisted by exploitation of seasonably available plant and animal resources and were first encountered by the Spanish missionaries in the late 18th century. The first written accounts of the Cahuilla are attributed to mission fathers.[2]

4.5.2 Existing Policies and Regulations

4.5.2.1 Federal Regulations

National Historic Preservation Act (NHPA) of 1966 (as amended), Section 106. The NHPA declares a national policy of historic preservation to protect, rehabilitate, restore, and reuse districts, sites, buildings, structures, and objects significant in American architecture, history, archaeology, and culture. The NHPA established the National Register of Historic Places (National Register), State Historic Preservation Offices (SHPOs) and programs, and the Advisory Council on Historic Preservation. This Act applies to all properties on or eligible for inclusion in the National Register. The Section 106 review process requires consultation to mitigate damage to "historic properties" (defined per 36 CFR 800.16(1) as places that qualify for the National Register), including Native American traditional cultural places (TCPs). Evaluation of cultural resources consists of determining whether it is significant (i.e., if it meets one or more of the criteria for listing in the National Register). These eligibility criteria are defined in 36 CFR 60.4 as follows:

> The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association:
>
> A. That is associated with events that have made a significant contribution to the broad patterns of our history;
>
> B. That is associated with the lives of persons significant in our past;
>
> C. That embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or possesses high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction; and/or
>
> D. That has yielded, or may be likely to yield, information important to prehistory or history.

[1] *Section 7.2.2 Archaeological and Historical Sites,* Chapter 7 – Conservation, Moreno Valley General Plan, City of Moreno Valley, July 11, 2006.

[2] Cultural Resources Assessment Eucalyptus Industrial Park, City of Moreno Valley, LSA Associates, Inc., September 2011.

4.5.2.2 State Regulations

California Environmental Quality Act. A "historic resource" includes, but is not limited to, any object, building, site, area, place, record, or manuscript that is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.[1] CEQA mandates that lead agencies consider a resource to be "historically significant" if it meets the criteria for listing in the California Register of Historic Resources (California Register). Such resources meet this requirement if they are (1) associated with events that have made a significant contribution to the broad patterns of California history, (2) associated with the lives of important persons in the past, (3) embody distinctive characteristics of a type, period, region, or method of construction, and/or (4) represent the work of an important creative individual or possesses high artistic value.[2] These criteria mimic the criteria utilized to determine eligibility for the National Register.

Senate Bill 18 (SB18). Signed into law in September 2004, and effective March 1, 2005, SB18 permits California Native American tribes recognized by the Native American Heritage Commission (NAHC) to hold (on terms mutually satisfactory to the tribe and the landowner) conservation easements. The term "California Native American tribe" is defined as "a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC."

The bill also requires that, prior to the adoption or amendment of a city or county's general plan, the city or county conduct consultations with California Native American tribes for the purpose of preserving specified places, features, and objects that are located within the city or county's jurisdiction. This bill requires the planning agency to refer to and provide opportunities for involvement to the California Native American tribes specified by the NAHC.

California Health and Safety Code. The California Health and Safety Code states that if human remains are discovered on site, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition. If the Coroner determines that the remains are not subject to his or her authority and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC.

Paleontological Resource Regulations. Section 106 of the NHPA does not apply to paleontological resources unless they are found in a culturally related context. In addition to the Antiquities Act (16 USC 431–433), the preservation and salvage of fossils and other paleontological resources can be protected under the National Registry of Natural Landmarks (16 USC 461-467) and the National Environmental Policy Act (NEPA), which directs federal agencies to "…preserve important historic, cultural, and natural aspects of our national heritage."

Potential impacts to paleontological resources must be assessed for any project subject to CEQA review. California law protects paleontological sites on State lands and establishes authority to protect paleontological resources while allowing mitigation through the permit process.[3]

1 Public Resources Code, Section 5020.1(j).
2 Public Resources Code, Section 5024.1(c).
3 California Public Resources Code (§5097.5), Administrative Code (§§4306 and 4309).

4.5.2.3 City of Moreno Valley General Plan Policies

Chapter 9 of the City's General Plan defines goals and policies related to cultural resources within the City of Moreno Valley. The specific policies of the General Plan that are relevant to the proposed project are as follows:

Objective 7.6 Identify and preserve Moreno Valley's unique historical and archaeological resources for future generations.

Policy 7.6.1 Historical, cultural, and archaeological resources shall be located and preserved, or mitigated consistent with their intrinsic value.

Policy 7.6.2 Implement appropriate mitigation measures to conserve cultural resources that are uncovered during excavation and construction activities.

Policy 7.6.4 Encourage restoration and adaptive reuse of historical building worthy of preservation.

Policy 7.6.5 Encourage documentation of historic buildings when such buildings must be demolished.

4.5.3 Methodology

Cultural resource research for this project included a records search at the Eastern Information Center (EIC) located at the University of California, Riverside. The EIC is the local branch of the California Historical Resources Information System (CHRIS). Cultural resource maps at the EIC were checked for possible prehistoric and historic resources previously recorded within one mile of the project site. To supplement the CHRIS data, a review of the National Register of Historic Places Index and Office of Historic Preservation Directory of Properties databases was conducted. In addition, historic maps and aerial photos were reviewed to determine the potential for former sites of historic buildings or other historic resources within the project site. The field survey conducted for the cultural resource assessment included a pedestrian survey consisting of walking parallel transects spaced approximately 15 meters (49 feet) apart and focused on the visible portions of the project site. Soil profiles were examined for cultural resources and rodent back dirt was checked for cultural remains in November 2007.

The paleontological resource assessment was completed in compliance with the Paleontological Resources Impact Mitigation Standards of Riverside County and follows the guidelines of the Society of Vertebrate Paleontology (SVP). Available geological and paleontological literature was reviewed to determine the potential for paleontological resources to occur in sedimentary deposits within the project site. The Paleontological Resource Sensitivity Map from the Riverside County Planning Department was consulted to determine the paleontological sensitivity of the project site. The field survey for the paleontological resource assessment was conducted by walking transects over the area 15 meters (49 feet) apart, focusing on the visible sediments exposed on the portions of the project site.

4.5.4 Thresholds of Significance

Based on Appendix G of the *CEQA Guidelines*, the effects of the project on cultural resources are considered to be significant if the proposed project would:

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5;
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5;

- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; and/or
- Disturb any human remains, including those interred outside of formal cemeteries.

4.5.5 Less than Significant Impacts

In each of the following issues, either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards, and policies would reduce potential impacts to a less than significant level.

4.5.5.1 Historic Structures and Features

Threshold	Would the proposed project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

No structures or unique features are currently located within the project limits. An online title search was conducted and historic maps were reviewed to determine the potential for structures and/or the remains of former sites of buildings or resources within the project limits.[1] No evidence of past structures or historic features was identified, nor was evidence of such structures identified during the on-site cultural resource survey or the records search. As no evidence has been identified to suggest the presence of past or current structures on site, no impacts related to historic structures or features will occur. In the absence of a significant impact, no mitigation is warranted.

4.5.5.2 Human Remains

Threshold	Would the proposed project disturb any human remains, including those interred outside of formal cemeteries?

Currently, the project site is utilized for agricultural production. No evidence suggesting the project site has been utilized in the past for human burials has been identified.[2] In the unlikely event human remains are discovered during grading or construction activities, State law (Health and Safety Code §7050.5) requires that no further disturbance shall occur until the County Coroner has made determination of the origin and disposition pursuant to Public Resources Code 5097.98. The County Coroner must be notified immediately of the find. If the remains are determined to be prehistoric, the Coroner is required to notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). With the permission of the owner of the land or his/her authorized representative, the descendant may inspect the site of the discovery. The MLD shall complete the inspection within 24 hours of notification of the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Because adherence to provisions of Health and Safety Code §7050.5 is required of all development projects, and because adherence to the requirements in State law sufficiently mitigates for potential impacts to human remains, no significant impact related to this issue will occur. Because potential impacts associated with this issue are less than significant, no mitigation is required.

[1] Cultural Resource Assessment Eucalyptus Industrial Park, City of Moreno Valley, LSA Associates, Inc., September 2011.
[2] *Chapter 5.10 Cultural Resources*, City of Moreno Valley General Plan Final EIR, July 2006.

4.5.6 Significant Impacts

4.5.6.1 Prehistoric Cultural Resources

Threshold	Would the proposed project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

A reconnaissance pedestrian-survey for the project site was conducted in November 2007. During the survey, it was noted that 50 percent of the project was planted with grapefruit and orange groves. The majority of the ground surface has been affected by agricultural activities. As previously stated, the project site is located within the Moreno Hills Complex, which contains identified archaeological resources such as milling stations consisting only of bedrock grinding surfaces. Although the project site is located within the Moreno Hills Complex, no archaeological resources were identified on the project site during the field survey, and the cultural resource assessment concluded the project would have no significant impacts; however, there is a potential for project grading to disturb previously undiscovered cultural resources. While there is no recorded or surface evidence that archaeological resources are present on site, the project is located in an area with a high potential of containing prehistoric archaeological resources. Therefore, a potential exists that excavation and construction activities may uncover previously undetected prehistoric or historic cultural resources. This is a potentially significant impact under CEQA and requires mitigation.

Mitigation Measures. The following measures have been identified to reduce potential impacts to prehistoric and historic cultural resources:

4.5.6.1A If cultural resources are found during grading, the applicant shall immediately retain a qualified archaeological monitor to oversee subsequent ground-altering activities (e.g., removal of debris, de-vegetation, and grading). This monitor shall ensure that any buried or previously unidentified resources are adequately identified, recorded, and evaluated in accordance with applicable standards. The archaeological monitor shall be trained in both prehistoric and historic archaeology and have the authority to temporarily redirect any ground disturbing activities affecting potentially significant cultural resources.

4.5.6.1B Prior to the issuance of a grading permit, the local Native American representatives (Soboba, Morongo, and Pechanga) shall be notified in writing of the pending activities. If any evidence of Native American resources is discovered during grading, the archaeological monitor identified in **Mitigation Measure 4.5.5.1A** shall invite one or more Native American monitors to participate in the monitoring program. The Native American monitor shall work with the archaeological monitor to aid in the identification of resources and assist in the preliminary evaluation of any Native American resources.

4.5.6.1C If cultural artifacts and resources are discovered during ground disturbance activities and are historic in nature (not Native American in origin), the archaeological monitor shall make recommendations for the appropriate handling and evaluation of the resources. If cultural artifacts and resources are discovered during ground disturbance activities are determined to be of Native American origin (but not involving burials or grave goods), the archaeological monitor/consultant shall notify the applicant, City, and local Native American representatives and complete consultation for the handling of the resources. All archaeological decisions shall be at the discretion of the professional archaeologist, taking the Native American concerns into account. Work may continue on other parts of the project site while historic or unique archaeological mitigation takes place (14 Cal. Code Regs. 15065.5(f)).

4.5.6.1D As a condition of approval, the property owner shall make all cultural resources (e.g., artifacts) discovered on site available for curation at a curation facility identified by the City (e.g., the UCR Archaeological Research Unit, the Western Center for Archaeology and Paleontology, or the Ya'i Heki' Regional Indian Museum). All artifacts shall be inventoried and prepared for curation per standard professional requirements. If neither

repository is available to accept the collections, the cultural resources shall be temporarily curated at a facility identified through consultation with all stakeholders.

4.5.6.1E Should resources determined to be of sacred or religious significance to Native Americans be identified within the project area, the resources shall be protected from adverse impacts until consultation between the applicant, City, the Most Likely Descendant (MLD) as determined by the Native American Heritage Commission, and the archaeological consultant, occurs. At that time, the responsibility for the care and disposition of the cultural resources shall be the determined and recorded to the satisfaction of all parties involved.

Level of Significance After Mitigation. Adherence to the above mitigation measures would reduce potential impacts to archaeological resources to a less than significant level.

4.5.6.2 Paleontological Resources

Threshold	Would the proposed project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The project site is located in the Peninsular Range geologic province of California that encompasses western Riverside County and is near the northern margin of the Perris Block,[1] which is bounded on the east by the San Jacinto Fault.[2]

The proposed project site is located within an area that has a high potential to contain near-surface Pleistocene fossils.[3] Examples include Pliocene and Pleistocene fossils recovered five miles northeast of the project, bison fossil recovered from sediments south of SR-60 at Redlands Boulevard in eastern Moreno Valley, and the recovery of mammoth and saber cat fossils from the Lakeview Hot Springs site. At Hemet, more than 1,700 discrete paleontological resource localities were recovered during excavation of the Diamond Valley Reservoir. These localities have produced more than 70 late Pleistocene plant and animal taxa. These recovered fossils indicate that Pleistocene (10,000 ybp) fossils occur as close to the surface as 4.5 meters (15 feet).

As previously stated, the project site is located in an area identified as having a “high sensitivity” for paleontological resources. The paleontological literature search indicated that there is potential for significant, nonrenewable resources that to encountered during onsite construction activities. Therefore, a paleontological resources impact mitigation program (PRIMP), including excavation monitoring by a qualified paleontologist, is recommended for earthmoving activities in Pleistocene sediments on the project site with potential to contain significant, nonrenewable paleontological resources. Although no paleontological resources were identified on site during the field survey, because of the location of the project site and associated sensitivity for paleontological resources, the potential exists that paleontological resources maybe uncovered during construction.

Mitigation Measures. The following measures have been identified to reduce potential impacts to paleontological resources that may be located within the project limits:

4.5.6.2A Prior to the issuance of grading permits, the project applicant shall submit to and receive approval from the City, a Paleontological Resource Impact Mitigation Program (PRIMP). The PRIMP shall include the provision of a trained paleontological monitor during on-site soil disturbance activities. The monitoring for paleontological resources shall be

[1] The Perris Block is a geologic feature consisting of a large mass of granitic rock generally bounded by the San Jacinto Fault, the Elsinore Fault, the Santa Ana River, and a non-defined southeast boundary.
[2] Paleontological Resources Assessment Eucalyptus Industrial Park, City of Moreno Valley, LSA Associates, Inc., March 8, 2008.
[3] Ibid.

conducted during the rough-grading phase of the project. In the event that paleontological resources are unearthed or discovered during excavation, **Mitigation Measure 4.5.6.2C** shall apply. Conversely, if no paleontological resources are unearthed or discovered on site during excavation, no additional action is required.

4.5.6.2B The paleontological monitor shall be equipped to rapidly remove any large fossil specimens encountered during excavation. During monitoring, samples of soil shall be collected and processed to recover microvertebrate fossils. Processing shall include wet screen washing and microscopic examination of the residual materials to identify small vertebrate remains.

4.5.6.2C If paleontological resources are unearthed or discovered during excavation of the project site, the monitoring for paleontological resources shall be conducted on a full-time basis for the duration of the rough-grading of the project site. The following recovery processes shall apply:

- Upon encountering a large deposit of bone, salvage of all bone in the area shall be conducted with additional field staff and in accordance with modern paleontological techniques.
- All fossils collected during the project shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of all material collected and identified shall be provided to the museum repository along with the specimens.
- A report documenting the results of the monitoring and salvage activities and the significance of the fossils shall be prepared.
- All fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a museum repository for permanent curation and storage.

Level of Significance After Mitigation. Adherence to the above mitigation measures will reduce potential impacts to paleontological resources to a less than significant level.

4.5.7 Cumulative Impacts

The cumulative area for cultural resources is the City of Moreno Valley. On-site sediments and cumulative archaeological and paleontological discoveries elevate the potential for the on-site presence of archaeological and paleontological resources. The proposed project includes measures to identify, recover, and/or record any archaeological or paleontological resource that may occur within the project limits. Although unlikely to occur, potential impacts associated with human remains would be reduced to a less than significant level through adherence to existing State law. There are no projects that would, in combination with the proposed project, result in any significant cumulative impacts on historical, archaeological, or paleontological resources, or cumulative impacts to human remains. Therefore, the project will not make a significant contribution to any cumulatively considerable impacts associated with cultural resources.

4.6 HAZARDS AND HAZARDOUS MATERIALS

The State defines hazardous material as any material "…that, because of its quantity, concentration, or chemical characteristics poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. Hazardous materials are commonly used by all segments of society, including manufacturing and service industries, commercial enterprises, agriculture, military installations, hospitals, schools, and households. Hazardous waste is often generated as a byproduct of industrial, manufacturing, agricultural, and other uses." A hazardous material may become hazardous waste upon its abandonment, discard, or recycling; or by actions that change the composition of a previously non-hazardous material.[1]

Potential impacts associated with toxic air contaminants that could be emitted during operation of the project are addressed in Section 4.3 (*Air Quality*), while the potential hazardous effects the project may have on groundwater are addressed in Section 4.7 (*Hydrology and Water Quality*). Impacts related to airport hazards, the routine transport, use and disposal of hazardous materials, interference with an emergency response or evacuation plan, and wildland fire hazards were determined to be less than significant in the Initial Study prepared for the proposed project. During the public review period of the NOP and Initial Study, comments were received regarding these issue areas; therefore, analysis of these issues is included in this section. This section is based in part on the following reports, which are included as Appendix F of this EIR:

- *Phase I Preliminary Environmental Site Assessment (84+ acres)* prepared for APN 477-120-001 and 477-120-006 (RM Environmental, Inc., October 20, 2003);
- *Phase I Preliminary Environmental Site Assessment (37+ acres)* prepared for APN 477-120-007,008,014,015 (RM Environmental, Inc., November 25, 2003); and
- Report for Removal of Abandoned 13,400 Gallon Diesel Underground Storage Tank, APN 477-120-001 (RM Environmental, Inc., January 28, 2004).

4.6.1 Existing Setting

4.6.1.1 Project Site History

The proposed project site is located on approximately 122.8 acres of land currently used for agricultural purposes on the south side of and adjacent to SR-60, east of Moreno Valley Auto Mall, and adjacent to and west of the Quincy Channel. A review of historical aerial photos (1949 to 2000) reveals the project site to be undeveloped and used as citrus production. The only distinguishable differences between the successive aerial photographs are whether the site was planted or fallow and the type of crops planted. From 1949 to 1990, the areas surrounding the project site appear to be undeveloped and/or used for agricultural purposes. The first signs of development on surrounding properties appear in 1990 west of the project site. Development in this area appears to be the existing Moreno Valley Auto Center. This development remains visible in the most recent (2000) aerial photo consulted for the project site. Currently, the northern portion of the site is still used for active citrus production.

4.6.1.2 Surrounding Area

The nearest existing schools to the project site are the Calvary Chapel Christian School, located approximately 0.69 mile to the north of the project, and Valley View High School, located approximately 1.3 miles west of the project site. The project site is approximately 5.5 miles northeast of March Air Reserve Base (MARB). The project site is not located in an area adjacent to natural areas prone to wildland fire hazards.

[1] California Health and Safety Code, §25501(n) and (o); and §25124.

The project site is not included on the Department of Toxic Substance Control's Hazardous Waste and Substance Site List (Cortese List). A portion of the project site is currently utilized for agricultural production. Land uses adjacent to the project site include residential uses to the southeast, the existing auto center and a fire station to the west, SR-60 and residential uses to the north, vacant land to the east and vacant land to the south. No adjacent properties are included on the Cortese list.[1]

Because no permanent structures are located within the project limits, a hazardous materials building survey (asbestos, lead-based paint, polychlorinated biphenyls, mercury, chlorofluorocarbons, floor drains, water, and wastewater) was not performed as part of the Phase I investigation.

4.6.2 Existing Policies and Regulations

4.6.2.1 Federal Regulations

Comprehensive Environmental Response, Compensation, and Liability Act. Discovery of environmental health damage from disposal sites prompted the U.S. Congress to pass the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund). The purpose of CERCLA is to identify and clean up chemically contaminated sites that pose a significant environmental health threat. The Hazard Ranking System is used to determine whether a site should be placed on the National Priorities List (NPL) for cleanup activities.

Superfund Amendments and Reauthorization Act. The Superfund Amendments and Reauthorization Act (SARA) pertains primarily to emergency management of accidental releases. It requires formation of State and local emergency planning committees, which are responsible for collecting material handling and transportation data for use as a basis for planning. Chemical inventory data are made available to the community at large under the "right-to-know" provision of the law. In addition, SARA also requires annual reporting of continuous emissions and accidental releases of specified compounds. These annual submissions are compiled into a nationwide Toxics Release Inventory (TRI).

Hazardous Materials Transportation Act. The Hazardous Materials Transportation Act is the statutory basis for the extensive body of regulations aimed at ensuring the safe transport of hazardous materials on water, rail, highways, in the sky, or in pipelines. It includes provisions for materials classification, packaging, marking, labeling, placarding, and shipping documentation.

Resource Conservation and Recovery Act (RCRA). The RCRA Subtitle C addresses hazardous waste generation, handling, transportation, storage, treatment, and disposal. It includes requirements for a system that uses hazardous waste manifests to track the movement of waste from its site of generation to its ultimate disposition. The 1984 amendments to RCRA created a national priority for waste minimization. Subtitle D establishes national minimum requirements for solid waste disposal sites and practices. It requires states to develop plans for the management of wastes within their jurisdictions. Subtitle I requires monitoring and containment systems for underground storage tanks that hold hazardous materials. Owners of tanks must demonstrate financial assurance for the cleanup of a potential leaking tank.

[1] EnviroStor Database, California Department of Toxic Substances Control, http://www.envirostor.dtsc.ca.gov/public/search.asp?cmd=search&city=Moreno%20Valley&zip=&county=&federal_superfund=True&state_response=True&voluntary_cleanup=True&school_cleanup=True&permitted=True&corrective_action=True&display_results=Report&pub=True, website accessed January 30, 2008.

4.6.2.2 State Regulations

The California Hazardous Waste Control Law. The Hazardous Waste Control Law (HWCL) is the primary hazardous waste statute in the State of California. The HWCL requires a hazardous waste generator, which stores or accumulates hazardous waste for periods greater than 90 days at an on-site facility or for periods greater than 144 hours at an off-site or transfer facility, which treats, or transports hazardous waste, to obtain a permit to conduct such activities. The HWCL implements RCRA as a "cradle-to-grave" waste management system in the State of California. HWCL specifies that generators have the primary duty to determine whether their wastes are hazardous and to ensure their proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous wastes used or reused as raw materials. The HWCL exceeds Federal requirements by mandating source reduction planning and a much broader requirement for permitting facilities that treat hazardous waste. It also regulates a number of types of wastes and waste management activities that are not covered by Federal law with the RCRA.

The California Hazardous Material Management Act. The Hazardous Materials Management Act (HMMA) requires that businesses handling or storing certain amounts of hazardous materials prepare a Hazardous Materials Business Plan (HMBP), which includes an inventory of hazardous materials stored on site (above specified quantities), an emergency response plan, and an employee-training program. Businesses that use, store, or handle 55 gallons of liquid, 500 pounds of a solid, or 200 cubic feet of a compressed gas at standard temperature and pressure require HMBPs. Plans must be prepared prior to facility operation and are reviewed/updated biennially (or within 30 days of a change).

California Code of Regulations. Most State and Federal regulations and requirements that apply to generators of hazardous waste are spelled out in the California Code of Regulations (CCR), Title 22, Division 4.5. Title 22 contains the detailed compliance requirements for hazardous waste generators, transporters, treatment, storage, and disposal facilities. Because California is a fully authorized State according to the RCRA, most RCRA regulations (those contained in 40 Code of Federal Regulations [CFR] 260, et seq.) have been duplicated and integrated into Title 22. However, because the Department of Toxic Substance Control (DTSC) regulates hazardous waste more stringently than the EPA, the integration of California and Federal hazardous waste regulations that make up Title 22 do not contain as many exemptions or exclusions as does 40 CFR 260. As with the California Health and Safety Code, Title 22 also regulates a wider range of waste types and waste management activities than do the RCRA regulations in 40 CFR 260. To aid the regulated community, California compiled the hazardous materials, waste and toxics-related regulations contained in CCR, Titles 3, 8, 13, 17, 19, 22, 23, 24, and 27 into one consolidated CCR, Title 26 'Toxics.' However, the California hazardous waste regulations are still commonly referred to as Title 22.

California Emergency Services Act. Government Code 8550–8692 provides for the assignment of functions to be performed by various agencies during an emergency so that the most effective use may be made of all manpower, resources, and facilities for dealing with any emergency that may occur. The coordination of all emergency services is recognized by the State to mitigate the effects of natural, man-made, or war-caused emergencies which result in conditions of disaster or extreme peril to life, property, and the resources of the State, and generally, to protect the health and safety and preserve the lives and property of the people of the State.

State Fire Plan. The State Board of Forestry and the California Department of Forestry and Fire Protection have drafted a comprehensive update of the State Fire Plan for wildland fire protection in California. The planning process defines a level of service measurement, considers assets at risk, incorporates the cooperative interdependent relationships of wildland fire protection providers, provides for public stakeholder involvement, and creates a fiscal framework for policy analysis.

4.6.2.3 Local Regulations

Riverside County Department of Environmental Health. The Hazardous Materials Division of the Department of Environmental Health (DEH) of the Riverside County Health Services Agency is responsible for regulation the operations of businesses and institutions that handle hazardous materials or generate hazardous wastes in the City of Moreno Valley. As part of the State-mandated Certified Unified Programs administered by the California Environmental Protection Agency (CalEPA), the DEH coordinates regulatory and enforcement of the following programs: Household Hazardous Waste, Hazardous Waste Minimization, Underground Storage Tanks (USTs), Hazardous Waste Generator Permits, and Hazardous Materials Handlers Program.

4.6.2.4 City of Moreno Valley General Plan Policies

Chapter 9 of the City of Moreno Valley General Plan defines goals, objectives, policies, and implementation measures related to hazards. The specific goals, policies, and implementation measures that are relevant to the proposed project are as follows:

Goal 6.1 To achieve acceptable levels of protection from natural and man-made hazards to life, health, and property.

Objective 6.1 Minimize the potential for loss of life and protect residents, workers, and visitors to the City from physical injury and property damage due to seismic ground shaking and secondary effects.

Policy 6.1.1 Reduce fault rupture and liquefaction hazards through the identification and recognition of potentially hazardous conditions and areas as they relate to the San Jacinto fault zone and the high and very high liquefaction hazard zones. During the review of future development projects, the City shall require geologic studies and mitigation for fault rupture hazards in accordance with the Alquist-Priolo Special Study Zones Act. Additionally, future geotechnical studies shall contain calculations for seismic settlement on all alluvial sites identified as having high or very high liquefaction potential. Should the calculations show a potential for liquefaction, appropriate mitigation shall be identified and implemented.

Policy 6.1.2 Require all new developments, existing critical and essential facilities and structures to comply with the most recent Uniform Building Code seismic design standards.

Goal 6.2 To have emergency services which are adequate to meet minor emergency and major catastrophic situations.

Objective 6.2 Minimize the potential for loss of life and protect residents, workers, and visitors to the City from physical injury and property damage, and to minimize nuisances due to flooding.

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.

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.

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.

Policy 6.11.1 Respond to any disaster situation in the City to provide necessary initial response and providing for key support to major incidents.

Objective 6.13 Maintain fire prevention, fire-related law enforcement, and public education and information programs to prevent fires.

Objective 6.15 Ensure that property in or adjacent to wildland areas is reasonably protected from wildland fire hazard, consistent with the maintenance of a viable natural ecology.

Policy 6.15.1 Encourage programs to minimize the fire hazard, including but not limited to the prevention of fuel build-up where wildland areas are adjacent to urban development.

Policy 6.15.2 Tailor fire prevention measures implemented in wildland areas to both the aesthetic and functional needs of the natural environment.

Objective 6.16 Ensure that uses within urbanized areas are planned and designed consistent with accepted safety standards.

Policy 6.16.1 Ensure that ordinances, resolutions and policies relating to urban development are consistent with the requirements of acceptable fire safety, including requirements for smoke detectors, emergency water supply and automatic fire sprinkler systems.

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.

Policy 6.16.4 Within the safety zones (e.g., Air Crash Hazard Zones and Clear Zones) shown in Figure 6-5, residential uses shall not be permitted, and business uses shall be restricted to low intensity uses as defined in the March Air Reserve Base Air Installation Compatible Use Zone Report, as amended from time to time.

4.6.3 Methodology

Evaluation of hazards and hazardous material impacts associated with the proposed project included a focus on the use, generation, management, transport, and disposal of hazardous or potentially hazardous materials on the project site. A Phase I Environmental Site Assessment was conducted to document existing site conditions involving the presence or absence of hazardous materials that may have been deposited on site through previous land uses. For airport hazards, the 1998 Air Installation Compatible Use Zone (AICUZ) study for MARB, and the County of Riverside Airport Land Use Commission MARB Airport Land Use Plan were consulted to determine if the proposed project was within these airport land use plans. It should be noted that the City of Moreno Valley has not adopted the Airport Land Use Plan, but the site is not within two miles of a public airport or public use airport. In determining the level of significance, the analysis assumes that construction and operation of the proposed project would be in compliance with relevant local, State, and Federal laws and regulations pertaining to the use, storage, and disposal of hazardous materials.

4.6.4 Thresholds of Significance

The proposed project would result in a significant adverse impact with regard to hazards if it were to:

- 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;
- Create 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 included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment;
- 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, result in a safety hazard for people residing or working in the project area;
- For a project located within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area;
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation; and/or
- Result in the exposure of 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.

4.6.5 Less than Significant Impacts

Within the Initial Study (Appendix A) for the proposed project, it was determined that the following issues would create no impacts:

- Safety hazards to people working within two miles of a public airport; and
- Safety hazards to people working within two miles of a private airport.

The project site is not located within two miles of a public airport (March Air Reserve Base is 5.5 miles to the southwest) or a private airport (University Medical Center Heliport is 2.5 miles to the southwest) and, therefore, would not have the potential to expose people to safety hazards from airport operations.

4.6.5.1 Routine Transport, Use, or Disposal of Hazardous Materials and Reasonable Foreseeable Upset and Accident Conditions

Threshold	Would the proposed project 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? Create a significant hazard to the public through the routine transport, use, or disposal of hazardous materials?

Development Phase. Two Phase I Environmental Site Assessments (ESAs) have been prepared for the proposed project site. One ESA was conducted in October 2003 and covers APNs 477-120-001 and 477-120-006.[1] The other ESA was conducted in November 2003 and covers APNs 477-120-007, 477-120-008, 477-120-014, and 477-120-015.[2] A review of historic maps dated 1967 and 2001 along with aerial photography ranging from 1949 to 2000 did not identify any potential hazardous material sources on the site. During the on-site inspection, no hazardous materials handling, storage, or disposal areas were observed. Additionally, no evidence of stressed vegetation, discolored water, or pools of liquid was observed during the on-site reconnaissance. However, because the project site has been historically utilized for agricultural production and because of the close proximity to SR-60,

[1] *Phase 1 Preliminary Environmental Site Assessment 84± Acres, Assessor Parcel Numbers (APNs) 477-120-001 and 477-120-006, Near Intersection of Pettit Street and Highway 60, Moreno Valley, California*, R M Environmental, October 30, 2003.

[2] *Phase 1 Preliminary Environmental Site Assessment 37± Acres, Assessor Parcel Numbers (APNs) 477-120-(007, 008, 014, 015), Near Intersection of Pettit Street and Highway 60, Moreno Valley, California*, R M Environmental, November 25, 2003.

soil samples were taken in various parts of the project site to further evaluate the potential contamination on the site. Soil samples were also collected from the area of a wind-machine remaining in the western portion of the site, the area adjacent to SR-60 in the northern portion of the site, and from selected areas of the citrus groves on the site. These soil samples are identified in Figure 4.6.1.

Two soil samples were collected at the base of the wind-machine. One 200 to 300-gallon petroleum tank is located in the western portion of the site within the column of the wind machine structure. In interviews with Raymond Noriega, manager of the site, he indicated that the wind machine had not been used in the past 10 years that he had been employed there. Soil samples were taken at depths of 1.5 feet and 3 feet below the ground surface to asses the potential of hydrocarbon compounds occurring in the soil. Laboratory results indicated no detectable concentrations of hydrocarbon compounds in the samples collected.

Two soil samples were collected at areas adjacent to SR-60 at depths of one to four inches below ground surface to assess the potential of lead contamination. Laboratory results indicated total lead concentrations of 0.601 to 4.41 milligrams per kilogram (mg/Kg), which were determined to be insignificant.[1] In addition, on September 3, 2003, five near-surface (upper 6 inches) soil samples were collected from selected areas (upper portion) of possible drainage accumulation and pesticide usage on the site. The detected concentrations of organochlorine pesticides and PCBs were within the allowable Preliminary Remedial Goals (PRGs) for the project. No additional assessment for organochlorine pesticides or PCBs is recommended for the site.[2]

On November 7, 2003, three near-surface (upper six inches) soil samples were collected from selected areas (lower portion) of possible drainage accumulation and pesticide usage on the site. The detected concentrations of organochlorine pesticides and PCBs were within the allowable PRGs for the project. No additional assessment for organochlorine pesticides or PCBs is recommended for the site.[3]

At the request of the current owner of the site (northern portion), the area of the former abandoned 13,400-gallon UST was excavated during the site reconnaissance on September 20, 2003. No significant hydrocarbon odors or staining were observed. Between January 5 and 8, 2004, the UST was removed from the site. The UST had been abandoned in-place approximately 50 years ago. The abandonment reportedly consisted of removal of free-liquids; removal of the UST top; then backfilling the interior of the UST with on-site soils. Due to the installation of a 12-inch diameter, Eastern Municipal Water District (EMWD) waterline main in the north portion of the UST, the north portion of the UST was not removed. No indication of soil contamination was observed during the UST removal work. Additionally, soil sampling was conducted on January 7, 2004, at depths between 2 feet and 6 feet below the former bottom elevation of the UST, under the direction of a representative from the County of Riverside DEH Hazardous Materials Management Division. Laboratory results of the collected soil samples indicated a concentration of total petroleum hydrocarbons as oil (116 mg/Kg) in the soil sample collected at 2 feet below the bottom elevation of the UST. No other hydrocarbons, BTEX,[4] or fuel oxygenates were detected; therefore, no additional environmental investigation is recommended for the former UST location.[5]

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1 *Phase 1 Preliminary Environmental Site Assessment 84± Acres, Assessor Parcel Numbers (APNs) 477-120-001 and 477-120-006, Near Intersection of Pettit Street and Highway 60, Moreno Valley, California*, R M Environmental, October 30, 2003, page 8,

2 *Phase 1 Preliminary Environmental Site Assessment 84± Acres, Assessor Parcel Numbers (APNs) 477-120-001 and 477-120-006, Near Intersection of Pettit Street and Highway 60, Moreno Valley, California*, R M Environmental, October 30, 2003, page 9,

3 *Phase 1 Preliminary Environmental Site Assessment 37± Acres, Assessor Parcel Numbers (APNs) 477-120-(007, 008, 014, 015), Near Intersection of Pettit Street and Highway 60, Moreno Valley, California*, R M Environmental, November 25, 2003, page 8.

4 BTEX is an acronym for benzene, toluene, ethyl benzene, and xylene. This group of volatile organic compounds (VOCs) is found in petroleum hydrocarbons, such as gasoline, and other common environmental contaminants.

5 *Report of Removal of Abandoned 13,400± gallon Diesel Underground Storage Tank, APN 477-120-001, Near the Intersection of Pettit Street and Highway 60, Moreno Valley, California,* R M Environmental, January 28, 2004.

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FIGURE 4.6.1

Project Boundary

Soil Sample Site

Approximate Well Site Location

Eucalyptus Industrial Park
Environmental Impact Report

Soil Sampling Locations

SOURCE: Phase I Environmental Assessment, 2003; AirPhotoUSA, 2008

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During the project's construction, it is likely that materials such as fuels, lubricants, solvents, cleansers and paints will be transported to and from the site. These materials are not generally considered acutely hazardous. The use and transport of these materials and all potentially hazardous materials would be handled according to the appropriate State and Federal regulations. The type of storage, transfer, use, and disposal of potentially hazardous materials during construction activities is extensively regulated at the local, State, and Federal levels. Adherence to existing regulations as they relate to the handling and transport of potentially hazardous materials during construction would reduce impacts associated with this issue to a less than significant level.

Operational Phase. The proposed project involves the construction of an approximately 2,244,638-square foot warehouse distribution center. Potentially hazardous materials such as petroleum products, pesticides, fertilizer, and other household hazardous products such as paint products, solvents, and cleaning products may be stored and transported in conjunction with on-site uses. Exposure to hazardous materials during the operation of the proposed on-site uses may result from (1) the improper handling or use of hazardous substances; (2) transportation accident; or (3) an unforeseen event (e.g., fire, flood, or earthquake). The severity of any such exposure is dependent upon the type and amount of the hazardous material involved; the timing, location, and nature of the event; and the sensitivity of the individual or environment affected.

As described in Title 49 of the Code of Federal Regulations[1] and implemented by Title 13 of the CCR, the United States Department of Transportation (USDOT) Office of Hazardous Materials Safety has established strict regulations for the safe transportation of hazardous materials. It is possible that vendors may bring some hazardous materials to and from the project site. Appropriate documentation for all hazardous waste that is transported in connection with project-site activities would be provided as required for compliance with existing hazardous materials regulations. Hazardous wastes produced on site are subject to requirements associated with accumulation time limits, proper storage locations and containers, and proper labeling. Additionally, for removal of hazardous waste from the site, hazardous waste generators are required to use a certified hazardous waste transportation company, which must ship hazardous waste to a permitted facility for treatment, storage, recycling, or disposal.

Due to aforementioned hazardous materials on site and the routine transport of these materials, the potential for an accidental release of hazardous materials into the environment is present at the proposed project site. However, since the storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State, and Federal levels, the proposed project is not anticipated to generate conditions that are not currently addressed by existing regulations. These standards and regulations include procedures to contain, report, and remediate any accidental spill or release of hazardous materials. The handling of hazardous materials in accordance with all applicable local, State, and Federal standards, ordinances, and regulations would reduce the impacts associated with environmental and health hazards related to an accidental release of hazardous materials to a less than significant level.

4.6.5.2 Hazardous Material Sites

Threshold	Would the proposed project 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?

A database review was conducted for both of the Phase 1 Environmental Site Assessments conducted for the project site. Based on the database review, the project site is not included on the State of California Hazardous Waste and Substances Site List (Cortese list) pursuant to the California

[1] *Code of Federal Regulations, Title 49—Transportation*, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, http://ecfr.gpoaccess.gov/cgi/t/text/textidx?sid=585c275ee19254ba07625d8c92fe925f&c=ecfr&tpl=/ecfrbrowse/Title49/49cfrv2_02.tpl, site accessed March 11, 2008.

Code (Section 65962.5). The project site is not listed in the NPL; Corrective Action Order Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) list; Emergency Response Notification System (ERNS) list; Resource Conservation and Recovery Act System; Toxic Release Inventory System (TRIS); CAL-SITES Database for Annual Work Plan; California Department of Toxic Substances Control (DTSC); Regional Water Quality Control Board (RWQCB); California Waste Management Board (CWMB); Solid Waste Information System (SWIS); Waste Management Units Database System (WMUDS); California Border Zone Properties (Deed Restriction Properties); DTSC Hazardous Waste and Substances Site List (Cortese list); or any Leaking Underground Storage Tank (LUST) database.

There is one Resource Conservation and Recovery Act (RCRA)/HAZNET site adjoining the site to the west (Moreno Valley Toyota, 27990 Eucalyptus Avenue). Although this adjoining site was identified in the RCRA/HAZNET database, all potentially hazardous waste was reported as being properly disposed of by use of transfer station and/or recycler. The database review also identified two California Hazardous Material Incident Reporting Sites (CHMIRS) within one mile of the project site. The sites are located at 28885 Fir Street approximately 0.3 mile east of the project and near the intersection of Moreno Beach Drive and Cottonwood Avenue just under one mile southwest of the project. The site at 28885 Fir Street is reported as an illegal drug lab with all contamination being disposed of by the DTSC. The site located near the intersection of Moreno Beach Drive and Cottonwood Avenue does not report the classification of the contamination that occurred. However, the site was signed-off as closed in September 1988.[1]

Because the project site is not identified on a list of hazardous materials sites, the potential that the development of the site would create a significant hazard to the public or environment is less than significant. In addition, the results of the site investigations performed by RM Environmental indicate that no significant amount of any hazardous material exists on site. Therefore, impacts associated with this issue are less than significant and no mitigation would be required.

4.6.5.3 Existing or Proposed Schools

Threshold	Would the proposed project create hazardous emissions or handle acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Section 15168 of CEQA requires that certain projects near schools disclose and examine the potential health impacts resulting from exposure to hazardous materials, wastes, and substances. Before certifying the EIR for a project that might create hazardous air pollutant emissions within 0.25 mile of an existing or proposed school, or that would handle an extremely hazardous substance, the lead agency and the project proponent must consult with the affected school district regarding any potential impacts that may occur from the project. The affected districts must be notified in writing no less than 30 days prior to the approval or certification of the EIR.

At the time the NOP for the proposed project was released, the Moreno Valley Unified School District (MVUSD) had identified three potential school sites within the project vicinity. These potential school sites were for High School #5 (southwest corner of Redlands Boulevard and future Encilia Avenue), Elementary School #24 (northeast corner of Redlands Boulevard and future Encilia Avenue), and Middle School #7 (southeast corner of Redlands Boulevard and future Encilia Avenue). Of these potential school sites, High School #5 was the closest planned school to the project site as it was to be located on the adjacent parcel east of the project site. Due to MVUSD concerns regarding the placement of schools in areas that may be rezoned with warehousing uses, MVUSD has made a decision to abandon the development of these school facility projects on the previously identified

[1] *Phase 1 Preliminary Environmental Site Assessment 37± Acres, Assessor Parcel Numbers (APNs) 477-120-(007, 008, 014, 015), Near Intersection of Pettit Street and Highway 60, Moreno Valley, California*, R M Environmental, November 25, 2003, page 5.

sites.[1] Therefore, no planned school facilities would be located adjacent to or within 0.25 mile of the project site. The nearest existing schools to the project site are the Calvary Chapel Christian School (11960 Pettit Street) approximately 0.69 mile north of the site and Valley View High school, (13135 Nason Street, Moreno Valley) approximately 1.30 miles west of the project site. Since there are no schools planned, proposed, or operating within 0.25 mile of the project site, no impacts associated with this issue would occur and no mitigation is required.

4.6.5.4 Emergency Response Plan

Threshold	Would the proposed project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

In February 2006, the County of Riverside, in cooperation with the cities and special districts, completed its Emergency Operations Plan (EOP). The objective of the EOP is to inventory and coordinate all the facilities and personnel of the County and member jurisdictions into an efficient organization capable of responding effectively to any emergency.[2] The EOP addresses the planned response to extraordinary situations associated with natural disasters, technological incidents, and national security emergencies in or affecting Riverside County. The EOP establishes the emergency organization, assigns tasks, specifies general procedures, and provides for coordination of planning efforts of the various emergency staff and resources. Response plans are identified for specific hazards including dam failures, hazardous material incidents, national security emergencies, air crashes, earthquakes, oil spills, and terrorism.

Construction activities that may temporarily restrict vehicular traffic would be required to implement adequate measures to facilitate the passage of people and vehicles through/around any required road closures. Site-specific activities such as temporary construction activities would be reviewed on a project-by-project basis by the City and are formulated when development plans are submitted to the City.

During the operational phase of the proposed project, on-site access for fire and emergency vehicles would be required to comply with standards established by the City Public Works Department. The size and location of fire suppression facilities (e.g., hydrants) and fire access routes would be required to conform to Fire Department standards. As required of all development in the City, the operation of the proposed project would be required to conform to applicable Uniform Fire Code standards. The submittal of such plans would be considered a condition of approval, which would be part of the permitting process initiated by the applicant and approved by the City in accordance with City standards. As with any development, access to and through the project would be required to comply with the required street widths, as determined in the General Plan Circulation Element, and the Uniform Fire Code. Therefore, implementation of the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

4.6.5.5 Wildland Fires

Threshold	Would the proposed project 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 wildland?

The project site is not located within a “High Fire Hazard Area” or within an area susceptible to wildfires identified by the City of Moreno Valley.[3] Areas surrounding the project site consist of urban, built, and open space. Because of lack of abundant vegetation and the extensive amount of

1 *Resolution No. 2007-08-8,* Board of Education of the Moreno Valley Unified School District, April 15, 2008.
2 Riverside County Operational Area Emergency Operations Plan, County of Riverside, February 2006.
3 *Figure 5.5-2 Floodplains and Fire Hazard Areas,* City of Moreno Valley General Plan Final Program EIR, July 2006.

development within the vicinity of the project site, on-site and adjacent areas do not have the capability to support a wildfire. The proposed uses on site do not typically create a fire hazards nor are they subject to wildland fire hazards due to the type of construction materials used. The project will be designed and constructed to comply with adopted standards and guidelines for fire protection. Irrigated landscaping will surround project and buildings are required to include fire suppression features by law. Due to the location of the fire station adjacent to the project in the northwest corner and the low probability that the project site would be subject or susceptible to wildland fires, no significant impact related to this issue would occur. No mitigation is required.

4.6.6 Significant Impacts

No potentially significant impacts related to hazards and hazardous materials have been identified.

4.6.7 Cumulative Impacts

The cumulative area for discussion of hazards and hazardous materials is the City of Moreno Valley. The proposed project would not result in significant cumulative impacts associated with the routine transport, use, and disposal of hazardous materials; or the emission or handling of hazardous substances. As areas of the eastern portion of Moreno Valley continue to develop, the amount of truck traffic is expected to increase in proportion to the amount of industrial or commercial development that take place in the area. The trucks traveling in the area of the existing project and the surrounding areas may contain hazardous materials as well as contribute to emission in the cumulative area. Accidental spills and leaks are unplanned occurrences. It is impossible to predict the occurrences of such events and the likelihood of such events occurring in close proximity to each other at the same time is very small; therefore, such events cannot be considered cumulatively significant.

As anticipated in the City's General Plan, demographic increases, continued retail and service demands, and the availability of vacant property will lead to the new residential, commercial, and industrial development in the City and surrounding area. While the project-specific hazardous material impacts of individual development projects will be addressed separately in future CEQA documents, anticipated future development will contribute, through increases in the number of locations that sell, store, transport, or dispose of hazardous materials, to a cumulative increase in risk for hazardous material incidents. As with the proposed project, it is anticipated that future development projects will be required to adhere to applicable local, State, and Federal requirements that regulate the use, release, storage, sale, and transport of hazardous materials. Such compliance would ensure that the proposed project will not make a significant contribution to a cumulatively considerable impact in this regard, and no mitigation measures for cumulative impacts are required.

4.7 HYDROLOGY AND WATER QUALITY

This section describes the hydrologic conditions on and adjacent to the project site and evaluates potential impacts to surface and groundwater resources that may result from the construction and operation of the proposed on-site uses. This section is based in part on the 2006 Riverside County Water Quality Management Plan for Urban Runoff, the Preliminary Hydrology Calculations for Moreno Valley Eucalyptus (Thienes Engineering, November 4, 2008) (Appendix G), the Preliminary Water Quality Management Plan (Thienes Engineering, July 15, 2009) (Appendix G), and the 2009 California Stormwater Quality Association [CASQA] Construction Best Management Practices (BMP) Handbook, effective June 1, 2010. A detailed discussion of jurisdictional waters and riparian/wetland impacts as it relates to the proposed project is included in Section 4.4 (Biological Resources).

4.7.1 Existing Setting

The proposed project site is located in the eastern portion of the City of Moreno Valley in Riverside County. The approximately 122.8-acre project site is located south of and adjacent to SR-60, east of Moreno Valley Auto Mall, adjacent to and west of existing Quincy Channel, and on both sides of the future extension of Eucalyptus Avenue.

The project site is located in the Santa Ana River Basin, which includes the upper and lower Santa Ana River watersheds, the San Jacinto watershed, and several other small drainage areas. The Santa Ana region covers parts of southwestern San Bernardino County, western Riverside County, and northeastern Orange County. The northern portion of the project site is currently utilized for citrus cultivation and the southern portion of the project site is currently covered by brush and grasses.

The site topography is level with little variation (slight southward grade). The site has three drainages that occur on or near the project site, on the eastern, southern, and western portions of the site. The proposed project site occurs within an elevation range of approximately 1,720 to 1,795 feet above mean sea level (amsl). The project site is within hydrologic soil type “B.” Hydrologic soil type “B” soils have a moderate infiltration rate when thoroughly wetted and consists of moderately deep to deep, moderately well to well drained soils with moderately fine to moderately coarse textures.

4.7.1.1 Drainage

As illustrated in Figure 4.7.1, 12 sub-watershed areas currently drain the project site in a southerly direction. On-site flows from these 12 sub-watershed areas cross the project site and currently drain into two unnamed dry washes to the west and south and into Quincy Channel, which runs along the entire length of the eastern project boundary. Flows draining into the unnamed dry wash west and south of the project eventually drain into Quincy Channel further south. Quincy Channel flows are then eventually discharged into the Perris Valley storm drain system. The receiving body of water for the Perris Valley storm drain system is Reach 3 of the San Jacinto River.

Off-site flows coming onto the project site from the north originate from SR-60, which is located along the northern boundary of the project site and currently does not have any drainage improvements along the eastbound lanes. The preliminary hydrology report identifies that flows generated south of the centerline of SR-60 currently flow onto the project site via sheet flow and require drainage improvements such as culverts to intercept existing flows as well as areas north of SR-60. Flows currently leaving the project site for the 2-year, 5-year, 10-year, and 100-year storm events are identified in Table 4.7.A.

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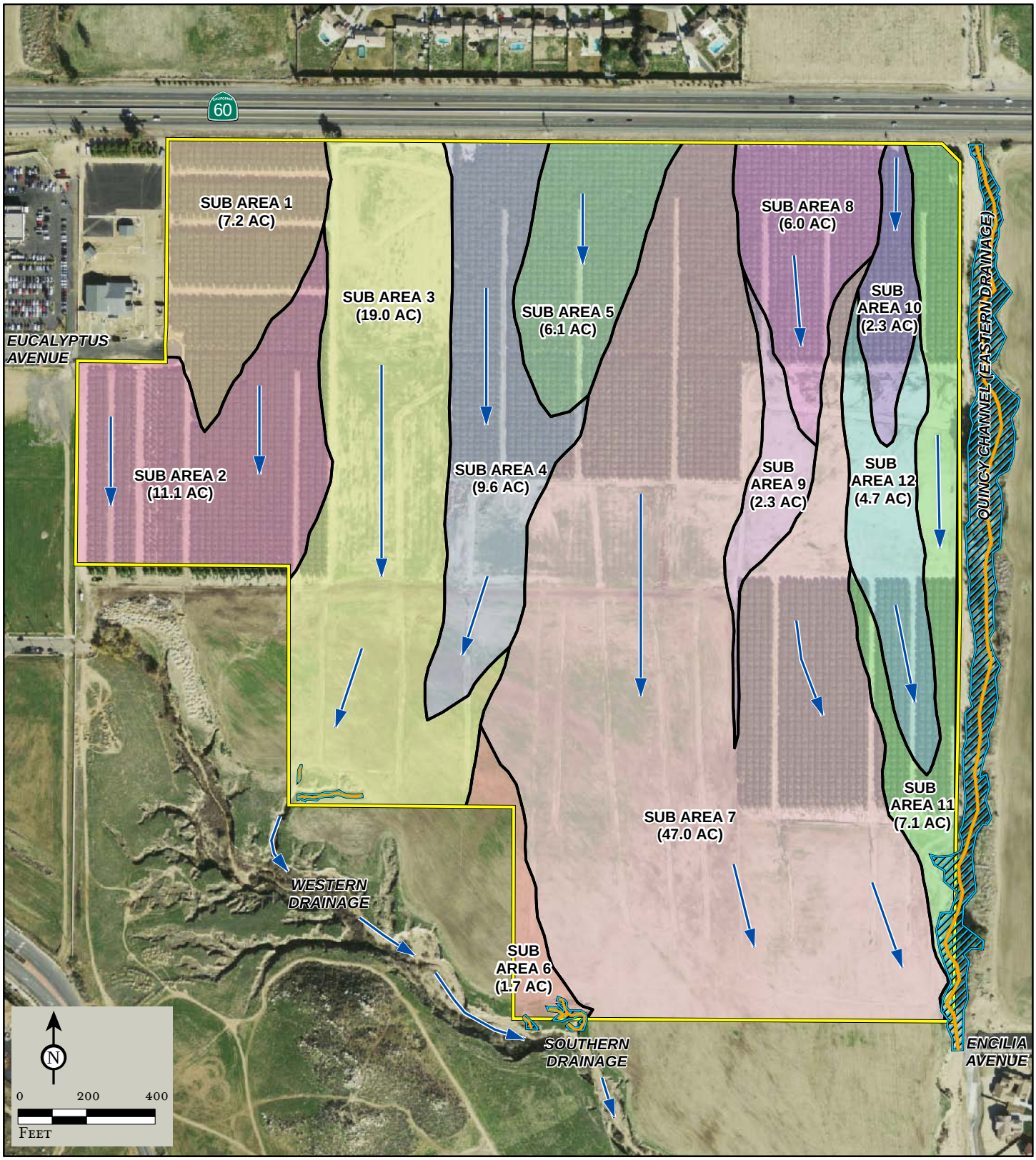

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FIGURE 4.7.1

Project Boundary

Direction of Flow

ACOE*/RWQCB* Potential Jurisdictional Waters

CDFG* Potential Jurisdictional Waters

*ACOE: Army Corps of Engineers
RWQCB: Regional Water Quality Control Board
CDFG: California Department of Fish and Game

Eucalyptus Industrial Park
Environmental Impact Report

Pre-Development Drainage

SOURCE: AirPhotoUSA, 2007; Thienes Engineering, Inc. June 2007.

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Table 4.7.A: Existing Flows (cubic feet per second)

Storm Event (yr)	Storm Duration Flow (cfs)			
	1-hour	3-hour	6-hour	24-hour
2-year	59.4	27.4	20.8	2.8
5-year	94.7	49.9	40.4	3.8
10-year	144.6	89.0	76.8	17.1
100-year	257.7	167.3	147.8	56.9

* Storm Event refers to the natural action of precipitation (e.g. rain, snow, or hail) after a period of two or more hours. Storm Duration is the time period (in hours) over which a storm event occurs.

Source: *Preliminary Hydrology Calculations for Moreno Valley Eucalyptus*, Thienes Engineering, Inc., November 4, 2008.

4.7.1.2 Water Source

Water resources in the City and throughout Riverside County are sustained by groundwater basins, which are used as reservoirs to store water during wet years. These underground reservoirs are tapped throughout the year according to the demand for water. The project site lies within the Perris North Management Zone of the West San Jacinto Groundwater Management Plan (Plan) area, which covers approximately 164,200 acres.[1] This Plan area is bounded by the San Jacinto Mountains on the east, the San Timoteo Badlands on the northeast, the Box Mountains on the north, the Santa Rosa Hills and Bell Mountain on the south, and unnamed hills on the west. Groundwater conditions in these basins are influenced by natural hydrologic conditions such as percolation of precipitation, groundwater seepage, and ephemeral stream flow within the watershed areas. Currently, the City does not identify any major groundwater recharge areas within the project site.[2]

4.7.1.3 Water Supply

The project site is located within the service boundary of the EMWD, which provides water, wastewater, and recycled water services to the City. The EMWD has a 555-square mile service area that provides water for a population of about 630,000. Without easy access to an ocean outfall for effluent, EMWD has developed into one of the State's largest reclaimed water providers, having a combined capacity from its five sewage treatment plants of more than 43 million gallons a day (mgd). Reclaimed water has become extremely important in managing local water resources and helps to extend the economic viability of agriculture. In recent years, reclaimed water has become increasingly accepted for irrigation and landscaping. EMWD utilizes an aggressive program of developing local groundwater resources, including desalination, water harvesting, and additional storage of surplus imported and reclaimed water.

The EMWD adopted the West San Jacinto Groundwater Basin Management Plan (Plan) in June 1995. The Plan serves to protect the interests of existing groundwater producers and to provide a framework for new water supply projects within the 256-square mile Management Plan area. This Plan encompasses more than 164,200 acres and includes the groundwater management zones, as well as essentially non-water bearing areas such as the Lakeview Mountains, the Bernasconi Hills around Lake Perris, the Double Butte area near Winchester, and areas in the extreme northern, western, and southern portions of the EMWD.[3] A detailed analysis of water supplies that would serve the proposed project is provided in Section 4.12 (Utilities and Service Systems) of this EIR.

[1] The West San Jacinto Groundwater Management Plan identifies groundwater areas as "management zones" which may not match the area or configuration of subbasins.

[2] *Section 5.7 Hydrology/Water Quality*, City of Moreno Valley General Plan Final Program EIR, City of Moreno Valley, July 2006.

[3] *West San Jacinto Groundwater Basin Management Plan 2010 Annual Report*, Eastern Municipal Water District, June 2011.

A Water Supply Assessment (WSA) was prepared for this project and issued by EMWD on February 23, 2012. Based on the WSA conducted for the proposed project, water service to the project site will be provided by the EMWD, which utilizes a variety of water supplies to meet the needs of its customers. The water supply demands of the proposed project have been assessed in the WSA and a determination was made that there is adequate water to serve the proposed project. A detailed analysis of the water supply demand of the proposed project is provided in Section 4.12 (Utilities and Service Systems) of this EIR.

4.7.1.4 Storm Drain Infrastructure

The project site is located within the Moreno Area Master Drainage Plan (MDP) of the Riverside County Flood Control and Water Conservation District (RCFCWCD). The RCFCWCD is responsible for the regional flood control system within Riverside County. The MDP provides guidance for the construction of the master plan drainage system, and regional retention/detention basins. Based on the MDP, there are no existing RCFCWCD facilities within the project site or project area, but the RCFCWCD is proposing to construct a storm drain facility within the project vicinity. Line G-7, Quincy Channel, is proposed along the project's eastern edge and would follow the contours of the existing unnamed drainage south of the project. Impacts associated with RCFCWCD facilities are discussed in Section 4.7.6.3 of this EIR.

4.7.2 Existing Policies and Regulations

In the past, the effort to control the discharge of storm water focused on quantity (e.g., flood control) and to a limited extent on quality of storm water. In recent years, awareness of the need to improve water quality has increased. With this awareness, Federal, State, and local programs have been established to pursue the ultimate goal of reducing pollutants contained in storm water discharges to waterways. The emphasis of these programs is to promote the concept and the practice of preventing pollution at the source, before it can cause environmental harm.

4.7.2.1 Federal Regulations

Clean Water Act. The Federal Clean Water Act (CWA) was amended in 1972 to prevent discharge of pollutants to waters of the United States from any point source unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The 1987 amendments to the CWA added Section 402(p), which establishes a framework for regulating municipal and industrial storm water discharges under the NPDES Program. In November 1990, the EPA published final regulations that establish application requirements for storm water permits. The regulations require an NPDES permit for storm water associated with construction and industrial activity, which discharges either directly to surface waters or indirectly through separate municipal storm drains. Pollution control is achieved by establishing engineering measures, such as detention basins and sediment traps, during both the construction period and the operational phases of the project.

Pursuant to requirements of the State Water Resources Control Board (SWRCB), the NPDES General Permit No. CAS5000002 applies to all construction activities that result in the disturbance of at least one acre of total land area, or activity that is part of a larger common plan of development of one acre or greater. The General Permit No. CAS5000002 is issued by the SWRCB as part of the Federal delegation responsibilities under this section of the CWA. The RWQCB regulates hydromodification[1] as well as surface and groundwater quality through adoption of water quality plans and standards, and issuance of water quality permits and waivers. The NPDES permit deals with both the construction phase and operational phase of development projects. For the construction phase of a project, the NPDES permit identifies the preparation of a Storm Water Pollution Prevention Plan (SWPPP).

[1] Hydromodification is the alteration of the hydrologic characteristics of coastal and non-coastal waters, which, in turn, could cause degradation of water resources.

The implementation of NPDES permits ensures that the State's mandatory standards for the maintenance of clean water and the Federal minimums are met. Coverage with the permit would prevent sedimentation and soil erosion through implementation of an SWPPP and periodic inspections by RWQCB staff. An SWPPP is a written document that describes the construction operator's activities to comply with the requirements in the NPDES permit. The SWPPP is intended to facilitate a process whereby the operator evaluates potential pollutant sources at the site and selects and implements BMPs designed to prevent or control the discharge of pollutants in storm water runoff.

Storm water control measures during construction and grading will be outlined in the construction NPDES permit and SWPPP prepared for the proposed project. Examples of such BMP control measures include detention basins for containment, use of silt fencing, gravel bags or straw bales to control runoff, and identification of emergency procedures in case of hazardous materials spills. The project proponent will be required to obtain a construction NPDES permit prior to site grading. In addition, the NPDES permit requires the identification of post-construction BMPs to be incorporated into the project site's Water Quality Management Plan (WQMP). The WQMP identifies measures to treat and/or limit the post-construction entry of contaminants into storm flows.

In addition, pursuant to Section 404 of the CWA, the USACE regulates discharges of dredged or fill material into waters of the United States. These waters include wetlands and non-wetland bodies of water that meet specific criteria, including a direct or indirect connection to interstate commerce. The USACE regulatory jurisdiction pursuant to Section 404 of the Federal CWA is founded on a connection, or nexus, between the water body in question and interstate commerce. This connection may be direct (through a tributary system linking a stream channel with traditional navigable waters used in interstate or foreign commerce) or may be indirect (through a nexus identified in the USACE regulations). The USACE typically regulates as non-wetland waters of the U.S. any body of water displaying an "Ordinary High Water Mark" (OHWM). In order to be considered a jurisdictional wetland under Section 404, an area must possess three wetland characteristics: hydrophytic vegetation, hydric soils, and wetland hydrology. Each characteristic has a specific set of mandatory wetland criteria that must be satisfied in order for that particular wetland characteristic to be met. A project specific discussion regarding Section 404 issues is provided in Section 4.4 (Biological Resources) of this EIR.

National Flood Insurance Program. The National Flood Insurance Program (NFIP) is a relatively recent Federal program. The Federal Government has been actively involved in flood control since 1927 following major floods on the Mississippi River. Beginning with the Flood Control Act of 1936, Congress assigned the USACE the responsibility for flood control engineering works and later for floodplain information services. Flood control was provided through the construction of dams and reservoirs. Despite these programs and rapidly rising Federal expenditures for flood control, flood losses continued to rise. In 1968, Congress passed the National Flood Insurance Act, which created the NFIP. The Flood Disaster Protection Act of 1973, which amended the 1968 Act, required the purchase of flood insurance by property owners who were located in special flood hazard areas and were being assisted by Federal programs, or by federally supervised, regulated, or insured agencies or institutions.

National Flood Insurance Program Reform Act of 1994. In 1994, the National Flood Insurance Program Reform Act went through its first major revision since its inception. Included in this revision were provisions that if a lender were to escrow an account and if the structure were in the floodplain, then the lender *must* escrow for flood insurance. The revised legislation also included increased flood insurance limits and the elimination of the 1962 buy-out program. However, the legislation did initiate the Hazard Mitigation Fund as part of the flood insurance policy. Also included in this legislation was the increase from a 5-day to a 30-day waiting period for a new policy to become effective. It also prohibits the waiver of flood insurance purchase requirements as a condition of receiving Federal

disaster assistance. If the flood insurance policy were not maintained, in the event of another disaster, no disaster assistance would be made available for that structure.

Executive Order 11988, Floodplain Management. Executive Order 11988 requires the USACE to provide leadership and to take action to:

- Reduce the hazards and risk associated with floods;
- Minimize the impact of floods on human health, safety, and welfare; and
- Restore and preserve the natural and beneficial values of the current floodplain.

To comply with Executive Order 11988, the policy of the USACE is to develop projects that, to the extent possible, avoid or minimize adverse effects associated with use of the floodplain and that avoid development (or the inducement of development) in an existing floodplain unless there is no practicable alternative.

4.7.2.2 State Regulations

The California Water Code is the principal State law regulating water quality in California. The Health and Safety Code, Fish and Game Code, Harbors and Navigation Code, and the Food and Agriculture Code all contain water quality provisions that require compliance.

The California Water Code contains provisions regulating water and its use. This portion of the California Water Code, Division 7 (Porter-Cologne Act), establishes a program to protect water quality and beneficial uses of the State water resources and includes groundwater and surface water. The State Water Resources Control Board is the principal State agency responsible for control of water quality. It establishes waste discharge requirements, water quality control planning and monitoring, enforcement of discharge permits, and ground and surface water quality objectives. It also prevents waste and unreasonable use of water, and adjudicates water rights.

The Health and Safety Code, Fish and Game Code, Harbors and Navigation Code, and the Food and Agriculture Code all contain provisions concerning water quality. The Health and Safety Code provides for protection of ground and surface waters from hazardous waste and other toxic substances. The Harbors and Navigation Code provides regulations designed to prevent the unauthorized discharge of waste from vessels into surface waters. The Fish and Game Code has provisions to prevent unauthorized diversions of any surface water and discharge of any substance that may be deleterious to fish, plant, animal, or bird life. The Food and Agriculture Code provides for the protection of groundwater that may be used for drinking water supplies.

The California Code of Regulations also contains administrative procedures for the State and RWQCBs in Title 23; and for water quality for domestic uses, wastewater reclamation, and hazardous waste management in Title 22. The CDFG, through provisions of the California Fish and Game Code (§1601 through §1603), is empowered to issue agreements for any alteration of a river, stream, or lake where fish or wildlife resources may be adversely affected. The presence of a channel bed and banks, and at least an intermittent flow of water define streams (and rivers). The CDFG regulates wetland areas only to the extent that those wetlands are part of a river, stream, or lake as defined by the CDFG. Discussion as it relates to jurisdictional waters and riparian/wetland resources is provided in Section 4.4 (Biological Resources) of this EIR.

Groundwater Management Act (AB 3030). [Sections 10750–10756 of the California Water Code.] This act provides a systematic procedure for an existing local agency to develop a groundwater management plan. This section of the Code provides such an agency with the powers of a water

replenishment district to raise revenue to pay for facilities to manage the basin (extraction, recharge, conveyance, quality).

The availability of groundwater and issues involving the adequacy of recharge capability are regional in nature. The Groundwater Management Act[1] (AB 3030) provides a systematic procedure for an existing local agency to develop a groundwater management plan. AB 3030 allows a local agency whose service includes a groundwater basin that is not already subject to groundwater management pursuant to law or court order to adopt and implement a groundwater management plan and includes plans to mitigate overdraft conditions, control brackish water, and to monitor and replenish groundwater. There are currently few domestic uses for groundwater in the area as the City primarily relies upon imported water from the EMWD.[2] Water sources for the EMWD include imported water purchased from the Metropolitan Water District (Metropolitan), groundwater sources, and recycled water from the EMWD's five regional water reclamation facilities. Approximately 75 percent of the EMWD's water is imported from Metropolitan, with the remaining 25 percent supplied by groundwater wells.[3] Groundwater supplies are drawn from the EMWD wells located in the Hemet, San Jacinto, Moreno Valley, Perris Valley, and Murrieta areas.

Cobey-Alquist Flood Plain Management Act (California Water Code Section). This Act states that a large portion of land resources of the State of California is subject to recurrent flooding. The public interest necessitates sound development of land use, as land is a limited, valuable, and irreplaceable resource, and the floodplains of the State are a land resource to be developed in a manner that, in conjunction with economically justified structural measures for flood control, would result in prevention of loss of life and of economic loss caused by excessive flooding. The primary responsibility for planning, adoption, and enforcement of land use regulations to accomplish floodplain management rests with local levels of government. It is policy of the State of California to encourage local government to plan land use regulations to accomplish floodplain management and to provide State assistance and guidance.

California Toxics Rule. On May 18, 2000, the EPA promulgated numeric water quality criteria for priority toxic pollutants and other provisions for water quality standards to be applied to waters in the State of California. The EPA promulgated this rule based on the Administrator's determination that the numeric criteria are necessary in California to protect human health and the environment. The rule fills a gap in California water quality standards that was created in 1994 when a State court overturned the State's water quality control plans containing water quality criteria for priority toxic pollutants. Thus, the State of California has been without numeric water quality criteria for many priority toxic pollutants as required by the CWA, necessitating this action by the EPA. These Federal criteria are legally applicable in the State of California for inland surface waters, enclosed bays and estuaries for all purposes and programs under the CWA.

Municipal Separate Storm Sewer System (MS4) Permit System. The Municipal Separate Storm Sewer System (MS4) Permit is an NPDES, Phase II, General Permit that applies to the City of Moreno Valley. The purpose of the permit is to reduce the conveyance of storm water discharges with pollutants to streams, rivers, and creeks within the City. The Municipal Storm Water Permitting Program regulates storm water discharges from MS4s. MS4 permits were issued in two phases. Under Phase I, which started in 1990, the RWQCBs have adopted NPDES storm water permits for medium (serving between 100,000 and 250,000 people) and large (serving more than 250,000 people) municipalities. Most of these permits are issued to a group of co-permittees encompassing an entire metropolitan area. These permits are reissued as the permits expire.

1 Sections 10750–10756 of the California Water Code.
2 *Section 5.7 Hydrology/Water Quality, Moreno Valley General Plan Final Program EIR,* City of Moreno Valley, July 2006.
3 EMWD History and Mission, http://www.emwd.org, Eastern Municipal Water District, website accessed December 31, 2011.

4.7.2.3 City of Moreno Valley General Plan Policies

The following General Plan objectives, policies, and programs are applicable to the proposed project:

Objectives, Policies, and Programs

Objective 6.2 Minimize the potential for loss of life and protect residents, workers, and visitors to the City from physical injury and property damage, and to minimize nuisances due to flooding.

Policy 5.5.11 Implement National Pollutant Discharge Elimination System Best Management Practices relating to construction of roadways to control runoff contamination from affecting water resources.

Objective 7.2 Maintain surface water quality and the supply and quality of groundwater.

Program 7-2 Advocate for natural drainage channels to the Riverside County Flood Control District, in order to assure the maximum recovery of local water, and to protect riparian habitats and wildlife.

Policy 7.4.3 Preserve natural drainage courses in their natural state and the natural hydrology, unless the protection of life and property necessitate improvement as concrete channels.

4.7.3 Methodology

Evaluation of hydrology and water quality impacts associated with the proposed project includes the following:

- Determine the construction phase water quality impacts based on NPDES standards;
- Determine the construction impacts on drainage patterns and drainage capacity;
- Determine the operational water quality impacts based on NPDES standards;
- Determine the operational impacts on drainage patterns and drainage capacity; and
- Determine the impacts on local groundwater table levels.

An SWPPP and preliminary WQMP (included as Appendix G of this EIR) have been prepared for the proposed project, and evaluate impacts associated with construction and operation activities. Drainage pattern and capacity impacts were evaluated by calculating existing and proposed flow condition rates through Civil Design Computer Software, which incorporates the Riverside County Flood Control and Water Conservation District Hydrology Manual requirements. The peak 100-year storm runoff was utilized to preliminarily size storm drain pipes as indicated in the Preliminary Hydrology Report conducted for this project (Appendix G of this EIR).

4.7.3.1 Pollutants of Concern and Assessment Methodology

The pollutants of concern for the water quality analysis have been identified based on the previously described regulations and the pollutants identified by regulatory agencies that potentially could be generated by the proposed project. The anticipated and potential pollutants in storm water or urban runoff for various land uses are reflected in Table 4.7.B. The project pollutants of concern are defined as those pollutants that currently impair a downstream water body listed in Section 303 (d). Based on the WQMP prepared for the proposed project, impaired receiving waters downstream from the project include Reach 2 of the San Jacinto River and Lake Elsinore. Reach 2 of the San Jacinto River is impaired for nutrients and pathogens and Lake Elsinore is impaired for nutrients, organic enrichment/ low dissolved oxygen, PCBs, and unknown toxicity.

The following pollutants were chosen for evaluating water quality impacts of the proposed project based on three jointly applied criteria:

(1) Pollutants that have impaired urban surface receiving waters in other areas with similar land use type;

(2) Prevalence in urban runoff; and

(3) Regulatory requirements and guidance, including the California Toxics Rule (CTR) and MS4 permit.

Table 4.7.C describes these pollutants (sediments, nutrients, heavy metals, organic compounds, trash and debris, oxygen-demanding substances, oil and grease, and pathogens) and their general effect on water quality and aquatic habitat.

4.7.3.2 Treatment Control BMPs and Assessment Methodology

The treatment control BMPs for the water quality analysis have been chosen based upon the previously described regulations and the pollutants of concern. The anticipated and potential efficiency of BMPs in regard to specific pollutants in urban runoff is reflected in Table 4.7.D. The following treatment control BMPs were chosen for the purpose of evaluating water quality impacts based on the following criteria: (1) effectiveness of removing specific pollutants that have impaired urban surface receiving waters in other areas with similar land use type and (2) regulatory requirements and guidance, including the CTR and MS4 permit.

Proprietary BMPs combined with traditionally accepted BMPs may assist with the treatment of project pollutants. Proprietary BMPs combined with traditionally accepted BMPs may be employed on a site-specific basis as approved by the City of Moreno Valley. The appropriate BMP(s) for a project should be determined based on the size of the project area, the types of pollutants that would be found in the development runoff, and pollutants of concern. Table 4.7.E describes these BMPs (biofilters, water quality inlets, detention basins, and infiltration basins) and their general characteristics. A discussion of the types of BMPs that would be utilized for the proposed project has been provided in Section 4.7.6.2 of this EIR.

4.7.4 Thresholds of Significance

The following thresholds of significance regarding potential impacts to hydrology and water quality are based on *CEQA Guidelines* (2008). A project would have a significant impact on surface hydrology, water quality, and/or groundwater if it would:

- Result in violations of any water quality standards or waste discharge requirements of the City of Moreno Valley or the Regional Water Quality Control Board;
- 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;
- 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, siltation on site or off site;
- 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 amount of surface runoff which would result in on-site or off-site flooding;
- Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff;

Table 4.7.B: Anticipated and Potential Pollutants Generated by Land Use Type

Priority Project Categories	General Pollutant Categories								
	Sediment/ Turbidity	Nutrients	Organic Compounds	Trash & Debris	Oxygen-Demanding Substances	Bacteria & Viruses	Oil & Grease	Pesticides	Metals
Commercial/Industrial Development	P[1]	P[1]	P[5]	E	P[1]	P[3]	E	P[1]	P
Parking Lots	P[1]	P[1]	E[4]	E	P[1]	P[6]	E	P[1]	E
Streets, Highways and Freeways	E	P[1]	E[4]	E	P[1]	P[6]	E	P[1]	E

E = Expected P = Potential N= Not Expected

[1] A potential pollutant if landscaping or open area exists on the project site.
[2] A potential pollutant if the project includes uncovered parking areas.
[3] A potential pollutant if land use involves animal waste.
[4] Specifically, petroleum hydrocarbons.
[5] Specifically, solvents.
[6] Bacterial indicators are routinely detected in pavement runoff.

Source: *Riverside County Water Quality Management Plan Guidance for Urban Runoff* (2006).

Table 4.7.C: Pollutants and General Water Quality Impacts

Pollutant	Water Quality Impact
Sediments	Excessive sediment can be detrimental to aquatic life by interfering with photosynthesis, respiration, growth, and reproduction.
Nutrients	Elevated nutrient levels in surface waters cause algal blooms, excessive vegetative growth, and dissolved oxygen levels, which is detrimental to aquatic life.
Heavy Metals	Bio-available forms of trace metals are toxic to aquatic life, potential of groundwater contamination, bio-accumulation in aquatic life, affect beneficial uses of a water body.
Organic Compounds	May contain levels that are harmful or hazardous to aquatic life.
Trash and Debris	Detrimental effect on recreational value of a water body and aquatic habitat; interferes with aquatic life respiration and can be harmful or hazardous to aquatic animals that mistakenly ingest floating debris.
Oxygen-Demanding Substances	Reduces a water body's capacity to support aquatic life. Can result in the growth of undesirable organisms and the release of odorous and hazardous compounds such as hydrogen sulfide.
Oil and Grease	Can accumulate in aquatic life from contaminated water, sediments, and food and are toxic at low concentrations. Can persist in sediments for long periods of time and result in adverse impacts on the diversity and abundance of existing bio-communities and can affect the aesthetic value of a water body.
Pathogens (Bacteria, Viruses, and Protozoa)	May result in water body impairments, can exceed public health standards for water contact recreation, creating a harmful environment. Can alter the aquatic habitat and create a harmful environment for aquatic life.

Table 4.7.D: Treatment Control BMP Selection Matrix

Pollutant of Concern	Treatment Control BMP Selection Categories							
	Veg. Swale or Veg. Filter Strips	Detention Basins[1]	Infiltration Basins or Porous Pavement[2]	Wet Ponds or Wetlands	Sand Filter or Filtration	Water Quality Inlets	Hydrodynamic Separator Systems[3]	Manufactured Proprietary Devices
Sediment/Turbidity	H/M	M	H/M	H/M	H/M	L	H/M (L for turbidity)	U
Nutrients	L	M	H/M	H/M	L/M	L	L	U
Organic Compounds	U	U	U	U	H/M	L	L	U
Trash & Debris	L	M	U	U	H/M	M	H/M	U
Oxygen-Demanding Substances	L	M	H/M	H/M	H/M	L	L	U
Bacteria & Viruses	U	U	H/M	U	H/M	L	L	U
Oils & Grease	H/M	M	U	U	H/M	M	L/M	U
Pesticides (non-soil bound)	U	U	U	U	U	L	L	U
Metals	H/M	M	H	H	H	L	L	U

L = Low Removal Efficiency M = Medium Removal Efficiency H/M = High or Medium Removal Efficiency U = Unknown Removal Efficiency

Notes: [1] Includes grass swales, grass strips, wetland vegetation swales, and bioretention.
[2] Includes extended/dry detention basins with grass lining and extended/dry detention basins with impervious lining.
[3] Includes infiltration basins, infiltration trenches, and porous pavements.

Source: *Riverside County Water Quality Management Plan Guidance for Urban Runoff* (2006).

Table 4.7.E: BMP Characteristics

BMP	General Characteristics
Biofilters	Pollutants are removed by filtering and through settling of sediment and other solid particles as the design flow passes through (not over) the vegetation. Overall the effectiveness of grass swales is limited and they are recommended in combination with other BMPs.
Water Quality Inlet	Pollutants are removed through sedimentation and separation as the design flow passes through one or more chambers. Generally used for pretreatment before discharging into another type of BMP.
Extended Detention Basin	Basin sized to detain and slowly release the design volume of urban runoff, allowing particles and associated pollutants to settle out. Maintenance efforts would need to be directed toward vegetation management, vector control, and removal of debris accumulations.
Infiltration Basins	Basin sized to detain and infiltrate runoff, allowing particles and associated pollutants to settle out. Maintenance efforts would be directed toward vegetation management, vector control, and removal of debris accumulations. This BMP may require groundwater monitoring.
Hydrodynamic Separator System	Device treats stormwater by creating a whirlpool of water within a concrete chamber in which solids fall to the bottom of the chamber while buoyant debris, oil, and grease rise to the surface, allowing water to pass through a flow control opening.

- Otherwise substantially degrade water quality;
- Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map;
- Place within a 100-year flood hazard area structures which would impede or redirect flood flows;
- 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; and/or
- Expose people or structures to inundation by seiche, tsunami, or mudflow.

4.7.5 No Impacts/Less than Significant Impacts

The following potential impacts were determined to be less than significant. In each of the following issues, either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards, and policies would reduce potential impacts to a less than significant level.

4.7.5.1 Groundwater

Threshold	Would the proposed project 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?

Based on the WSA prepared for the proposed project, water demand for the proposed on-site uses would total 81,900 gpd or 91 acre-feet per year (AFY).[1] As identified in Section 4.12 of this EIR, the proposed project would obtain water service from the EMWD. It is anticipated that the proposed project would primarily utilize imported water purchased from Metropolitan. In the event that imported water is not available, this imported water would be supplemented by local groundwater sources.

The implementation of the existing West San Jacinto Groundwater Basin Management Plan would ensure that local groundwater resources are conserved and groundwater overdraft does not occur. If the use of groundwater supplies was necessary, the proposed project would be required to comply with any future water use restricting regulations further minimizing impacts to groundwater supply.

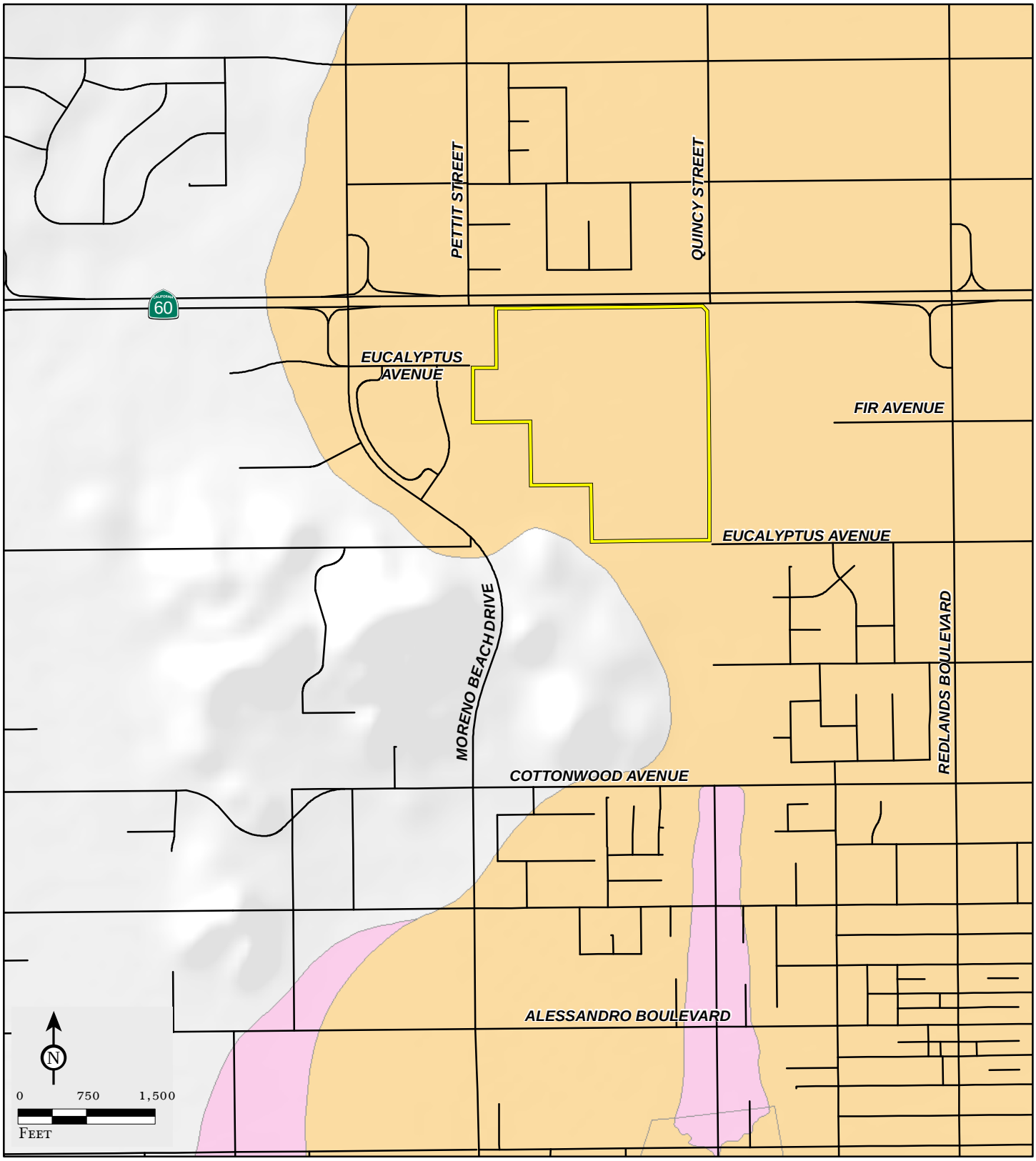
As identified in the City's General Plan, the proposed project would not interfere with groundwater recharge as the project site is not identified as a groundwater recharge area.[2] Therefore, the proposed project would not interfere with groundwater recharge activities. Impacts associated with this issue are less than significant and no mitigation measure is required.

4.7.5.2 Flooding-Related Impacts

Threshold	Would the proposed project place within a 100-year flood hazard area structures that would impede or redirect flood flows?

Flooding in the City of Moreno Valley could result from intense storms resulting in rapid runoff. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) identify areas subject to flooding during the 100-year storm.[3] Based on these FIRMs and as indicated in Figure 4.7.2, the project site does not fall within a 100-year flood zone.[4] The proposed project is

1 *Water Supply Assessment,* Eastern Municipal Water District, February 23, 2012.
2 *Section 5.7 Hydrology/Water Quality*, City of Moreno Valley General Plan Final Program EIR, City of Moreno Valley, July 2006.
3 The term "100-year" is a measure of the size of the flood, not how often it occurs. The "100-year flood" is a flooding event that has a one percent chance of occurring in any given year.
4 FEMA DFIRM Data, 2008.



LSA

FIGURE 4.7.2

Project Boundary

An Area inundated by 100-year flooding

An Area inundated by 500-year flooding

Eucalyptus Industrial Park
Environmental Impact Report

FEMA Flood Zones

SOURCE: FEMA DFIRM Data, 2008

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industrial in nature and the implementation of the proposed project would not result in the placement of housing within a 100-year floodplain. Because the project site does not lie within a 100-year floodplain and does not include housing, impacts related to this issue are less than significant. No further discussion or mitigation is required. It should be noted that the project site is within Zone X (shaded), which means it is within the 500-year flood zone.

4.7.5.3 Drainage Pattern-Related Impacts

Threshold	Would the proposed project substantially alter the existing local drainage patterns of the site and substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion, siltation, or flooding on or off site?

The proposed project would alter the existing drainage patterns and affect surface runoff; however, several BMPs would be designed and installed on site to minimize these alterations, resulting in a less than significant impact.

Under current conditions, off-site flows coming onto the project site from SR-60 to the north flow onto the project site via sheet flow and require drainage improvements such as culverts to intercept existing flows. Flows generated on site cross the project site and currently drain into an unnamed dry wash to the south and east and into Quincy Channel, which runs along the entire length of the eastern project boundary. Flows draining into the unnamed dry wash south of the project eventually drain into Quincy Channel farther south. Quincy Channel flows are then eventually discharged into the Perris Valley Storm Drain system. Flows continue on to the San Jacinto River and eventually reach Lake Elsinore. Development of the project site would result in increased impervious surfaces in the form of roadways, parking lots, and industrial warehouse buildings. The proposed project incorporates six detention/sedimentation basins for both water quality and quantity control purposes.

As indicated in Figure 4.7.3, under post-development conditions, the project site would be divided into six areas. The northern portion of the project site would include Areas 1 and 2, which total 45.6 acres. The southern portion of the project site would include Areas 3, 4, 5, and 6, totaling 57.0 acres. The remainder of the project site (18.5 acres) would consist of vegetated swales, detention/sedimentation basins, and sand filters. The vegetated swales would retain and allow infiltration of a portion of the on-site flows, while the remainder of on-site flows would be routed to detention/sedimentation basins located on the southern side of the northern and southern portion of the project site. Table 4.7.F provides a summary of each drainage area, how flows would be routed, and water quality treatment features within each drainage area.

Table 4.7.F: Post-Development Drainage Areas

Area	Size	Flow Route
Area 1	6.4 acres	Flows routed to the south to a vegetated swale located in the southwest corner of Area 1. From there, flows would then be routed to Detention Basin 1 and its associated sand filter.
Area 2	39.2 acres	Flows routed to Detention Basin 1 and the sand filter. Once flows reach Detention Basin 1 and the sand filter, remaining flows would be routed to the southeast into Quincy Channel via a north outlet.
Area 3	14.6 acres	Flows routed to a vegetated swale located on the southern portion of Area 3. Flows from this vegetated swale would be eventually routed to Detention Basin 2 and associated sand filter located on the southeast corner of the project site.
Area 4	2.7 acres	Flows routed to a vegetated swale located on the western side of Area 4. Flows would then be routed to the vegetated swale located in Area 3 and then to Detention Basin 2 and associated sand filter.
Area 5	6.5 acres	Flows routed to the vegetated swale located in the southeast corner of Area 5. Flows would then be routed to Detention Basin 2 and associated sand filter.
Area 6	33.2 acres	Flows routed to Detention Basin 2 and its sand filter. Once flows reach Detention Basin 2 and the sand filter and are treated, any remaining flows would be routed to the southeast into Quincy Channel via a south outlet.

Source: *Preliminary Water Quality Management Plan for Moreno Valley Eucalyptus*, Thienes Engineering, Inc., April 2008.

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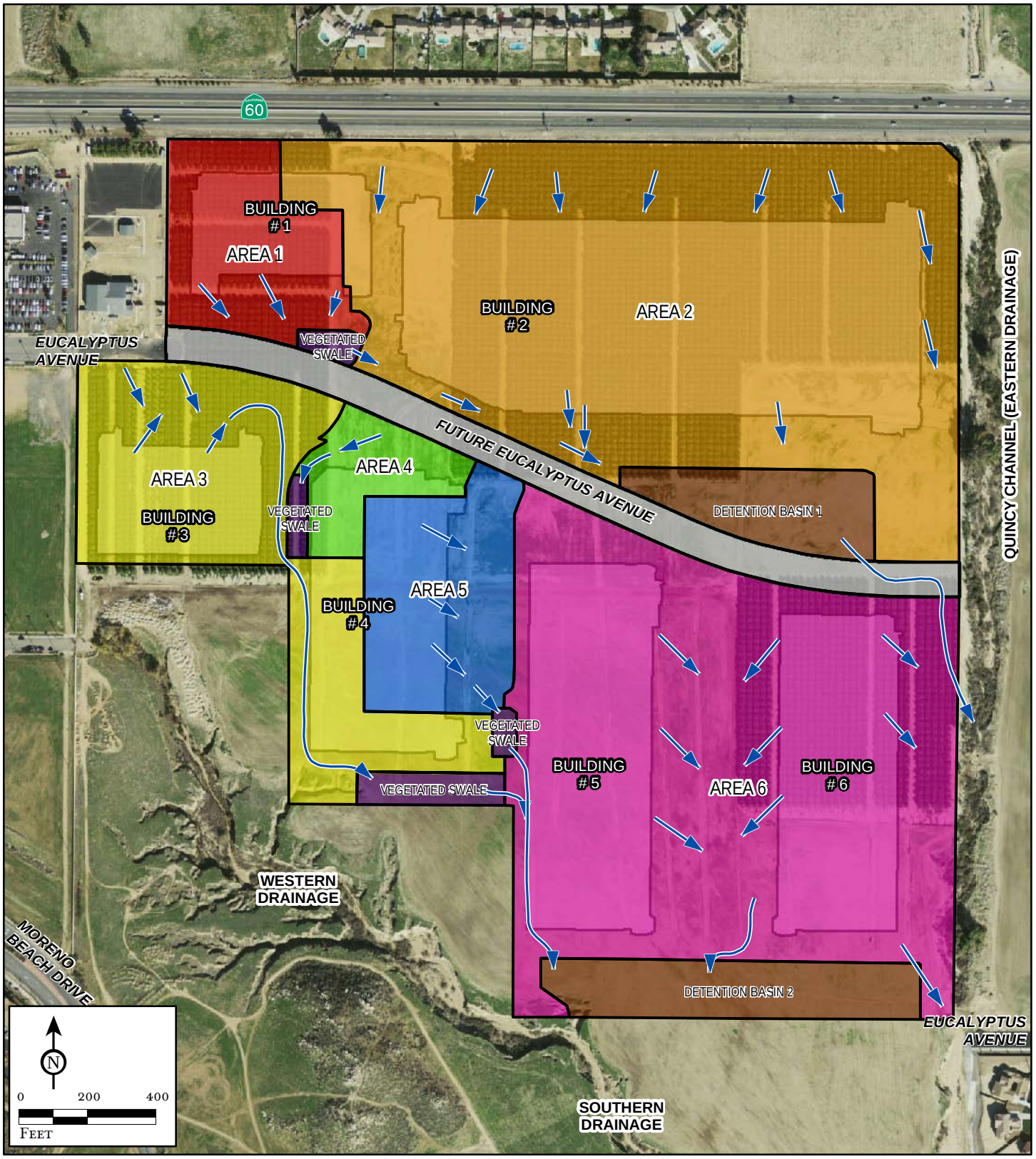

LSA

FIGURE 4.7.3

Direction of Flow

Area 1 (6.4 AC)

Area2 (39.2 AC)

Area 3 (14.6 AC)

Area 4 (2.7 AC)

Area 5 (6.5 AC)

Area 6 (33.2 AC)

Detention Basins 1 & 2

Vegetated Swale

Eucalyptus Industrial Park
Environmental Impact Report

Post-Development Drainage

SOURCE: Thienes Engineering, Inc. (2008).

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As indicated in Table 4.7.F and illustrated in Figure 4.7.3, vegetated swales would be located within Drainage Area 1 (southwestern corner), Drainage Area 3 (southern boundary), Drainage Area 4 (western side adjacent to Drainage Area 3), and Drainage Area 6 (western boundary adjacent to Drainage Area 5). In addition to the vegetated swales, the proposed project would also have two detention/sedimentation basins within the project site. These detention/sedimentation basins are located in Drainage Area 2 (southern boundary) and Drainage Area 6 (southern boundary). A discussion regarding the effectiveness of these facilities as water quality treatment areas is further analyzed and discussed in Section 4.7.6.2.

Under post-development conditions, all on-site flows would be routed to Quincy Channel. This drainage pattern would mimic the existing drainage pattern, which has flows draining to the Quincy Channel and the unnamed dry wash to the south. Since the unnamed dry wash connects to Quincy Channel farther south of the project, all flows under existing conditions drain into Quincy Channel. As previously stated, flows in Quincy Channel are routed to the Perris Valley Storm Drain where flows continue onto the San Jacinto River and eventually reach Lake Elsinore.

Increased runoff from the site could result in substantial erosion of local drainage ways and siltation of downstream receiving waters. However, as identified in Section 4.7.6.3, with the proposed drainage system installed on site, the proposed project would not produce any post-development peak flow leaving the site larger than the pre-development peak flows leaving the site for the analyzed storms. In addition, because the implementation of various BMPs will reduce off-site flow velocity and volume, erosional runoff and silt volumes would be minimized to the greatest extent practical. Capacity of the proposed drainage system is discussed further in Section 4.7.6.3. Because the proposed project would maintain existing drainage patterns on site and implement BMPs that would minimize erosion and generation of silt on site, impacts associated with this issue are less than significant and no mitigation measures are required.

4.7.6 Significant Impacts

4.7.6.1 Construction-Related Water Quality Impacts

Threshold	Would the proposed project violate any water quality standards or waste discharge requirements during construction phases of the project in form of increased soil erosion, sedimentation, or storm water discharges?

Construction-related activities have the potential to affect water quality. However, implementation of construction practices and adherence to existing water quality regulations would reduce these impacts to a less than significant level.

Development of the project site is in excess of one acre (project site is approximately 122.8 acres); therefore, the project is required to obtain coverage under an NPDES permit, which includes the preparation of an SWPPP for construction discharges. The project will be required to submit a Notice of Intent (NOI) and obtain a Water Discharge Identification (WDID) Number prior to grading. During the construction period, the project would use a series of BMPs to reduce erosion and sedimentation. These measures may include the use of gravel bags, silt fences, straw wattles, hay bales, check dams, hydroseed, and soil binders. The construction contractor would be required to operate and maintain these controls throughout the duration of on-site activities. In addition, the construction contractor would be required to maintain an inspection log and have the log on site to be reviewed by the City and representatives of the RWQCB.

The construction and grading phases of the project site would require the disturbance of surface soils and removal of existing orange groves and vegetative cover. During the construction period, grading and excavation activities would result in exposure of soil to storm runoff, potentially causing erosion and sediment in runoff. If not managed through BMPs, the runoff could cause erosion and increased sedimentation in local drainage ways such as the Quincy Channel. By volume, sediment is the

principal component in most storm runoff. Sediments also transport substances such as nutrients, hydrocarbons, and trace metals, which are conveyed to the receiving waters. The potential for chemical releases is present at most construction sites in the form of fuels, solvents, glues, paints, and other building construction materials. Once released, substances such as fuels, oils, paints, and solvents could be transported to nearby surface waterways and/or to groundwater in storm water runoff, wash water, and dust control water, potentially reducing the quality of the receiving waters and potentially resulting in impairment of downstream water sources.

The NPDES permit program was established under Section 402 of the CWA, which prohibits the unauthorized discharge of pollutants, including municipal, commercial, and industrial wastewater discharges. An NPDES permit would generally specify an acceptable level of a pollutant or pollutant parameter in a discharge (for example, a certain level of bacteria). The permittee may choose which technologies to use to achieve that level. Some permits, however, do contain certain generic BMPs. Table 4.7.G lists BMPs for runoff control, sediment control, erosion control, and housekeeping that may be used during the construction and operations phases of the proposed project.

Table 4.7.G: General Best Management Practices

Runoff Control	Sediment Control	Erosion Control	Good Housekeeping
• Minimize clearing • Preserve natural vegetation • Stabilize drainage ways	• Install perimeter controls (e.g., silt fences) • Install sediment trapping devices (e.g., straw wattles, hay bales, gravel bags) • Inlet protection (e.g., check dams)	• Stabilize exposed soils (e.g., hydroseed, soil binders) • Protect steep slopes • Complete construction in phases	• Create waste collection area • Put lids on containers • Clean up spills immediately

Source: National Pollutant Discharge Elimination System, *Construction Site Storm Water Runoff Control*, http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm, site accessed December 31, 2011. 2009 More detailed Best Management Practices are available at this web site.

Mitigation Measures. Adherence to NPDES requirements is required of all development within the City. Incorporation of **Mitigation Measures 4.7.6.1A** through **4.7.6.1C** is designed to track both standard requirements and mitigation measures as part of the project's MMRP.

4.7.6.1A Prior to grading plan approval and the first issuance of a grading permit by the City, the project applicant shall provide evidence to the City that a Notice of Intent (NOI) has been filed with the Regional Water Quality Control Board for coverage under the State NPDES General Construction Permit for discharge of storm water associated with construction activities.

4.7.6.1B Prior to grading plan approval and the first issuance of a grading permit by the City, the project applicant shall submit to the City of Moreno Valley a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and nonstructural BMPs to control sediment and nonvisible discharges from the site. BMPs to be implemented in the SWPPP may include (but shall not be limited to) the following:

- Sediment discharges from the site may be controlled by the following: sandbags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.

- No materials of any kind shall be placed in drainage ways.
- Materials that could contribute nonvisible pollutants to storm water must be contained, elevated, and placed in temporary storage containment areas.
- All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected per RWQCB standards to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.
- The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.
- Additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary.
- The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.

In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

4.7.6.1C Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that the following provisions have been added to construction contracts for the project:

- The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Moreno Valley and the representatives of the Regional Water Quality Control Board.

Level of Significance after Mitigation. On-site grading activities and the development of the proposed on-site uses would increase the potential for the erosion of soils. However, adherence to the BMPs identified by the above mitigation measures would reduce impacts associated with short-term (construction) storm water discharges during project construction. Therefore, impacts associated with this issue are reduced to a less than significant level.

4.7.6.2 Operational-Related Water Quality Impacts

Threshold	Would the proposed project violate any water quality standards or waste discharge requirements during the operational phases of the project in the form of increased soil erosion, sedimentation, or urban runoff?

Since 2005, post-construction impacts associated with urban runoff have been addressed through adherence to the Riverside County WQMP. New development projects submitted for approval after December 2004 are required to submit a project-specific WQMP prior to the first discretionary project approval or permit.[1] The project-specific WQMP must address management of urban runoff, both in terms of the amount and quality of water leaving the project site. The primary objective of the WQMP, by addressing site design, source control, and treatment control BMPs applied on a project-specific and/or sub-regional or regional basis, is to ensure that the land use approval and permitting process of each City minimizes the cumulative regional impact of urban runoff. The WQMP is required to be

[1] Storm Water Clean Water Protection Program, "Riverside County Water Quality Management Plan, Santa Ana River Region, Santa Margarita Region," December 2004.

incorporated by reference or attached to the project's SWPPP as the Post-Construction Management Plan.

The proposed project would result in the conversion of existing on-site permeable surfaces to impermeable surfaces, thereby altering the current drainage pattern. Upon development of the proposed on-site uses, storm runoff from the roadways, parking lots, and buildings may carry a variety of pollutants such as sediment, pathogens, petroleum products, commonly utilized construction materials, landscaping chemicals, and (to a lesser extent) trace metals such as zinc, copper, lead, cadmium, and iron, which may lead to the degradation of storm water in downstream channels.

Pollutant concentrations in urban runoff are extremely variable and are dependent on storm intensity, land use, elapsed time since previous storms, and the volume of runoff generated in a given area that reaches a receiving water. As such, potential water quality impacts are related to the increase in the peak runoff, new urban uses, and the sensitivity of the receiving water. Runoff from landscaped areas may contain elevated levels of phosphorous, nitrogen, and suspended solids. Nutrients from this runoff could promote algae growth in waters downstream from the project as well as contribute to degradation of surface water quality.

The proposed project would implement and emphasize pollution prevention controls as the first line of defense against storm water pollution. Site design BMPs include measures such as common area landscape maintenance practices. The P-WQMP prepared for the project incorporates the following site design BMPs:

- Efficient building layout leaves permeable areas at locations where they are best used and incorporated for BMPs. Areas not used for building or parking will be landscaped to maximize permeable area;
- Sidewalk, drive, and parking lot aisles are at the minimum widths necessary for safety and appropriate vehicle use;
- Required landscaped areas will not use decorative concrete or impervious surfaces;
- Landscape plans incorporate native and drought-tolerant plants, trees, and shrubs. Landscaping will be maintained weekly and maintenance contractor will properly dispose of all landscape wastes;
- Irrigation systems will be inspected monthly by the landscape contractor to check for overwatering, leaks, or excessive runoff to paved areas. Timers will be used to prevent overwatering;
- Signage will be inspected and maintained twice a year for legibility;

Source control BMPs will be incorporated into the project to further reduce the amount of pollutants released into the environment. Source control BMPs that have been incorporated into the project include the following:

- Street and parking lot sweeping and vacuuming;
    - Outdoor Loading/Unloading truck docks will be kept in a clean and orderly condition with weekly inspections, continuous monitoring and immediate clean up of spills;
    - Parking area maintenance will be swept or vacuumed at least quarterly, if there is any trash or debris in between the routine sweeping, it will be swept or vacuumed immediately;
- Activity restrictions; and
- Maintaining separate trash storage areas.
    - Trash enclosures will be inspected and maintained weekly or as needed by maintenance contractor.

Treatment control BMPs will be incorporated into the project design such as:

- Detention basins/sedimentation basins.
    - On-site extended detention/sedimentation basins and sand filters will treat all of the site's runoff via vegetated swales and will be maintained and inspected at least twice a year and prior to October 1;
- Vegetated swales.
- Sand filters.
- Catch basin drain inserts.
    - Drainage system maintenance will include the catch basins, storm drain system, extended detention/sedimentation basins, and sand filters will be cleaned at least twice a year and prior to October 1;
- Hydrodynamic separators.
    - Drain inserts will be inspected and maintained at least twice a year and prior to October 1.

The implementation of these treatment controls is planned to further supplement the pollution prevention and source control measures by treating the water to remove pollutants before it is released from the project site.[1] Basins constructed on the site would be anticipated to function as detention/sedimentation basins. The proposed project also includes the use of vegetated swales and sand filters which would filter runoff coming from the project site. As indicated in previously referenced Table 4.7.D, the use of the detention/sedimentation basins, vegetated swales, and sand filters has a medium-to-high removal efficiency for the pollutants that are anticipated to occur on the project site and the pollutants of concern (Table 4.7.B).

Mitigation Measures. Although adherence to the Riverside County Storm Water Clean Water Protection Program, which includes the preparation of a WQMP, is required of all applicable development within the City, the incorporation of this requirement as **Mitigation Measure 4.7.6.2A** is designed to track both standard requirements and mitigation measures as part of the project's MMRP.

4.7.6.2A Prior to grading plan approval and the first issuance of a grading permit by the City, the project applicant shall receive approval from the City of Moreno Valley for a Final Water Quality Management Plan (F-WQMP). The F-WQMP shall specifically identify pollution prevention, site design, source control, and treatment control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable. BMPs to be implemented in the F-WQMP may include (but shall not be limited to) the following:

- Required landscaped areas shall not use decorative concrete or impervious surfaces.
- Landscape plans shall incorporate native and drought-tolerant plants, trees, and shrubs. Landscaping shall be maintained weekly and maintenance contractor will properly dispose of all landscape wastes.
- Irrigation systems shall be inspected monthly by the landscape contractor to check for overwatering, leaks, or excessive runoff to paved areas. Timers will be used to prevent overwatering.
- Signage will be inspected and maintained twice a year for legibility.

[1] *Preliminary Water Quality Management Plan for Moreno Valley-Eucalyptus*, Thienes Engineering, revised July 15, 2009.

- Outdoor Loading/Unloading truck docks shall be kept in a clean and orderly condition with weekly inspections, continuous monitoring and immediate clean up of spills.
- Parking area maintenance shall be swept or vacuumed at least quarterly, if there is any trash or debris in between the routine sweeping, it shall be swept or vacuumed immediately.
- Trash enclosures will be inspected and maintained weekly or as needed by maintenance contractor.
- On-site extended detention/sedimentation basins and sand filters will treat all of the site's runoff via vegetated swales and will be maintained and inspected at least twice a year and prior to October 1.
- Additional BMPs will be documented in the WQMP and utilized if necessary.

In the event that it is not feasible to implement the above BMPs, the City of Moreno Valley can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

Level of Significance after Mitigation. The proposed project would incorporate on-site drainage that would have hydrodynamic infrastructure components that would meet City and County water quality requirements. Through the use of site design BMPs (e.g., see Section 4.7.6.2), source control BMPs (e.g., street and parking lot sweeping and vacuuming), and treatment control BMPs (e.g., detention/sedimentation basins, sand filters and catch basin drain inserts), the resulting pollutant loads coming from the proposed project would be reduced thereby ultimately reducing pollutants discharged from urban storm water runoff to surface water bodies. Because adherence to the requirements of the NPDES permit, which include implementation of the BMPs outlined in the WQMP, would be required by the City during the operation of the proposed project, potential water quality impacts resulting from storm water and urban runoff would be reduced to a less than significant level.

4.7.6.3 Drainage Capacity-Related Impacts

Threshold	Would the proposed project create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

Development and operation of the proposed project would result in the generation of the additional storm water flows that would be above those generated in existing site conditions. With the construction and maintenance of adequate storm water drainage systems, impacts would be less than significant.

Table 4.7.H identifies changes in the volume of storm runoff that will result from the development of the proposed buildings and the installation of impermeable surfaces within the project limits without the development of the on-site detention/sedimentation basins. Because of the installation of impervious surfaces, the post-development flows that would be generated on the project site are higher than the pre-development flows. To avoid a significant impact to drainage capacity, the post-development flows coming from the proposed project must not be greater than pre-development flows. To reduce the flows to below or equal to pre-development conditions, the anticipated on-site storm water flows must be routed to the on-site detention/sedimentation basins before flows are routed off site. While the resultant increase in impervious surfaces would contribute to a greater volume and higher velocities of storm flow, Table 4.7.I identifies that the proposed project's drainage system is sufficiently sized to accommodate runoff that would result from project construction at historic, or pre-project, conditions.

Table 4.7.H: Peak Flow Comparisons of Project Site without Detention Basins

Storm Event	Storm Duration	Storm Water Flows (cfs)			
			With Project		
		Existing	North Outlet	South Outlet	Total
2-year	1-hour	59.4	53.0	57.6	110.6
2-year	3-hour	27.4	31.2	33.3	64.5
2-year	6-hour	20.8	26.4	28.6	55.0
2-year	24-hour	2.8	7.2	7.7	14.9
5-year	1-hour	94.7	74.6	81.2	155.8
5-year	3-hour	49.9	43.4	46.5	89.9
5-year	6-hour	40.4	36.9	40.0	76.9
5-year	24-hour	3.8	10.9	11.2	22.1
10-year	1-hour	144.6	93.7	102.2	195.9
10-year	3-hour	89.0	55.4	59.6	115.0
10-year	6-hour	76.8	47.4	51.8	99.2
10-year	24-hour	17.1	16.7	17.7	34.4
100-year	1-hour	257.7	150.6	164.5	315.1
100-year	3-hour	167.3	88.7	95.6	184.3
100-year	6-hour	147.8	76.3	83.3	159.6
100-year	24-hour	56.9	30.9	33.0	63.9

Data Source: *Preliminary Hydrology Calculations for Moreno Valley Eucalyptus*, Thienes Engineering, November 4, 2008.

Table 4.7.I: Comparisons of Storm Water Flow Volume (acre-feet)

Storm	Pre-Development	Post-Development (without basins)	Volume Required[1]	Volume Proposed[2]	Adequate Volume
2 yr – 1 hr	1.6	3.3	1.7	20.3	Yes
2 yr – 3 hr	1.4	4.5	3.1	20.3	Yes
2 yr – 6 hr	1.5	6.9	5.4	20.3	Yes
2 yr – 24 hr	1.8	10.3	8.5	20.3	Yes
5 yr – 1 hr	2.6	5.1	2.5	20.3	Yes
5 yr – 3 hr	2.4	6.2	3.8	20.3	Yes
5 yr – 6 hr	2.5	8.8	6.3	20.3	Yes
5 yr – 24 hr	2.4	12.6	10.2	20.3	Yes
10 yr – 1 hr	5.3	6.8	1.5	20.3	Yes
10 yr – 3 hr	5.2	9.4	4.2	20.3	Yes
10 yr – 6 hr	5.7	11.0	5.3	20.3	Yes
10 yr – 24 hr	4.3	17.9	13.6	20.3	Yes
100 yr – 1 hr	11.1	11.5	0.4	20.3	Yes
100 yr – 3 hr	15.1	16.9	1.8	20.3	Yes
100 yr – 6 hr	18.0	21.6	3.6	20.3	Yes
100 yr – 24 hr	22.1	31.9	9.8	20.3	Yes

[1] Difference between pre-development volumes and post-development volumes
[2] 20.3 acres = 9.6 acre foot of storage for northern detention basin + 10.7 acre foot of storage for southern detention basin.
Data Source: *Preliminary Hydrology Calculations for Moreno Valley Eucalyptus*, Thienes Engineering, November 4, 2008.

The project site would require a minimum storage volume of 13.6 acre-feet to adequately contain and store the greatest volume that would be generated during identified storm events. As indicated in

Table 4.7.I, the 10-year – 24-hour storm event would have the greatest difference in water volume, 13.6 acre-feet, between existing and proposed flows. The proposed project would allocate approximately 18.7 acre-feet of storage on the project site (7.1 acre-feet of storage for the large detention/sedimentation basin on the northern portion of the site and 11.6 acre-feet of storage for large detention/sedimentation basin on the southern portion of the site). The proposed amount of storage (20.3 acre-feet) is greater than the required amount of storage (13.6 acre-feet). Given this information, it is reasonable to assume that the proposed project would have adequate drainage capacity that would result in post-development flows being reduced to pre-development flows before leaving the project site.

Flows leaving the project site would be routed into Quincy Channel after being routed through water quality detention/sedimentation basins on site. It should be noted that the Quincy Channel is part of the County's Master Plan of Drainage for this area. From Quincy Channel, flows would be routed to the 250-foot wide earthen Perris Valley Storm Channel (PVSC). The PVSC is the primary collector of storm water in the Moreno Valley and Perris area. The PVSC was built and is currently owned and maintained by the RCFCWCD. The proposed project would include improvements to the Quincy Channel, which could consist of erosion control features such as rock stabilizers or concrete walls along the outer edges to prevent soil erosion. Aside from these improvements, the Quincy Channel would be left as an earthen channel. As stated in Section 4.4 (Biological Resources) of this EIR, the Quincy Channel is considered a local wildlife corridor trending in a north-to-south direction. While the Quincy Channel supports riparian habitat that may be used by migratory birds to forage and/or nest, the proposed project would be designed to minimize encroachment into this natural area through setback requirements established in Sections 9.16.120 and 9.05.040 of the City's Municipal Code, thus preserving this drainage in its natural state pursuant to the City's General Plan. The setbacks would provide a landscaped buffer area between the drainage and the structures proposed on site. Therefore, potential conflicts between drainage requirements and biological resource protection requirements as it relates to Quincy Channel are anticipated to be less than significant.

Since all post-development flows would be routed to Quincy Channel, it is anticipated that no flows generated on site would be routed to the southern drainage (i.e., the dry wash south of the project site). In the event that the RCFCWCD decides to construct the proposed storm drain facility west and southwest of the project, it is reasonable to anticipate that capacity would not be affected by the proposed project.

Mitigation Measures. The following measure has been identified to mitigate potential impacts associated with long-term drainage capacity during the project operation:

4.7.6.3A Prior to the approval of a rough grading plan, the project proponent shall receive approval on a project-specific Final Hydrology Study, with supporting engineering calculations, from the City Engineer. The Final Hydrology Study shall incorporate relevant requirements identified by the City, and/or site-specific geotechnical investigations.

Level of Significance after Mitigation. Adherence to **Mitigation Measure 4.7.6.3A** would reduce potential impacts associated with drainage capacity issues to a less than significant level. In addition, the design and installation of the proposed drainage improvements will be required to adhere to applicable City and County standards.

4.7.7 Cumulative Impacts

The cumulative area for hydrologic and water quality impacts is the City of Moreno Valley. Increases in the amount and extent of development in the City and surrounding areas will increase the potential for pollutants in runoff, which in turn would affect water quality. The project's water quality impacts will be mitigated through on-site detention/sedimentation basins and other water pollution control

mechanisms such as vegetated swales, sand filters, and storm drain inlet filters. Similar requirements will be placed on all other development in the project vicinity by the City and the RWQCB, further reducing the potential for cumulative impacts. Since all development within the City is required to account and mitigate for their individual water quality impacts before runoff leaves each individual site, it is reasonable to conclude that water quality would be maintained throughout the cumulative area. Adherence to NPDES, SWPPP, and WQMP requirements will reduce any such cumulative water quality impact to a less than significant level.

The cumulative area for water supply-related issues is the EMWD service area. A detailed discussion regarding cumulative impacts with water supply-related issues is provided in Section 4.12.2.7 (Cumulative Impacts to Water Supply Services). As stated in Section 4.12.2.7, groundwater recharge policies and practices implemented by the RWQCB and local agencies will ensure groundwater supplies are maintained at appropriate levels. As such, no significant cumulative groundwater supply impacts are anticipated to occur with the development of the proposed project.

The cumulative area for drainage impacts is the City of Moreno Valley. The drainage system for the proposed project would be designed so that runoff from the project site after project development is directed to on-site treatment BMPs and flow volumes would be equal to or less than historic conditions at any given discharge location. This same requirement will be placed on all other development in the vicinity of the project site by the City of Moreno Valley. Therefore, the proposed project will not make a significant contribution to any cumulatively considerable impacts related to drainage or water quality.

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4.8 LAND USE AND PLANNING

Analysis carried out for this section of the EIR addresses the consistency of the proposed project with the goals and policies of the City of Moreno Valley General Plan, applicable community plans, redevelopment plans, and the Planning, Zoning Code, and compatibility within regional plans. The section also identifies and evaluates the compatibility of the proposed project with existing land uses and the potential land use impacts that may result during or subsequent to development of the proposed on-site uses. This section is based in part on the City of Moreno Valley General Plan, the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), and the Southern California Association of Governments (SCAG) Regional Comprehensive Plan.

4.8.1 Existing Setting

4.8.1.1 General Plan and Zoning Designations

The proposed project site is located within the City's northeastern planning area, an area bounded by SR-60 to the north, the Quincy Channel on the east, and future Encilia Avenue on the south. The City's General Plan designates the site for a mixture of R15, R5, and R2 Residential uses, plus Business Park and Light Industrial uses which would create additional employment opportunities. Table 4.8.A identifies on-site and adjacent General Plan and Zoning designations. The on-site existing and proposed General Plan and zoning designations are illustrated in previously referenced Figures 3.1 and 3.2.

Table 4.8.A: On-site and Adjacent Land Use Designations

Location	Current Land Use	General Plan	Zoning
On site	Undeveloped on south, citrus orchards on 57 acres in north and east-central portions	R15, R5 and R2 Residential, Business Park/Light Industrial	BP; BPX; R-15; R-5 and RA-2
North	State Route 60	Residential R-2	R-2 and RA-2
South	Undeveloped	Residential R-2	RA-2 and HR
East	Former or fallow agricultural	R2 and Business Park/Light Industrial	BP and RA-2
West	Moreno Valley Auto Mall; City of Moreno Valley Fire Station 58; vacant	Commercial	C and CC in SP 209

Notes: BP Industrial/Business Park; BPX Business Park Mixed Use; R-15 Multi-Family; R-5 Suburban Residential; R-2 Residential 2 dwelling/acre; and RA-2 Residential Agriculture 2 dwellings/acre
Source: Moreno Valley General Plan Land Use Map, August 2010; Moreno Valley Zoning Map, November 7, 2011.

The project site's existing General Plan land use designation includes R15 (36.5 acres), R5 (21.8 acres), and RA-2 (36.5 acres). The General Plan indicates the "Residential" uses on southern portion of the site (71.3 acres) represent 59 percent of the site, while "Business Park/Light Industrial" used are on the northern portion of the site (approximately 50 acres). The "Business Park/Light Industrial" and "Residential" General Plan land use designations are intended to provide flexibility in the type and mix of land uses of residential with non-residential uses.

Existing on-site zoning consists of five designations, which include Business Park (31.7 acres), Business Park Mixed Use (2.0 acres), Residential 15 District (R15)(36.5 acres), Residential 5 District (R5)(21.8 acres), and Residential Agriculture 2 District (RA-2)(12.2 acres). The RA-2 designation also has a Primary Animal Keeping Overlay (PAKO) designation. Section 4.2, *Agricultural Resources,* provides more information and analysis on impacts related to the PAKO designation.

4.8.1.2 Adjacent and On-site Land Use

The northwestern, northeastern, and east-central portions of the proposed project site, comprising approximately 57.2 acres, are utilized for agriculture (i.e., citrus groves). The southern portion of the project site, comprising approximately 64.1 acres, is also currently vacant. The City of Moreno Valley Fire Station 58 and Moreno Valley Auto Mall and associated Specific Plan area[1] are located west of the project site, but the project site is not within the Specific Plan. SR-60 is adjacent to the project site on the northern boundary, while the existing citrus groves are located east of undeveloped Quincy Street. Vacant land is located directly south of the project site and existing single-family residences, the nearest sensitive receptors, are located approximately 50 feet southeast of the southern boundary of the project site. Other sensitive uses in the area include existing single-family residences approximately 200 feet away from the northern project boundary north of SR-60 along Mesa Top Trail. Future sensitive receptors that may be located in close proximity to the proposed project site include the L'Aquila D'Pietra development located to the south, and the potential residential uses that may occur within areas designated RA-2 to the east and south.

Table 4.8.B and previously referenced Figure 3.2 identify on-site and adjacent land uses.

Table 4.8.B: On-site and Adjacent Land Use

Location	Land Uses
On site	Entire site vacant, citrus groves on northern 57 acres
North	State Route 60; Single-family residential
South	Undeveloped
East	Former Agriculture (hay and alfalfa)
West	Moreno Valley Auto Mall Specific Plan; City of Moreno Valley Fire Station 58

4.8.2 Existing Policies and Regulations

The following goals, objectives, and policies of the City of Moreno Valley General Plan are applicable to the proposed project:

Section 9.2.2 Community Development

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.

Goal 2.2 An organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population, and promote the optimum degree of health, safety, well-being, and beauty for all areas of the community, while maintaining a sound economic base.

Goal 2.3 Achieves an overall design statement that will establish a visually unique image throughout the City.

Objective 2.1 Balance the provision of urban and rural lands within Moreno Valley by providing adequate land for present and future urban and economic development needs, while retaining the significant natural features and the rural character and lifestyle of the northeastern portion of the community.

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

[1] The Moreno Valley Auto Mall Specific Plan consists of a 151.9-acre site that encompasses community commercial and multifamily residential uses.

transportation system, accommodate the personal needs of workers and business visitors; and which meets the service needs of local 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.

Policy 2.5.2 Locate manufacturing and industrial uses to avoid adverse impacts on surrounding land uses.

Policy 2.5.3 Screen manufacturing and industrial uses where necessary to reduce glare, noise, dust, vibrations and unsightly views.

Policy 2.5.4 Design industrial development to discourage access through residential areas.

Section 9.6.2 Safety Element

Objective 6.6 Promote land use patterns that reduce daily automotive trips and reduce trip distance for work, shopping, school, and recreation.

4.8.3 Methodology

The focus of the land use analysis is on land use impacts that would result from implementation of the proposed project. Land use conflicts are identified and evaluated based on existing land uses, land uses proposed as part of the project, land use designations, and standards and policies related to land use. Land use compatibility is based on the intensity and patterns of land use to determine whether the project would result in incompatible uses or nuisance impacts to sensitive receptors (e.g., residences, medical facilities, or schools).

An evaluation of the potential land use impacts associated with implementation of the proposed project is based on review of the Moreno Valley General Plan and associated Final EIR, Municipal Code, SCAG Regional Comprehensive Plan, SCAG Regional Transportation Plan, SCAG Compass Growth Vision, South Coast Air Quality Management Plan Air Quality Management Plan, Santa Ana Water Quality Control Plan, Riverside County Drainage Area Management Plan, and the Eastern Municipal Water District Urban Water Management Plan. Compatibility of the proposed project with the Western Riverside County Multiple Species Habitat Conservation Plan is discussed in Section 4.4 Biological Resources.

Potential land use conflicts or incompatibility (specifically during construction activities) are usually the result of the other environmental effects, such as the generation of noise or air quality pollutants resulting from grading activities. Specific impacts and consistency issues associated with population and housing, transportation and circulation, noise, air quality, agriculture resources, hazards and hazardous materials, hydrology and water quality, biological resources, cultural and paleontological resources, aesthetics and visual resources, land use, and/or utilities and service systems are addressed in each EIR section. Refer to Sections 4.1 through 4.13 of this EIR for detailed analyses of other relevant environmental effects as they relate to particular issue areas.

4.8.4 Thresholds of Significance

Appendix G of the *State CEQA Guidelines* recognizes the following significance thresholds related to land use. Based on these significance thresholds, potential impacts to land use could be considered significant if the proposed project would:

- Physically divide an established community;

- 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; and/or
- Conflict with any applicable habitat conservation plan or natural community conservation plan.

4.8.5 Less than Significant Impacts

The following potential impacts were determined to be less than significant. In each of the following issues, either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards, and policies would reduce potential impacts to a less than significant level.

4.8.5.1 Physically Divide an Established Community

Threshold	Would the proposed project physically divide an established community?

Existing and planned land uses along SR-60 include neighborhood commercial centers, distribution centers, residential uses, and agricultural production. Land uses adjacent to the project site include residential uses to the southeast, vacant land to the south, commercial uses to the west, SR-60 and residential uses to the north, and active hay/alfalfa production uses to the east. The project site does not contain any existing housing, nor does the site complement or constitute part of a community or neighborhood.

While the proposed action would not "physically" divide an established community, the approved and proposed industrial uses just south of SR-60 in the eastern portion of the City have in some ways "divided" the overall community of Moreno Valley. These areas in transition to industrial uses were formerly planned for low-density residential uses that could keep animals (i.e., the PAKO designation), and many existing residents have opposed the planned conversion of this area to industrial uses. They have expressed concern about these non-residential uses coming into their "end" of the City and believe them to be more appropriate in the southwestern portion of the City, near I-215, where there are a number of existing and proposed industrial uses similar to the proposed project. In this way, the controversy over land use changes in this portion of the City has resulted in the community being divided on this issue.

The transition of the project area north of Eucalyptus Avenue/Fir Avenue and south of SR-60 to industrial uses appears to be consistent with the goals of the City for the following reasons:

- This area is adjacent to a major goods transportation corridor (SR-60);
- The project would not displace any existing land uses (residences or residents); and
- Industrial uses have been developed (Skechers) and approved (West Ridge) just east of the project site, south of SR-60.

However, conversion of the southern portion of the project, south of Eucalyptus Avenue/Fir Avenue, from various residential uses to industrial use would remove an existing buffer or transition of land uses that are typically used to separate residential uses (i.e., southeast of Eucalyptus Avenue/Quincy Channel) from industrial uses.

The project also proposes several circulation changes to better accommodate truck traffic in and out of the project area, including closing off the planned Quincy Street south of SR-60 and extending Encilia Avenue (the existing Eucalyptus Avenue) west of the Quincy Channel to Moreno Beach Drive. The project traffic study evaluated these proposed circulation changes and determined they would have no significant impact relative to the City's Circulation Element.

The southern portion of the site is currently planned for residential uses, but the proposed industrial uses would consume less water and generate less wastewater than residential uses, so the proposed project would not place any additional burdens on the planned utility network in the area.

Based on this information, it does not appear the proposed project will physically divide an existing established community. No impact related to this issue would occur; therefore, no mitigation is required. A detailed analysis of the project's consistency and compatibility with existing land uses, existing General Plan designations, and zoning designations is provided in Section 4.8.6.1.

4.8.5.2 Conflict with Any Applicable Habitat or Natural Community Conservation Plan

Threshold	Would the proposed project conflict with any applicable habitat conservation plan or natural community conservation plan?

Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The project site is located within the MSHCP area.[1] The MSHCP is a comprehensive, multi-jurisdictional effort that includes western Riverside County and fourteen cities to provide a regional approach to conservation planning. The project site is not within an MSHCP criteria cell or habitat linkage. Furthermore, the project site is not located within an MSHCP mammal or amphibian survey area, Narrow Endemic Plant Species Survey Area (NEPSSA), Criteria Area Plant Species Survey Area (CAPSSA), or a riparian, wetland, or vernal pool habitat/species survey area.[2]

While the project site is not within any conservation area delineated in the MSHCP, the project is still subject to provisions of the MSHCP. In particular, the project proponent will be required to provide payment of mitigation fees and adhere to the requirements established in the MSHCP. Pursuant to agreements with the USFWS and the CDFG, the payment of the mitigation fees and compliance provisions of the MSHCP provides full mitigation under the CEQA, FESA, and CESA for impacts to the species and habitats covered by the MSHCP. Since the City has adopted the MSHCP and its requirements and provisions, and since the project is within the City, the proposed project would be required to adhere to applicable MSHCP requirements and fees. Therefore, the proposed project would not conflict with any applicable HCP and no significant impact associated with this issue would occur. No mitigation would be required.

4.8.6 Significant Impacts

The following significant land use and planning impacts were identified for the proposed project, and no feasible mitigation measures are available that would reduce these impacts to less than significant levels. Approval of the proposed General Plan Amendment and Zone Change would be required to make the proposed project consistent with the City's General Plan and zoning designations for the project site. However, the following analysis is based on the project as proposed compared to the existing General Plan land use designations, applicable General Plan objectives and policies, and the existing zoning designations for the project site.

4.8.6.1 Conflict with Applicable Land Use Plans, Policies, or Regulations

Threshold	Would the proposed project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?

Section 15125 (d) of the *CEQA Guidelines* requires EIRs to "discuss any inconsistencies between the proposed project and applicable general plans and regional plans." The objective of such a

[1] City of Moreno Valley General Plan Final Program EIR, Figure 5.9-4 Reche Canyon/Badlands Area.
[2] http://www.rctlma.org/gis/rciprepgen.html, site accessed December 4, 2007.

discussion is to find ways to modify the project, if warranted, to reduce any identified inconsistencies with relevant plans and policies. Pursuant to CEQA Section 15125 (d), this EIR section includes an evaluation of the consistency of the proposed project with pertinent goals and policies of relevant adopted local plans (e.g., City General Plan, Housing Element) and regional plans. Because certain plans are more specifically tailored to other issue areas, such as air quality, transportation, biology, hazards, water quality, and water supply, the local and regional plans identified below are addressed in detail in other sections of this EIR.

Regional Plans, Policies, or Regulations

Regional Comprehensive Plan (RCP). The SCAG, the designated metropolitan planning organization (MPO) for the Counties of Ventura, Orange, San Bernardino, Riverside, Imperial, and Los Angeles, is federally mandated to develop plans for transportation, growth management, hazardous waste management, and air quality. With its members and other regional planning entities, the SCAG has prepared the RCP to serve as a framework to guide decision-making with respect to the growth and changes that can be anticipated in the region through the year 2015.

The RCP consists of five core chapters that contain goals, policies, implementation, and strategies to achieve the SCAG's overall goals of improving the standard of living for all; improving the quality of life for all; and enhancing equity and access to government. Local governments are required to use the RCP as the basis for their own plans and are required to discuss the consistency of projects of "regional significance" with the RCP. While the SCAG's Draft 2008 RCP is available, it has not yet been adopted. The Draft 2008 RCP has nine chapters and each chapter is based on a specific area of planning or resource management. As these chapters are still in the draft stage, goals and policies found within these chapters have not been considered in the following consistency analysis. The most recent regional land use policy document adopted by the SCAG was originally adopted in 1994 and revised in 1996. The document is described as a regional policy framework for future land use decisions in Riverside County that respects the need for strong local control, but that also recognizes the importance of regional comprehensive planning for issues of regional significance.

Projects of regional significance, including General Plans, are subject to review by the SCAG to evaluate conformity with the Regional Comprehensive Plan and Guide. The Regional Comprehensive Plan and Guide identify strategies for local government actions that have regional implications (e.g., adoption and implementation of land use policies in a General Plan). As indicated in the City's General Plan Environmental Impact Report (certified on April 26, 2005), the adoption and implementation of the City's General Plan would be consistent with regional plans that are based on SCAG population projections.

Additionally, the document contains policies that (1) direct growth where regional infrastructure (e.g., freeways, transit, water, solid waste disposal, and sewage treatment) is available and natural resources will not be overburdened, (2) encourage development that discourage long-distance commuting, (3) establish firm growth boundaries, and (4) encourage provision of housing at all levels. The proposed project would be generally consistent with these policies, in that (1) existing regional infrastructure (e.g., freeways, transit, water, solid waste disposal, sewage treatment, and utilities) is available and would not be overburdened; (2) it encourages development that discourages long-distance commuting by providing employment opportunities in a City that is housing rich and jobs poor; (3) it establishes firm growth boundaries; (4) it could be served by existing regional infrastructure systems, with improvements as recommended in Section 4.11 (Transportation and Circulation) and Section 4.12 (Public Services and Utilities); and (5) it would facilitate increased local employment growth and provide improved opportunities that together would assist the City in achieving a better balance between local jobs and employed residents. By providing "blue collar" employment in an area planned for residential uses, the project may incrementally reduce the need for long-distance commuting of City and other area residents to job centers. At the time the EIR was written, there were no commitments from specific companies to purchase or lease the industrial

buildings, so the types, numbers, and the pay for the jobs that will be created is not certain. Specific growth management, regional mobility, and air quality policies of the RCP are discussed below.

Policy 3.01 The population, housing, and job forecasts, which are adopted by the SCAG's Regional Council and that reflect local plans and policies, shall be used by the SCAG in all phases of implementation and review.

Construction activities resulting from the proposed project's implementation would be short-term and temporary. Construction personnel are anticipated to come from the surrounding region and are not expected to generate a permanent increase in population levels or result in a decrease in available housing. Direct population increases are generally associated with residential developments and as there are no residential uses proposed for the project, there would be no direct increase in population. As most of the new employment opportunities are anticipated to be filled by existing local area residents, a large influx of new residents to the City is not anticipated. Based on SCAG forecasts, the number of jobs in the City of Moreno Valley is expected to increase from 46,416 jobs in 2010 to approximately 86,993 jobs in 2030. A similar job trend is forecast for Riverside County. Employment at the proposed project would total approximately 1,532 jobs based on the estimates identified by the SCAG in the regional Employment Density Report.[1] The project would eliminate the potential for a maximum of 681 housing units and replace them with (a total of) 2.2 million square feet of industrial uses (see also City Housing Element consistency below). This change would incrementally reduce housing growth but in turn increase employment growth. Since Moreno Valley is considered a "housing rich" area (higher housing to employment ratio than the regional average), as outlined in Policy 3.11 below, the increase from the proposed project would be generally consistent with the employment projections adopted by the SCAG.

Policy 3.05 Encourage patterns of urban development and land use that reduce costs of infrastructure construction and make better use of existing facilities.

The proposed project would be located in an urbanizing area, for which roadways and utility infrastructure already exist and municipal services are provided. The existing Fir Avenue west of the project site is a paved roadway with existing sewer manholes and fire hydrants. Project construction would involve connecting to existing water and sewer lines to the east and west of the project site, which would complete the water and sewer networks in this area. During project construction, the utilities, particularly electricity and natural gas, would be expanded to serve the needs of the proposed project. The supply of electricity and natural gas is demand-responsive and the project proponent would be required to meet the service requirements of these utility providers. By maximizing the use of existing facilities, the costs of expanding infrastructure would be minimized. Because the proposed project would be located in close proximity to commercial and residential structures requiring a similar type of infrastructure, it is consistent with this growth management policy.

Policy 3.09 Support local jurisdictions' efforts to minimize the cost of infrastructure and public service delivery, and efforts to seek new sources of funding for development and the provision of services.

Existing commercial and residential development is located in the immediate vicinity of the project site where infrastructure for water, sewer, storm drainage, electrical, natural gas, transportation facilities, and a fire station currently exist. The availability of this existing infrastructure would reduce the cost to public agencies that would provide services to the project area. The proposed project would be developed in an area where such infrastructure is available. Furthermore, the project applicant would pay all applicable development fees for the necessary infrastructure and public service improvements, including those associated with water, sewer, drainage, roadways, fire, and police; therefore, the proposed project is consistent with this policy.

[1] *Employment Density Report,* Southern California Association of Governments, Natelson Company, Inc., October 2001.

Policy 3.10 Support local jurisdictions' actions to minimize red tape and expedite the permitting process to maintain economic vitality and competitiveness.

The proposed project will be developed in cooperation with and with input from City staff, and the elected representation of the City. Additionally, through the public review process required under CEQA, local and regional agencies (e.g., Riverside Transit Agency [RTA], SCAG, and SCAQMD) have provided and will provide comment on the proposed project throughout the planning process. Agency participation and consultation during the project development process is expected to expedite the permitting process for the proposed project. As such, the project would be consistent with this SCAG policy.

Policy 3.11 Support provisions and incentives by local jurisdiction to attract housing growth in job-rich sub-regions and job growth in housing-rich sub-regions.

According to the regional growth forecast developed by the SCAG,[1] employment in the City of Moreno Valley will increase from 46,416 jobs in 2010 to approximately 76,485 jobs in 2025, with the number of households increasing from 47,295 households in 2010 to approximately 65,591 households in 2025. Over this fifteen-year period, the jobs-to-housing ratio increases from 0.98 to 1.17 indicating that the City would transition from a jobs-poor area to a more balanced area in terms of jobs and housing. By comparison, the jobs/housing ratio for the SCAG region is currently 1.43 and is projected to be 1.37 by 2030 (see Table 4.10.F, Section 4.10, Population and Housing). The proposed project would result in additional jobs in the City, which currently has a higher number of households than jobs and supports the regional policy of attracting jobs to housing-rich sub-regions. The City of Moreno Valley is currently considered a housing-rich area, so the replacement of some planned housing with employment-generating uses is consistent with this long-term growth goal. The additional jobs resulting from the proposed project are consistent with SCAG forecasts for the City and would improve the City's jobs-to-housing ratio.

Policy 3.12 Encourage existing or proposed local jurisdictions' programs aimed at designing land uses which encourage the use of transit and thus reduce the need for roadway expansion, reduce the number of auto trips and vehicle miles traveled, and create opportunities for residents to walk and bike.

The proposed project would result in the development of employment opportunities in close proximity to existing residential development. The type of uses proposed will increase truck traffic on local roads connecting to SR-60, but will not increase truck traffic through residential neighborhoods. RTA Routes 17 and 210 operate in the project area.[2] Route 17 operates along Moreno Beach Drive, Auto Mall Parkway, Nason Street, and Cactus Avenue while Route 210 operates along SR-60 starting in Banning and ending at Downtown Riverside. Through consultation with the RTA, the project applicant will coordinate and facilitate the use of public transit to access the project site through such means as installing additional bus stops if needed. The provision of additional employment options in proximity

to existing residential development may help reduce vehicle miles traveled if area residents are employed at the new industrial uses; therefore, the proposed project is generally consistent with this policy.

Policy 3.13 Encourage local jurisdiction's plans that maximize the use of existing urbanized areas accessible to transit through infill and redevelopment.

The proposed project is located within an area of the City that is in the process of being urbanized with other industrial development projects that have already been approved or constructed (i.e., West

[1] *City Projections*, Southern California Association of Governments, www.scag.gov/forecast/downloads/2004gf.xls, 2004.
[2] Route Schedules, Riverside Transit Agency, http://www.riversidetransit.com/bus_info/schedules.htm, website accessed May 9, 2008.

Ridge and Skechers). The project site is accessible to transit and existing infrastructure and would maximize the use of existing urbanized areas and services.

Policy 3.14 Support local plans to increase density of future development located at strategic points along the regional commuter rail, transit systems, and activity centers.

The currently planned land use pattern in this area includes business park uses along the SR-60 frontage, and single-family uses including half-acre lots zoned for animal keeping. The proposed changes in land use are generally consistent with current residential uses to the south based on the minimum 250-foot industrial-residential buffer (CMC 9.05), and are consistent with the completed Skechers warehouse project east of Redlands Boulevard (south of SR-60) and the recently approved West Ridge industrial warehouse project just east of the proposed project. Unlike the Skechers or West Ridge project, the proposed project would involve a General Plan Amendment and Zone Change to eliminate residential uses on the project site in favor of industrial uses.

The proposed project is in close proximity to State Route 60, which is considered a regional transportation corridor and RTA Route 210, which can be considered a regional transit system as the route begins in Banning and continues until reaching Downtown Riverside. As such, the proposed project would be consistent with Policy 3.14.

Policy 3.16 Encourage developments in and around activity centers, transportation corridors, underutilized infrastructure systems, and areas needing recycling and redevelopment.

The project site is located along SR-60, a local and regional transportation corridor. Redlands Boulevard to the east and Moreno Beach Drive to the west are fully-paved roads with existing sewer manholes and fire hydrants indicating the presence of water and sewage facilities. The proposed project is consistent with Policy 3.16 in that it exists along a major transportation corridor of the City and will be connecting to the existing utilities in Redlands Boulevard and Moreno Beach Drive, consistent with the EMWD plan of service for this area.

Policy 3.18 Encourage planned development in locations least likely to cause adverse environmental impact.

As required, mitigation has been identified that would avoid or reduce the majority of the environmental impacts associated with the development of the proposed project to a less than significant level. Long-term operation air pollutant emissions and cumulative air pollutant emissions remained significant after the implementation of mitigation. The proposed project incrementally contributes to adverse regional air quality conditions. Cumulative traffic impacts were determined to be significant and unavoidable. The significant environmental impacts resulting from the implementation of the project would not be reduced by undertaking the proposed project at an alternative location because grading of a site and operation of the proposed uses will have to occur whether on the proposed project site or on another site in the City.

Policy 3.20 Vital resources as wetlands, groundwater recharge areas, woodlands, production lands, and land containing unique and endangered plants and animals should be protected.

As identified in Section 4.4.6.2 of this EIR (Riparian Habitat or Other Sensitive Natural Communities), the proposed project contains three ephemeral drainages: the Quincy Channel (adjacent and east of the project site), and two unnamed drainages in the southern and southwestern portions of the site. Quincy Channel, located off site and adjacent to the proposed project site, supports two types of disturbed riparian habitat: southern willow scrub and mule fat scrub. Improvements would be made to Quincy Channel, such as the installation of a concrete wall along the western channel edge to prevent erosion, which will be maintained by the County or the project applicant as appropriate. To accommodate this feature, a portion of riparian habitat would need to be removed. However, the

proposed project would provide on-site or off-site replacement or protection of such habitat as outlined in **Mitigation Measure 4.4.6.4A.**

The burrowing owl is a transient species that utilizes pre-existing burrows created by small mammals as nesting areas during breeding season and is a CDFG Species of Special Concern. The focused surveys concluded that no burrowing owls were found to be utilizing the project site. However, in the event that burrowing owls are discovered to occupy the site, **Mitigation Measures 4.4.6.1A** and **4.4.6.1B** are identified to reduce impacts to this species and can be found in Section 4.4.6.1 of this EIR. Where necessary, mitigation was identified to reduce the severity of impacts to a less than significant level thus remaining consistent with Policy 3.20.

Policy 3.21 Encourage the implementation of measures aimed at the preservation and protection of the recorded and unrecorded cultural resources and archaeological sites.

The proposed project site is not located in an area that contains significant archaeological or historic resources. Although the project site is not located in an area containing such resources, the project site was identified as being within an area that has a high potential for paleontological resources to occur. If significant paleontological resources are found during any phase of construction, mitigation has been developed that would ensure appropriate recordation or preservation techniques are implemented. Details of this mitigation measure can be found in Section 4.5 of this EIR. Given these circumstances, the proposed project is consistent with this particular SCAG policy.

Policy 3.22 Discourage development, or encourage the use of special design requirement, in areas with steep slopes, high fire, flood, and seismic hazards.

The project would be consistent with Policy 3.22, in that project would not be located in an area with steep slopes or high fire or flood hazards. Project facilities will be designed and developed to withstand seismic hazards based on applicable standards and regulations contained in the California Uniform Building Code.

Policy 3.23 Encourage mitigation measures that reduce noise in certain locations, measures aimed at preservation of biological and ecological resources, measures that would reduce exposure to seismic hazards, minimize earthquake damage, and to develop emergency response and recovery plans.

As stated in Section 2.4.1 of this EIR, no significant impact related to on-site geological conditions was identified. Implementation of the proposed project would increase the number of noise sources in the proposed project vicinity. As detailed in Section 4.9 of this EIR, no significant construction or operational noise would result from development of the proposed on-site use. Implementation of the proposed project would result in new development on the project site that would not have a substantial adverse impact on biological and ecological resources.

The proposed project would not impair implementation of, or physically interfere with, emergency and evacuation efforts as all roadway or travel lane closures associated with the proposed project construction would be coordinated with City emergency response personnel. In addition, all access roads to the project site would comply with the required street widths, as determined in the City's building code and applicable police and fire codes. Based on this information, the proposed project is consistent with this SCAG policy.

Policy 5.11 Through the environmental review process, ensure that at all levels of government (regional, air basin, county, subregional, and local) consider air quality, land use, transportation, and economic relationships to ensure consistency and minimize conflicts.

The EIR conducted for the proposed project fully addresses air quality (Section 4.3), land use (Section 4.8), and transportation (Section 4.11) impacts that would result and are anticipated to occur

with the implementation of the proposed project and considers all relevant planning documents, such as the AQMP and the Congestion Management Program (CMP). The EIR provides mitigation measures to reduce significant environmental impacts to a less than significant level where possible, but not for cumulative traffic and air quality impacts. Therefore, the proposed project is only partially consistent with this policy.

Regional Transportation Plan (RTP). The 2008 RTP adopted by the SCAG contains a set of existing socioeconomic projections that is used as the basis for the SCAG's transportation planning efforts. They include projections of population, housing, and employment at the regional, county, sub-regional, jurisdictional, census tract, and transportation analysis zone (TAZ) levels. The RTP includes policies and regulations set forth to ensure development within the SCAG regional area is within planned and forecast socioeconomic projections. Applicable goals established within the RTP include the following:

- Maximize mobility and accessibility for all people and goods in the region (discussed in Section 4.11: Transportation and Traffic);
- Ensure travel safety and reliability for all people and goods in the region (discussed in Section 4.11: Transportation and Traffic);
- Preserve and ensure a sustainable regional transportation system (discussed in Section 4.11: Transportation and Traffic);
- Maximize the productivity of our transportation system (discussed in Section 4.11: Transportation and Traffic);
- Protect the environment, improve air quality, and promote energy efficiency (discussed in Section 4.3: Air Quality); and
- Encourage land use and growth patterns that complement our transportation investments (discussed in Section 4.11: Transportation and Traffic).

The proposed project is consistent with the RTP such that the proposed project would be required to adhere to the City of Moreno Valley's General Plan. The General Plan contains goals and policies that aim to minimize traffic congestion, provide adequate transportation facilities, and require development to pay its share of costs. The goals and policies identified in the City's General Plan resemble those of the RTP that address mobility, traffic safety, environmental concerns, and land use consistency as the major traffic study factors to identify existing traffic conditions and to assess the future effects on area traffic patterns/flow. Where necessary, mitigation measures have been identified to reduce the effect of project-related traffic impacts.

Compass Growth Vision. The Compass Growth Vision plan provides a framework for local and regional decision-making regarding growth, transportation, land use, and economic development. The framework includes principles and a specific set of strategies intended to achieve and improve the quality of life that promotes and sustains for future generations the region's mobility, livability, and prosperity. The main objective of the Compass Growth Vision is to manage the forecast growth while improving future living conditions for all people within the SCAG area, including live, work, and play activities. The following discussion includes the principles within the Compass Growth Vision plan and their association to the proposed project.

- *Principle 1:* Improve mobility for all residents;
- *Principle 2:* Foster livability in all communities;
- *Principle 3:* Enable prosperity for all people; and
- *Principle 4:* Promote sustainability for future generations.

The proposed project may not be fully consistent with the four growth principles identified above. The nature of the proposed project allows the transport of commodities from a single area rather than multiple areas, minimizing vehicle trip generation. Conversely, trucks from the proposed project may increase localized and freeway congestion. The project eliminates a planned transition of land uses that may incrementally reduce livability in this portion of the City. The proposed project does support increased prosperity by providing additional (mainly "blue collar") employment opportunities close to existing housing within the City of Moreno Valley. The proposed project is located in an area where existing infrastructure (freeway, sewer, electrical, water, etc.) is present. The development of the proposed project will augment existing services available in the City and region. In these ways, the project is only partially consistent with the four principles of the Compass Growth Vision.

SCAQMD Air Quality Management Plan. In California, the CARB coordinates and oversees both State and Federal air quality control programs. The CARB's primary functions include establishing and updating the California ambient air quality standards, monitoring existing air quality, controlling emissions from mobile sources, and developing the State Implementation Plan (SIP). The SIP is the State's overall air quality control strategy for both mobile and stationary sources. Control programs for these sources are carried out at the regional or county level.

The current regional air quality plan is the 2007 AQMP adopted by the SCAQMD on June 1, 2007. The 2007 AQMP employs the most up-to-date science and analytical tools and incorporates a comprehensive strategy aimed at controlling pollution from all sources, including stationary sources, on-road and off-road mobile sources, and area sources. The 2007 AQMP also updates the attainment demonstration for the standards for ozone and PM_{10}, and proposes attainment demonstration with a more focused control of sulfur oxides, directly emitted $PM_{2.5}$, nitrogen oxides, and volatile organic compounds by 2015.

A discussion of the proposed project's consistency with the 2007 AQMP has been analyzed in Section 4.3 (Air Quality) of this EIR. "Since the proposed project will require a General Plan Amendment, the project has not been considered in preparation of the City's General Plan and therefore is inconsistent with the AQMP. Amendments to the City of Moreno Valley General Plan, zoning reclassification, and plan approval are required before the affected portion of the proposed project can be implemented. This is a significant impact requiring mitigation." That section of this EIR concluded that, despite the recommended mitigation, project air quality impacts related to the AQMP would remain significant.

Santa Ana Water Quality Control Plan (Basin Plan). The Santa Ana Basin Plan, which is implemented by the Santa Ana Regional Water Quality Control Board (RWQCB), specifically (1) designates beneficial uses for surface and ground waters, (2) sets qualitative and quantitative objectives that must be attained and maintained at that level in order to protect the designated beneficial uses and conform to the State's anti-degradation policy, and (3) describes implementation policies and programs to protect all waters in the region. In cases where the Basin Plan does not contain a standard for a particular pollutant, other criteria are used to establish a standard. Storm water runoff from the proposed project will eventually make its way to the San Jacinto River. Because the proposed project is required to comply with all applicable water quality standards and requirements established by the RWQCB, and is therefore in compliance with the NPDES permitting system, the proposed project would be consistent with the Basin Plan.

Riverside County Drainage Area Management Plan (DAMP). Like the Basin Plan, the Drainage Area Management Plan deals primarily with the Santa Ana Region. The DAMP describes a wide range of continuing and enhanced BMPs and control techniques for development projects within a municipality and are being implemented during the five-year terms of the third-term MS4 permits. In essence, the DAMP describes the overall urban runoff management strategies planned by the permittees in the Santa Ana Region. The proposed project is required to comply with all applicable

drainage standards and requirements designed to protect water resources and enhance water quality and would therefore, be consistent with the DAMP.

Eastern Municipal Water District Urban Water Management Plan (EMWD UWMP). The UWMP is required of every urban water supplier in order to be in compliance with the Urban Water Management Plan Act. The UWMP includes assessment of current and project water supplies, evaluation of water demand, customer types, and reliability of water supplies, description of conservation measures, a response plan for water shortage, and a comparison of demand and supply projections. The proposed project is required to comply with all applicable standards and requirements designed to conserve water supplies and ensure water source reliability for future years prior to the approval of the project. As such, the proposed project would be consistent with the EMWD UWMP.

March Air Reserve Base Airport Land Use Compatibility Plan. The March Air Reserve Base is located in the County of Riverside, west of and adjacent to the City of Moreno Valley, approximately 5.5 miles southwest of the project site. Since the proposed project is not located within the March Reserve Base Airport Specific Plan Area or Airport Influence Zone,[1] the proposed project is not subject to a consistency analysis with the March Air Reserve Base Airport Land Use Compatibility Plan.

City of Moreno Valley Plans, Policies, or Regulations

City General Plan. By law, all activities undertaken by a planning agency must be consistent with the goals and policies of the community's general plan. The City of Moreno Valley Plan *Community Development Chapter,* as adopted in 2006, plays a central planning role in correlating all City land use issues, goals, and objectives into one set of development policies. Currently adopted Land Use Map designations for the existing project site are summarized below, followed by a listing of those land use goals, policies, and guidelines from the City's General Plan that are relevant to the consideration of the proposed project and its land use impacts. These General Plan community development designations, goals, policies, and guidelines are incorporated into the proposed project, and would govern all development actions set forth in or facilitated by the proposed project's construction.

GP Land Use Element. Adopted General Plan Land Use Map designations for the existing project area largely reflect the existing land use pattern. The northern portion of the proposed project site is designated Business Park/Light Industrial, while the southern area, south of proposed Eucalyptus Avenue, is designated Residential in the City's General Plan. The primary purpose of areas designated Business Park/Light Industrial is to provide for manufacturing, research and development, warehousing and distribution, as well as office and support commercial activities.[2]

The proposed project is not consistent with the current General Plan and zoning, and includes a General Plan Amendment (and related Zone Change) so the project will be consistent with the General Plan.

Implementation of the proposed project would result in the development of six industrial buildings totaling approximately 2.2 million square feet of industrial uses. Although warehousing and distribution uses are allowed in the Business Park General Plan land use designation, the existing Business Park Zone limits the size of buildings to no more than 50,000 square feet. Buildings 1 and 2, totaling approximately 1 million square feet, would be consistent with the type of uses permitted in the

[1] March Air Reserve Compatibility Plan, December 29, 2004. http://www.rcaluc.org/filemanager/plan/old//March%20Air%20Reserve%20Base%20(MARB).pdf, accessed May 9, 2008.
[2] Moreno Valley General Plan. *Chapter 9 Goals and Objectives. Policy 2.5.1*. Pg. 9-7.

Business Park General Plan land use designation. However, because there is a limit of the size of building permitted in the Business Park zoning designation, the proposed buildings would still require a Zone Change to allow the development of buildings greater than 50,000 square feet. Because the southern portion of the proposed project site is currently designated for residential uses, the construction of Buildings 3 through 6 would not be consistent with the existing General Plan land use designation. Therefore, implementation of the proposed project would require a General Plan Amendment to change the proposed project's southern designation from Residential to Business Park/Light Industrial. Such an amendment to the General Plan and zoning uses would enable consistency between the proposed project and uses permitted in the Business Park/Light Industrial General Plan land use designation.

General Plan Objective 2.1 and Policy 2.5.1 require a transition of buffer of land uses between residential and industrial uses. In this area, the R5 and R15 zone areas in the southern portion of the site act as a buffer from the BP uses near the freeway and the RA2 residential uses. It should be noted that, while there is an existing transition of land uses from BP to R2 in the vicinity of the project site, it is not the function of either the R-5 or R-15 zones to act as a buffer between non-residential land uses and low density residential uses. The project is consistent with Municipal Code Section 9.05, which requires a minimum 250-foot buffer between industrial and residential land uses, and the proposed project provides a buffer of 395 feet to the closest residential use. Therefore, implementation of the proposed project with approval of the General Plan Amendment would not result in General Plan land use inconsistencies between existing and proposed land uses in the southern portion of the proposed project site, and would not result in a significant land use impact.

Approval of the proposed General Plan Amendment would require the City Council to determine that the layout of the proposed project provides an adequate buffer between the existing residential neighborhood and the planned industrial uses.

City Municipal Code. Section 9.05, Industrial Districts, of the City Municipal Code requires a minimum 250-foot buffer between residential uses and truck activity areas of industrial uses. The site plan of the proposed project provides a buffer of almost 400 feet from the closest residence to the southeast, so the project is consistent with this adopted land use buffer requirement.

GP Circulation Element. In addition to the General Plan Amendment to change existing General Plan land use designations, the proposed project would also require a General Plan Amendment to change the City's General Plan Circulation Element. These changes involve the:

- Elimination of the undeveloped Quincy Street south of SR-60 within the project site;
- Renaming of existing Eucalyptus Avenue (south of the project site and east of the Quincy Channel) to Encilia Avenue; and
- Elimination of a north-south segment of Encilia Avenue through the project site, but Encelia would still connect with Moreno Beach Drive to the west.

Previously referenced Figure 3.3 provides a comparison of these changes versus existing roadway and access conditions. It should be noted that a recent amendment to the Circulation Element included the extension of Fir Avenue westerly from Quincy Street connecting to existing Eucalyptus Avenue (in the Moreno Valley Auto Center) and renaming it Eucalyptus Avenue.

The project traffic study indicates that removal of undeveloped Quincy Street south of SR-60 would not significantly affect the existing circulation network as that portion of Quincy Street is currently a dirt access road, which does not directly connect to existing or planned arterials, collector roads, or over crossings. Additionally, as indicated in the City's General Plan Final EIR, previously planned freeway overcrossings at Sinclair Street and Quincy Street would not occur as the light traffic volumes

on Sinclair Street and Quincy Street did not justify the construction of the overcrossing.[1] Therefore, the elimination of Quincy Street south of SR-60 would not have a significant land use impact.

The extension and connection of Eucalyptus Avenue by the proposed project would connect two segments of an east-west arterial road as well as link two north-south major arterial roads. With the recent amendment to the Circulation Element in place, the existing Eucalyptus Avenue (in the Moreno Valley Auto Center) and the former Fir Avenue would be connected with a roadway segment that would cross the proposed project site in an east-west direction (i.e., new Eucalyptus Avenue). The former Eucalyptus Avenue would be renamed to Encilia Avenue but would be extended west from just east of the Quincy Channel to Moreno Beach Drive. The western alignment of Encilia Avenue (i.e., west of the Quincy Channel) may change once other future development projects adjacent to the project site are developed. This topic is addressed in detail in Section 4.11, *Transportation and Traffic*, of this EIR. Although the proposed project would reconfigure the existing local roadway network, such changes would not result in significant land use impacts; therefore, impacts in this regard would be less than significant and no mitigation would be required.

General Plan Housing Element. The proposed project would result in the loss of potential housing units as the General Plan Amendment (GPA) and Zone Change (ZC) request a change to industrial uses (see Table 4.8.C). Development of the site as proposed could eliminate as many as 681 housing units from the site, with 80 percent of those units (548) at a density that is generally accepted as helping to promote housing affordability (15 units per acre) on a regional level. Economic conditions are very difficult for new housing sales at present, but these changes may incrementally hinder the City's ability to achieve its affordable housing goals in the future.

Table 4.8.C: Potential Housing Impacts

Zone	Acres/Density	Maximum Units	Average Units (80% of max)
R-15	36.5 ac × 15 du/ac	548	438
R-5	21.8 ac × 5 du/ac	109	87
RA-2	12.2 ac × 2 du/ac	24	19
Total	**70.5 acres**	**681**	**544**

Notes: R-15 Multi-Family; R-5 Suburban Residential; and RA-2 Residential Agriculture
Source: City General Plan Land Use Map, August 2010; City Zoning Map, November 7, 2011.

A portion of the project site is shown in the latest Housing Element for the City (2008–2014) as a potential location for multifamily residential affordable housing in the future (2011 Housing Element, Vacant Properties Inventory). The 2011 Housing Element (Table 20-8, *Sites Inventory Summary for All Income Groups*) states that the total number of potential affordable units from the Amended Inventory is 20,894 and the City's Regional Housing Needs Assessment (RHNA) allocation is 7,474, or 2.8 times as much as the RHNA allocation.

The loss of the (max) potential 548 units (R-15 land) from the proposed project would reduce the total potential affordable units from 20,894 to 20,346 or still 2.7 times the RHNA number. The proposed project would not reduce the City's potential pool of affordable housing to below its RHNA number; therefore, it would not create a significant impact related to the City's Housing Element.

Jobs vs. Housing Balance. The proposed project would provide jobs in an area that is considered "housing-rich" or "jobs-poor" by SCAG standards and would contribute toward the maintenance of a sound economic base. The proposed project would incrementally reduce the potential for higher density housing in this portion of the City (i.e., loss of 36.5 acres of land planned for maximum of 15 units per acre). Although the proposed project would result in a reduction of land available for

[1] *Section 5.2 Traffic/Circulation,* Moreno Valley General Plan Final Program EIR, City of Moreno Valley, July 2006.

residential development, the City currently has 6.02 percent (3,198 units) of its existing housing inventory vacant.[1] The number of units currently vacant (3,198 units) would be much greater than the number of residences that could be built on the southern portion of the site, under the existing zoning designation (up to 681 units, average 545 units based on 80% of maximum). Under current economic conditions, the conversion of 71 acres of residentially zoned land to warehouse uses would not be expected to cause a shortage of housing units within the City.

Although the proposed project would introduce a type of land use not historically associated with the rural character and lifestyle of the northeastern portion of the City, it would provide an opportunity for the City to provide adequate land for present and future urban and economic development needs. The proposed project would provide additional employment opportunities for Moreno Valley citizens, and would also have good access to the regional transportation system corridors such as SR-60. The proposed project is located in an area where various land uses occur or are being planned. Such land uses include existing residential uses, public services uses, and retail uses. Existing residences are located to the north of SR-60, vacant RA-2 zoned land to the east, existing residences to the southeast, proposed residential to the south, and vacant RA-2 zoned land to the southwest and west.

Animal Keeping Designation. An approximately 12-acre portion of the project site is zoned Residential Agriculture RA-2 located near the southern portion of the project site. The RA-2 zone is within the City's Primary Animal Keeping Overlay (PAKO), which helps protect animal keeping and the rural character of the areas noted within the overlay district and designates a portion of the parcel for medium and large animal keeping. With the development of the project, this portion of the site would be rezoned to Light Industrial to allow for the proposed warehouse distribution uses and would also be removed from the PAKO. Because this portion of the site will no longer be within the PAKO, the area available for animal keeping within the City will be reduced by approximately 0.4 percent. For an analysis of this issue, see Section 4.2, *Agricultural Resources*, which determined potential impacts in this regard were less than significant since the project will only remove 0.4 percent of the designated PAKO land in the City.

Municipal Code Consistency. Implementation of the proposed project would require a Zone Change from the existing Business Park (BP), Business Park Mixed Use (BPX), Multi-Family Residential (R-15), Suburban Residential (R-5), and Residential Agriculture (RA-2) on-site zone designations to Light Industrial (LI) for the entire 122.8 acres.

The purpose of the LI zoning designation is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multi-tenant industrial uses as well as certain supporting administrative and professional offices and commercial uses on a limited basis. In a similar manner, the existing zoning of BP on the northern portion of the site provides for light industrial, research and development, office-based firms and limited supportive commercial uses. The BP zoning, which restricts buildings to no more than 50,000 square feet, is intended to provide a transition between residential and other sensitive uses and more intense industrial uses.

The project proposes the development of warehouse uses, which would result in an inconsistency with the existing residential zoning on the southern portion of the site, and the BP zone on the northern portion of the site. The development that would occur with the zone change has the potential to create indirect environmental impacts since the zone change would permit more intense and larger industrial/warehousing uses on the project site, requiring a discretionary action based on an environmental determination of the project. These environmental impacts are analyzed through this EIR for each of the environmental topics. The baseline for comparative analysis of environmental impacts would be the existing condition of the project site. Currently, there is no existing development on the project site, which represents the worst-case scenario on which the EIR analysis is based.

[1] *Table E-5 City/County Population and Housing Estimates,* Revised January 1, 2008. http://www.dof.ca.gov/research/demographic/reports/estimates/e-5_2001-06/documents/E-5_2008%20Internet%20Version.xls Website accessed May 1, 2008.

With implementation of the zone change, the proposed project would be consistent with zoning requirements identified by the City.

The City recently approved a Municipal Code (MC) amendment (Ordinance #830) to establish a minimum buffer or distance of 250 feet between any residential zoning district and any adjacent industrial truck court or primary truck circulation driveway. According to the current development plan, trucks traveling to the proposed project would directly access the truck courts from future Eucalyptus Avenue and would not utilize the driveways around the perimeter of the buildings because access to the loading bays is much more direct. The proposed project would be located near an existing single-family residence tract, and the southern portion of the site, closest to the existing residences, is currently planned for residential and business park uses as a buffer between residential and industrial uses.

According to the latest development plans, the closest loading and unloading operations of the proposed project (e.g., truck courts) would be located 395 feet northwest of the nearest single-family residence (see plans in Appendix K). In addition, the reconfigured roadways surrounding the project site would discourage industrial traffic through the residential areas to the southeast. Despite these design characteristics, the fundamental change from residential/business park uses to industrial adjacent to residential represents an incremental adverse effect on the "quality of life" of existing residents in this area, which represents a potentially significant land use compatibility impact. This impact requires the City Council to approve a Zone Change to bring the proposed zoning designations into consistency with the Zoning Map and Municipal Code.

Other Environmental Impacts. To determine more specifically how the proposed project and its related growth impacts relate to adopted General Plan policies, each environmental analysis chapter of this EIR includes a subsection that describes those applicable General Plan policies adopted for the purpose of avoiding or mitigating a pertinent environmental effect.

Master Plan of Trails. The project must also be evaluated within the City's Master Plan of Trails (MPT). On February 1, 2012, the City Trails Commission recommended amending the MPT to City Council to remove the multi-use trail segment along the west side of the Quincy Channel between Fir Avenue/Future Eucalyptus Avenue and SR-60 as part of this project. The Commission instead identified a new segment of multi-use trail along the north side of Fir Avenue/Future Eucalyptus Avenue from the west side of the Quincy Channel to Fire Station #58 to the west (the western boundary of the project site). The applicant has agreed to include this new trail segment in the project site plan, and this change will be incorporated into the project as part of the development review approval process.

4.8.7 Cumulative Impacts

Implementation of the proposed project represents establishment of new land uses within the currently undeveloped project site that would result in an intensification of permitted land uses associated with a land use change from Business Park and Residential to Light Industrial uses, changes to the General Plan Circulation Element, and the loss of the PAKO associated with the RA-2 zone. As outlined in the analysis in Section 4.8.6.1, the proposed project is generally consistent with regional plans and planning efforts, although it is not fully consistent with the SCAG's RTP and Compass Blueprint Plan because it eliminates some housing in favor of industrial employment uses. However, it will incrementally improve the City's long-standing jobs/housing ratio, which is also a regional goal of the various SCAG plans. It is also not consistent with existing General Plan land use designations, objectives and policies, nor is it consistent with existing zoning designations on the site. For these reasons, a General Plan Amendment and Zone Change are proposed for consideration by the City.

The project proposes more intense land uses (i.e., from residential and business park uses to industrial uses) which will result in significant air quality and traffic impacts (see Sections 4.3 and 4.11, respectively), and both were found to be cumulatively considerable even after implementation of all project-specific mitigation.

In addition, the proposed project represents a fundamental change in community character for this portion of the City (i.e., mixed residential and business park to industrial warehouse buildings), which can represent an incremental adverse change in terms of public perception. This change would be particularly acute if both the proposed project and the approved West Ridge Commerce Centre (an industrial project just east of the proposed project) were built within a relatively short period of time, as they would both follow relatively closely the completion of the Skechers Logistics Center (another warehouse project) east of both the proposed project and the West Ridge project, on the east side of Redlands Boulevard. Furthermore, the addition of industrial space from the proposed project and the adjacent West Ridge (industrial) project may create an over-supply of warehousing space in the City, based on current economic conditions.

The proposed changes in land use will also result in a loss of up to 584 (R-15) multi-family residential units, many of which could have contributed to the City's affordable housing supply at some point in the future. However, this was determined to be a less than significant project impact on local housing because the City's Housing Element identifies over twice as much potential affordable housing as the City's RHNA allocation, so it will not make a significant contribution to a cumulatively considerable impact on regional housing.

Similar to the proposed project, some of the cumulative projects within the project vicinity would also require amendments to the existing General Plan and zoning, which may in turn cause additional cumulative impacts. Therefore, planned industrial development in the City may contribute to a cumulatively considerable impact or change in the overall character of the surrounding area, and the proposed project would make a significant contribution to that change in terms of consistency with adopted land use plans. No feasible mitigation is available to reduce this significant contribution. However, the project would not make a similar cumulatively considerable land use impact relative to dividing an established community or conflicting with an approved habitat conservation plan.

4.9 NOISE

This analysis is intended to satisfy the City's requirements for a project-specific noise impact analysis by examining the short-term and long-term noise impacts of the proposed project on sensitive uses adjacent to the proposed project site and by evaluating the effectiveness of mitigation measures incorporated as part of the project design. This includes the potential for the proposed project to result in impacts associated with a substantial temporary and/or permanent increase in ambient noise levels in the vicinity of the project area; exposure of people to excessive noise levels, groundborne vibration, or groundborne noise levels. The analysis contained in this section is based on a comprehensive *Noise Impact Analysis* contained in Appendix H (LSA Associates, Inc., November 2011), which examines existing ambient noise conditions and project-related impacts, and updates associated with the traffic report revisions (LSA, November 2011).

4.9.1 Existing Setting

4.9.1.1 Background

Characteristics of Sound. Noise is usually defined as unwanted sound; it consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, and sleep. To the human ear, sound has two significant characteristics: pitch and loudness. Pitch is generally an annoyance, while loudness can affect our ability to hear. The analysis of a project's noise impact defines the noise environment of the project area in terms of sound intensity and its effect on adjacent sensitive land uses.

Measurement of Sound. There are many ways to rate sound for various time periods. An appropriate rating of ambient noise[1] affecting humans accounts for the annoying effects of sound by penalizing noises that occur during quiet periods of time, such as late night/early morning, through weighted averaging metric. Single-event or peak noises are measured by a simple peak noise measurement. Equivalent continuous sound level (L_{eq}) is the total sound energy of time varying noise over a sample period. However, the predominant rating scales for human communities in the State of California are the L_{eq} and community noise equivalent level (CNEL) or the day-night average level (L_{dn}) based on A-weighted decibels (dBA). CNEL is the time varying noise over a 24-hour period, with a five dBA weighting factor applied to the hourly L_{eq} for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and a 10 dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). L_{dn} is similar to the CNEL scale, but without the adjustment for events occurring during the evening hours. CNEL and L_{dn} are within one dBA of each other and are normally exchangeable.

Other noise rating scales of importance when assessing the annoyance factor include the maximum noise level (L_{max}), which is the highest exponential time averaged sound level that occurs during a stated time period. The noise environments discussed in this analysis for short-term noise impacts are specified in terms of maximum levels denoted by L_{max}, which reflects peak operating conditions and addresses the annoying aspects of intermittent noise. It is often used together with another noise scale, or noise standards in terms of percentile noise levels, in noise ordinances for enforcement purposes. For example, the L_{10} noise level represents the noise level exceeded 10 percent of the time during a stated period. The L_{50} noise level represents the median noise level. Half the time the noise level exceeds this level, and half the time it is less than this level. The L_{90} noise level represents the noise level exceeded 90 percent of the time and is considered the background noise level during a monitoring period. For a relatively constant noise source, the L_{eq} and L_{50} are approximately the same. Table 4.9.A defines noise measurements that are typically used in noise analyses.

[1] Ambient noise is the totality of noise in a given place and time; usually a composite of sounds from varying sources at varying distances. Ambient sounds generally range from 30 dBA (very quiet) to 100 dBA (very loud).

Table 4.9.A: Noise Measurement Definitions

Unit of Measurement		Description
dB	Decibel	Units for measuring the volume of sound, decibels are measured on a logarithmic scale, representing points on a sharply rising curve. For example, 10 decibels are 10 times more intense than one decibel and 20 decibels are 100 times more intense. A 10-decibel increase in sound level is perceived by the human ear as a doubling of the loudness of the sound.
dBA	A-Weighted Decibel	A sound pressure level that has been weighted to quantitatively reduce the effect of the high and low frequency noise. It was designed to approximate the response of the human ear to sound.
CNEL	Community Noise Equivalent Level	The CNEL value represents noise as measured by an A-weighted sound level. The metric includes a 4.8-decibel penalty during relaxation hours (7 p.m. to 10 p.m.) and a 10-decibel penalty for sleeping hours (10 p.m. to 7 a.m.). CNEL is similar to L_{dn} (which does not include the evening penalty).
L_{dn}	Day-Night Average Noise	The 24-hour average sound level, expressed in a single decibel rating, for the period from midnight to midnight obtained after the addition of a 10.0-decibel penalty to sound levels for the periods between 10 p.m. and 7 a.m.
L_{eq}	Equivalent Noise Level	Total sound energy of time-varying noise over a sample period.
L_{01}, L_{10}, L_{25}, L_{50}, L_{90}	Percentile Noise Exceedance Levels	The fast A-weighted noise levels that are equaled or exceeded by a fluctuating sound level 1 percent, 10 percent, 25 percent, 50 percent, and 90 percent of a stated time period.
L_{max}	Maximum Noise Level	L_{max} is the highest exponential time-averaged sound level that occurs during a stated time period. It reflects peak operating conditions and addresses the annoying aspects of intermittent noise.

Sound levels are generated from a source and their decibel level decreases as the distance from that source increases. Table 4.9.B describes attenuation levels of various types of noise sources.

Table 4.9.B: Attenuation Levels and Type of Noise Sources

Decrease in Sound for Each Doubling of Distance	Type of Noise Source	Description/Example
6.0 decibels	Single-point source	Stationary equipment
4.5 decibels	Line source	Highway traffic or railroad operations in a relatively flat environment with absorptive vegetation
3.0 decibels	Line source	Highway traffic or railroad operations in a hard site environment

Source: *Noise Analysis, Eucalyptus Industrial Park*, LSA Associates, Inc., November 2011.

Audible Noise Level Range. Noise impacts can be described in three categories:

- Audible (3.0 dB or greater);
- Potentially audible (between 1.0 and 3.0 dB); and
- Inaudible (less than 1.0 dB).

Audible noises are increases in noise levels noticeable to humans and generally refer to a change of 3.0 dB or greater, because this level has been found to be barely perceptible in exterior environments. Potentially audible refers to a change in the noise level between 1.0 and 3.0 dB, which is noticeable only in laboratory environments. Changes in noise levels of less than 1.0 dB are inaudible to the human ear. Only audible changes in existing ambient or background noise levels are

considered potentially significant. Therefore, a 3 dBA increase in long-term noise levels above existing ambient noise levels is used as a threshold of significant change in this noise analysis.

Fundamentals of Groundborne Vibration. Vibration refers to groundborne noise and perceptible motion. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where the motion may be discernable. However, without the effects associated with the shaking of a building, there is less adverse reaction. Building vibration may be perceived by the occupants as motion of building surfaces, rattling of items on shelves or hanging on walls, or as a low-frequency rumbling noise. Building damage is not a factor for normal projects, with the occasional exception of blasting and pile driving during construction or mining. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by up to 10 decibels. This is an order of magnitude below the damage threshold for normal buildings.

Typical sources of groundborne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earthmoving equipment), steel-wheeled trains, and occasional traffic on rough roads. Problems with groundborne vibration and noise from these sources are usually localized to within about 100 feet of the vibration source, although there are examples of groundborne vibration causing interference out to distances greater than 200 feet, as described in the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment (May 2006). When roadways are smooth, vibration from traffic, even heavy trucks, is rarely perceptible.

Factors that influence groundborne vibration and noise include the following:

- Vibration Source: vehicle suspension, wheel types and condition, track/roadway surface, track support system, speed, transit structure, and depth of vibration source.
- Vibration Path: soil type, rock layers, soil layering, depth to water table, and frost depth.
- Vibration Receiver: foundation type, building construction, and acoustical absorption.

Among the factors listed above, there are significant differences in the vibration characteristics when the source is underground versus at ground surface. In addition, soil conditions are known to have a strong influence on the levels of groundborne vibration. Among the most important factors are the stiffness and internal damping of the soil and the depth to bedrock. Vibration propagation is more efficient in stiff clay soils than in loose sandy soils, and shallow rock seems to concentrate the vibration energy close to the surface and can result in groundborne vibration problems at a great distance from the track. Factors such as layering of the soil and depth to water table can have significant effects on the propagation of groundborne vibration. Soft, loose, sandy soils tend to attenuate more vibration energy than hard, rocky materials. Vibration propagation through groundwater is more efficient than through sandy soils.

4.9.1.2 Sensitive Land Uses in the Project Vicinity

Certain land uses are considered more sensitive to noise than others. Examples include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The nearest existing sensitive receptors in the vicinity of the project site are single-family residences located approximately 50 feet southeast of the project boundary. The nearest future sensitive receptors are the land designated RA-2 east of the site. However, this area has recently been approved for industrial development (West Ridge Commerce Center). The proposed L-Aquila D'Pietra (LADP) development consisting of a mix of residential uses is expected to be developed immediately south of the proposed project site. Future development within the proposed LADP project would result in the occupation of residential units in close proximity to noise-generating uses located within the limits of the proposed project site.

Although there is a degree of uncertainty for the actual construction schedule and on-site activities, an analysis based on typical construction for projects with similar size has been provided for disclosure purposes. Based on land use assumptions for the proposed LADP development, the nearest proposed residential uses are near the southern project boundary approximately 25 feet to the south. The areas the trucks will operate on site are more distant, with the nearest loading/unloading area approximately 280 feet from the proposed residences to the south of the project site.

Existing Noise Environment. The project site is currently fallow agricultural land. The primary existing noise sources in the project area are transportation facilities. Primary transportation noise sources include vehicular traffic along SR-60, Eucalyptus Avenue, Pettit Street, Fir Avenue, and Spruce Avenue. Aircraft operations from March Air Reserve Base, approximately 5 miles to the southwest of the project site, contribute to high intermittent single-event noise levels. Based on the 1998 March Air Reserve Base Noise Impact Area, the project site is outside of the 60 dBA CNEL impact zone.

Existing Traffic Noise Modeling. To document the existing environment, the Federal Highway Administration (FHWA) highway traffic noise prediction model (FHWA RD-77-108) was used to evaluate highway traffic-related noise conditions in the project vicinity. This model requires various parameters, including traffic volumes, vehicle mix, vehicle speed, and roadway geometry[1] to compute typical equivalent noise levels during daytime, evening, and nighttime hours. The noise impact analysis was conducted using the existing traffic volumes provided in the *Traffic Study* prepared for the proposed project (LSA Associates, Inc., November 2011). The modeled 24-hour CNEL levels are identified in Table 4.9.C. The resultant noise levels are weighted and summed over 24-hour periods to determine the CNEL values. As shown in Table 4.9.C, existing traffic noise along these roadway segments is generally low to moderate.

Table 4.9.C: Existing Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Eucalyptus Avenue west of Nason Street	2,600	< 50*	78	162	65.4
Eucalyptus Avenue between Nason Street and Fir Avenue	3,100	< 50	87	182	66.2
Eucalyptus Avenue between Moreno Beach Drive and Auto Mall Drive	550	< 50	< 50	< 50	58.2
Eucalyptus Avenue/Fir Avenue between Auto Mall Drive and Redlands Boulevard	140	< 50	< 50	< 50	52.2
Nason Street north of Eucalyptus Avenue	10,000	76	160	343	70.8
Nason Street between Eucalyptus Avenue and Alessandro Boulevard	9,600	86	179	384	71.1
Nason Street south of Alessandro Boulevard	8,300	68	142	303	70.0
Moreno Beach Drive north of Eucalyptus Avenue	12,000	85	180	387	71.6

[1] Roadway geometry is defined as the lane configuration (number of through lanes and turn lanes) of two intersecting roads.

Table 4.9.C: Existing Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Moreno Beach Drive between Eucalyptus Avenue and Cottonwood Avenue	13,000	104	219	470	72.4
Moreno Beach Drive between Cottonwood Avenue and Alessandro Boulevard	12,400	61	132	284	70.6
Moreno Beach Drive south of Alessandro Boulevard	13,000	63	136	293	70.8
Auto Mall Drive between Eucalyptus Avenue and Moreno Beach Drive	820	< 50	< 50	67	59.9
Redlands Boulevard north of Eucalyptus Avenue/Fir Avenue	7,200	< 50	92	198	68.3
Redlands Boulevard between Eucalyptus Avenue/Fir Avenue and Encilia Avenue/Eucalyptus Avenue	7,200	< 50	92	198	68.3
Redlands Boulevard between Encilia Avenue/Eucalyptus Avenue and Cottonwood Avenue	6,600	< 50	87	187	67.9
Redlands Boulevard between Cottonwood Avenue and Alessandro Boulevard	5,700	< 50	79	169	67.2
Redlands Boulevard south of Alessandro Boulevard	5,100	< 50	73	157	66.8

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA = A-weighted decibel.
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.

Source: *Noise Impact Analysis, Eucalyptus Industrial Park,* City of Moreno Valley. LSA Associates, Inc. November 2011.

4.9.2 Existing Policies and Regulations

The applicable noise standards governing the project site are the criteria in the City of Moreno Valley General Plan Noise Element and Municipal Code (Noise Ordinance). The City's Noise Element of the General Plan is based on the County of Riverside Land Use Compatibility Chart for Community Noise and is adopted by reference. In addition, standards identified in the *California Noise Insulation Standards*[1] and the *State of California Vehicular Code*[2] are included below. The following sections list the General Plan policies and State standards relevant to noise for the proposed project.

4.9.2.1 City of Moreno Valley General Plan Policies

Chapter 9 of the *City of Moreno Valley General Plan*[3] defines goals, objectives, policies, and action items related to noise conditions in the City. The specific policies related to noise that are relevant to the proposed project are as follows:

Objective 6.3 Provide noise compatible land use relationships by establishing noise standards utilized for design and siting purposes.

1 California Code of Regulations, Title 24, Part 2, §3501, *California Noise Insulation Standards.*
2 Governor's Office of Planning and Research, *State of California General Plan Guidelines*, October 2003, pages 249 and 250.
3 *City of Moreno Valley General Plan*, City of Moreno Valley, July 2006.

Policy 6.3.6 Building shall be limited in areas of sensitive receptors.

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.

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.

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.

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.

Policy 6.5.2 Construction activities shall be operated in a manner that limits noise impacts on surrounding uses.

The City's General Plan, Section 5.4, states that acceptable residential exterior noise standards are within 60–65 dBA CNEL, and acceptable residential interior noise standard is 45 dBA CNEL.

Moreno Valley Municipal Code. The *Moreno Valley Municipal Code*[1] describes the noise standards within the City. It states that noise will be measured with a sound level meter that meets the standards of the American National Standards Institute (ANSI) Section I.4-1983. All measurements of sound will be made by qualified officials of the City who are designated by the City Manager or designee to operate the apparatus used to make the measurements.

In addition, the following standards are listed in the *Moreno Valley Municipal Code* in Chapter 11.80.030 Prohibited Acts (Title 11). Sound level limits are established for both continuous and impulsive (momentary) sounds. The City prohibits grading activities between the hours of 8:00 p.m. and 7:00 a.m. and prohibits construction activities from 8:00 p.m. to 6:00 a.m. during the week and between 8:00 p.m. and 7:00 a.m. on weekends and holidays.

Residential uses, schools, office buildings, and professional service and business establishments are normally acceptable in exterior noise environments up to 60 dBA CNEL and conditionally acceptable in exterior noise environments up to 70 dBA CNEL. Commercial land uses, including retail uses and restaurants, are conditionally acceptable in exterior noise levels up to 75 dBA CNEL. Industrial and manufacturing land uses, being less sensitive to noise, are normally acceptable where the exterior noise levels are 75 dBA CNEL or less. In addition, outdoor active use areas such as backyards or balconies in areas exceeding 65 dBA CNEL are required to be mitigated.

The City's residential site development standards, as identified in Chapter 9.03.040 of the City's Planning and Zoning Code, state that in all residential districts, air conditioners, heating, cooling, and ventilating equipment and all other mechanical lighting or electrical devices shall be operated so that noise levels do not exceed 60 dBA (L_{dn}) at the property line.

The City's Municipal Code, Section 6.04.030.J states that "to create, allow or maintain any loud or unusual noise or operate or maintain any device, instrument, vehicle, or machinery in such a manner as to create loud or unusual noise, cause vibrations, or unreasonable light spillage or glare which causes discomfort or annoyance to reasonable persons of normal sensitivity, or which endangers the comfort, repose, health or peace of the public or of any person using or occupying other property in the vicinity" is prohibited.

[1] *Moreno Valley Municipal Code,* City of Moreno Valley, current through Ordinance 827 and the August 2011 code supplement.

The City's Municipal Code, Section 9.10.140, specifies that all commercial and industrial uses shall be operated so that noise created by any loudspeaker, bells, gongs, buzzers, or other noise attenuation or attracting devices shall not exceed 55 dBA at any one time beyond the boundaries of the property.

Chapter 11.80.030 of the City's Municipal Code also states:

> *Based on statistics from the Center for Disease Control and Prevention and the National Institute for Occupational Safety and Health, Table 1 and Table 1-A specify sound level limits which, if exceeded, will have a high probability of producing permanent hearing loss in anyone in the area where the sound levels are being exceeded. No sound shall be permitted within the City which exceeds the parameters set forth in Table 11.80.030-1* [Table 4.9.D] *and 11.80.030-1-A* [Table 4.9.E] *of this chapter.*
>
> *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 (as defined in Section 11.80.020) in Table 11.80.030-2* [Table 4.9.F] *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.*
>
> *The following uses and activities shall be exempt from the sound level regulations except the maximum sound levels provided in Tables 11.80.030-1* [Table 4.9.D] *and 11.80.030-1A* [Table 4.9.E]*:*
>
> 1. *Sounds resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of an emergency.*
> 2. *Sounds resulting from emergency work as defined in Section 11.80.020.*
> 3. *Any aircraft operated in conformity with, or pursuant to, federal law, federal air regulations and air traffic control instruction used pursuant to and within the duly adopted federal air regulations; and any aircraft operating under technical difficulties in any kind of distress, under emergency orders or air traffic control, or being operated pursuant to and subsequent to the declaration of an emergency under federal air regulations.*
> 4. *All sounds coming from the normal operations of interstate motor and rail carriers, to the extent that local regulation of sound levels of such vehicles has been preempted by the Noise Control Act of 1972 (42 U.S.C. § 4901 et seq.) or other applicable federal laws or regulations.*
> 5. *Sounds from the operation of motor vehicles, to the extent they are regulated by the California Vehicle Code.*
> 6. *Any constitutionally protected noncommercial speech or expression conducted within or upon any public right-of-way, public space or other publicly owned property constituting an open or a designated public forum in compliance with any applicable reasonable time, place and manner restriction on such speech or expression or otherwise pursuant to legal authority.*
> 7. *Sounds produced at otherwise lawful and permitted city-sponsored events, organized sporting events, school assemblies, school playground activities, by permitted fireworks, and by permitted parades on public right-of-way, public space, or other publicly owned property.*
> 8. *An event for which a temporary use permit or special event permit has been issued under other provisions of this code, where the provision of Section 11.80.010 are met, the permit granted expressly grants an exemption from specific standards contained in this chapter, and the permittee and all persons under the permitttee's reasonable control actually comply with all conditions of such permit. Violation of any condition of such permit related to sound or sound equipment shall be in violation of this chapter and punishable as such.*

Table 4.9.D: Maximum Continuous Sound Levels*

Duration Per Day Continuous Hours	Sound Level (dBA)
8	90
6	92
4	95
3	97
2	100
1.5	102
1	105
0.5	110
0.25	115

* When the daily sound exposure is composed of two or more periods of sound exposure at different levels, the combined effect of all such periods shall constitute a violation of this section if the sum of the percentage of allowed period of sound exposure at each level exceeds 100 percent.

Source: Chapter 11.80.030 Table 11.80.030-1, City of Moreno Valley Municipal Code, City of Moreno Valley.

Table 4.9.E: Maximum Impulsive Sound Levels

Number of Repetitions Per 24-Hour Period	Sound Level (dBA)
1	145
10	135
100	125

Source: Chapter 11.80.030 Table 11.80.030-1A, City of Moreno Valley Municipal Code, City of Moreno Valley.

Table 4.9.F: Maximum Sound Levels (in dBA) for Source Land Uses

Residential		Commercial	
Daytime	Nighttime	Daytime	Nighttime
60	55	65	60

Source: Chapter 11.80.030 Table 11.80.030-2, City of Moreno Valley Municipal Code, City of Moreno Valley.

4.9.2.2 State of California Vehicular Code

Recent studies have shown that the most objectionable feature of traffic noise is the sound produced by vehicles equipped with illegal or faulty exhaust systems. In addition, such vehicles are often operated in a manner that causes tire squeal and excessively loud exhaust noise. A number of California State vehicle noise regulations can be enforced by local authorities as well as the California Highway Patrol (CHP). These include § 23130, § 23130.5, § 27150, and § 38275 of the CVC, as well as excessive speed laws, which may be applied to curtail traffic noise:

- § 23130 and § 23130.5 establish maximum noise emission limits for the operation of all motor vehicles at any time under any conditions of grade, load, acceleration, or deceleration.
- § 27150 requires motor vehicles to be equipped with an adequate muffler to prevent excessive noise.
- § 38275 requires off-highway motor vehicles to be equipped with an adequate muffler to prevent excessive noise.

The CHP and the Department of Health Services (DHS) (through local health departments) are available to aid local authorities in code enforcement and training pursuant to proper vehicle sound level measurements.

4.9.3 Methodology

Evaluation of noise impacts associated with the proposed project includes the following:

- Determination of the short-term construction noise impacts on off-site noise-sensitive uses;
- Determination of the long-term noise impacts, including vehicular traffic and stationary noise sources, on on-site and off-site noise-sensitive uses; and
- Determination of the required mitigation measures to reduce long-term noise impacts from all sources.

The proposed project includes the construction and operation of an approximately 2,244,638-square foot warehousing project. The noise analysis considers the noise effects of the industrial development on the existing and future residential development (sensitive receptors) near the proposed project site. The applicable noise standards governing the project site are the criteria in the City of Moreno Valley's *Noise Element of the General Plan and Zoning Code*.

The FHWA highway traffic noise prediction model (FHWA RD-77-108) was used to evaluate highway-traffic-related noise conditions. The *Noise Impact Assessment* (NIA) was conducted using the traffic volumes provided in the Traffic Impact Analysis (LSA Associates, Inc., November 2011). Existing with Project plus Opening Year (2012), Build Out Year (2035), and General Plan Build Out with and without Project scenarios average daily traffic (ADT) volumes on roadway segments in the project vicinity were used to conduct the traffic noise modeling. Standard vehicle mix for Southern California streets was modified to account for project-related truck traffic and was used in this analysis. The modeled 24-hour CNEL levels represent the worst-case scenario, which assumes that no shielding is provided between the traffic and the location where the noise contours are drawn. The specific assumptions used in developing these noise levels and model printouts are provided in Appendix H of this EIR.

4.9.4 Thresholds of Significance

A project would have a significant effect on the environment related to noise if it would substantially increase the ambient noise levels for adjoining areas or if it would conflict with adopted environmental plans and goals of the community in which it is located.

The applicable noise standards governing the project site are the criteria that are contained within the Noise Element of the *City of Moreno Valley General Plan* and the *Moreno Valley Municipal Code*. For this project, a noise impact is considered significant if the project would result in:

- Exposure of persons to or generation of noise levels in excess of standards established in the *City of Moreno Valley General Plan*, *Moreno Valley Municipal Code*, or applicable standards of other agencies;
- Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels;
- A substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- 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, expose people residing or working in the project area to excessive noise levels; and/or
- For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

The standards within the *City of Moreno Valley General Plan* and *Moreno Valley Municipal Code* determine the acceptable noise environment for proposed project and its vicinity. The standards are as follows:

- Ensure through the design review process that exterior noise levels at commercial and industrial areas do not exceed 75 dBA CNEL.
- Consider the following uses noise-sensitive and discourage them in areas where exterior noise levels exceed 65 dBA CNEL unless measures are implemented that reduce the noise exposure below this level: single- and multiple-family residential uses, group homes, hospitals, schools and other learning institutions, and parks and open space areas where quiet is a basis for use.

4.9.5 No Impact/Less than Significant Impacts

The Initial Study (Appendix A) identified the following impacts as having a less than significant impact or no impact on the environment with implementation of the proposed project.

4.9.5.1 Airport Noise Impacts

Threshold	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, results in exposure of people residing or working in the project area to excessive noise levels. For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

The proposed project site is located approximately 5 miles northeast of the March Air Reserve Base. Aircraft operations from the airport currently contribute intermittent single-event noise. However, the proposed project is not identified as being within the noise or safety contours delineated for the MARB Airport.[1] The proposed project is not located within two miles of a public or private airport; therefore, the proposed project would not have the potential to expose people to excessive noise levels from airport operations and no impact regarding this issue would occur with implementation of the proposed project. No mitigation is required.

4.9.5.2 Groundborne Vibration Impacts

Threshold:	Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earthmoving equipment), steel-wheeled trains, and occasional traffic on rough roads. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where the motion may be discernable but without the accompanying effects (e.g., shaking of a building). Groundborne vibration is measured in terms of the velocity of the vibration oscillations. When groundborne vibration exceeds 0.1 inch per second (in/sec), it is generally perceived as annoying to building occupants. The degree of annoyance is dependent upon type of land use, individual sensitivity to vibration, and the frequency of the vibration events. Typically, vibration levels must exceed 0.2 in/sec before building damage occurs. Problems with groundborne vibration and noise are usually localized to areas within about 100 feet from the vibration source, although there are examples of groundborne vibration causing interference out to distances greater than 200 feet.

[1] *Figure 5.4-1 March Reserve Air Base Noise Impact Area*, City of Moreno Valley General Plan EIR, July 2006.

The project site is not located near steel-wheeled trains. Additionally, roadways in the project area are either paved or would be paved and would not result in traffic driving over rough roads. Construction activities for the project site do not include blasting or pile driving. The primary vibratory source during the construction of the proposed project would be large bulldozers. Based on published data, typical bulldozer activities generate an approximate vibration level of 0.089 in/sec at a distance of 25 feet. At the distance of the nearest residence to the project boundary (about 50 feet) the estimated vibration level will be 0.0415 in/sec. While heavy-duty earthmoving equipment would be used during the construction phase of the project, the level of vibration would not be excessive or permanent, nor would it exceed the level at which building damage typically occurs. Therefore, impacts from construction-related groundborne vibration construction would be less than significant and no mitigation is required.

4.9.5.3 Long-Term Traffic Noise Impacts

Threshold	Would the project result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Only audible changes in existing ambient or background noise levels are considered potentially significant. Therefore, a 3 dBA increase in long-term noise levels above existing ambient noise levels is used as a threshold of significant change in this noise analysis. The FHWA highway traffic noise prediction model (FHWA RD-77-108) was used to evaluate highway traffic-related noise conditions. The noise impact analysis was conducted using the future traffic volumes provided in the *Traffic Study* (LSA Associates, Inc., November 2011). Existing Year with Project, Opening Year (2012) Project Build Out Year (2035), and General Plan Build Out Year with and without Project scenarios ADT volumes on roadway segments in the project vicinity were used to conduct the traffic noise modeling. The existing ADT volumes in the area were taken from the *Traffic Study* prepared for the proposed project.

Existing Year Analysis. The NIA (Appendix H) indicates that implementation of the proposed project would result in relatively minor changes in traffic noise levels except along Eucalyptus Avenue between Moreno Beach Drive and Driveway A. As indicated in Table 4.9.G, the largest project-related increase in traffic noise would be along Eucalyptus Avenue/Fir Avenue between Auto Mall Drive and Redlands Boulevard. This segment would experience a 13.6 dBA increase over the baseline (with the project) scenario; however, no noise-sensitive uses exist or are planned near this roadway segment. The existing surrounding land uses consist of the auto mall, commercial uses, and vacant land zoned for commercial uses.

Table 4.9.G: Existing Year With Project Traffic Noise Levels

Roadway Segment	ADT	CL 70 CNEL (feet)	CL to 65 CNEL (feet)	CL to 60 CNEL (feet)	CNEL (dBA) 50 feet from CL of Outermost Lane	Increase CNEL (dBA) 50 feet from CL to Outermost Lane
Eucalyptus Avenue west of Nason Street	2800	< 50*	82	170	65.7	0.3
Eucalyptus Avenue between Nason Street and Fir Avenue	3200	< 50	89	186	66.3	0.1
Eucalyptus Avenue between Moreno Beach Drive and Auto Mall Drive	990	< 50	< 50	75	60.7	2.5
Eucalyptus Avenue/Fir Avenue between Auto Mall Drive and Redlands Boulevard	3,200	< 50	77	161	65.8	13.6
Fir Avenue east of Redlands Boulevard	540	< 50	< 50	< 50	58.1	NA

Table 4.9.G: Existing Year With Project Traffic Noise Levels

Roadway Segment	ADT	CL 70 CNEL (feet)	CL to 65 CNEL (feet)	CL to 60 CNEL (feet)	CNEL (dBA) 50 feet from CL of Outermost Lane	Increase CNEL (dBA) 50 feet from CL to Outermost Lane
Nason Street north of Eucalyptus Avenue	10,000	76	160	343	70.8	0.0
Nason Street between Eucalyptus Avenue and Alessandro Boulevard	9,800	87	182	389	71.2	0.1
Nason Street south of Alessandro Boulevard	8,700	70	146	313	70.2	0.2
Moreno Beach Drive north of Eucalyptus Avenue	12,100	86	181	389	71.6	0.0
Moreno Beach Drive between Eucalyptus Avenue and Cottonwood Avenue	13,300	105	222	477	72.5	0.1
Moreno Beach Drive between Cottonwood Avenue and Alessandro Boulevard	12,800	63	135	290	70.8	0.2
Moreno Beach Drive south of Alessandro Boulevard	13,200	64	138	296	70.9	0.1
Auto Mall Drive between Eucalyptus Avenue and Moreno Beach Drive	1,300	< 50	< 50	90	61.9	2.0
Redlands Boulevard north of Eucalyptus Avenue/Fir Avenue	9,400	51	110	236	69.4	1.1
Redlands Boulevard between Eucalyptus Avenue/Fir Avenue and Encilia Avenue/Eucalyptus Avenue	9,000	< 50	107	229	69.2	0.9
Redlands Boulevard between Encilia Avenue/Eucalyptus Avenue and Cottonwood Avenue	8,200	< 50	100	216	68.8	0.9
Redlands Boulevard between Cottonwood Avenue and Alessandro Boulevard	7,100	< 50	91	196	68.2	1.0
Redlands Boulevard south of Alessandro Boulevard	5,100	< 50	73	157	66.8	0.0

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA = A-weighted decibel
CL = centerline NA = Not Applicable
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.
Source: Table F, *Noise Impact Analysis Eucalyptus Industrial Park,* City of Moreno Valley. LSA Associates, Inc. November 2011.

Opening Year (2012) Analysis. Table 4.9.H depicts Opening Year without Project traffic noise levels. The NIA (Appendix H) indicates that implementation of the proposed project would result in relatively minor changes in traffic noise levels except along Eucalyptus Avenue between Moreno Beach Drive and Driveway A. As indicated in Table 4.9.I, the largest project-related increase in traffic noise would be along Eucalyptus Avenue/Fir Avenue between Auto Mall Drive and Redlands Boulevard. This segment would experience a 13.3 dBA increase over the baseline (with the project) scenario in opening year (2012); however, no noise-sensitive uses exist or are planned near this roadway segment. The existing surrounding land uses consist of the auto mall, commercial uses, and vacant land zoned for commercial uses.

Table 4.9.H: Opening Year (2012) Without Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Eucalyptus Avenue west of Nason Street	2,800	< 50*	82	170	65.7
Eucalyptus Avenue between Nason Street and Fir Avenue	3,400	< 50	92	193	66.6
Eucalyptus Avenue between Moreno Beach Drive and Auto Mall Drive	600	< 50	< 50	56	58.6
Eucalyptus Avenue/Fir Avenue between Auto Mall Drive and Redlands Boulevard	150	< 50	< 50	< 50	52.5
Nason Street north of Eucalyptus Avenue	10,900	80	169	363	71.1
Nason Street between Eucalyptus Avenue and Alessandro Boulevard	10,500	91	190	407	71.5
Nason Street south of Alessandro Boulevard	9,100	72	150	322	70.4
Moreno Beach Drive north of Eucalyptus Avenue	13,200	91	192	412	72.0
Moreno Beach Drive between Eucalyptus Avenue and Cottonwood Avenue	14,300	110	233	500	72.8
Moreno Beach Drive between Cottonwood Avenue and Alessandro Boulevard	13,600	65	140	302	71.0
Moreno Beach Drive south of Alessandro Boulevard	14,200	67	144	311	71.2
Auto Mall Drive between Eucalyptus Avenue and Moreno Beach Drive	910	< 50	< 50	72	60.4
Redlands Boulevard north of Eucalyptus Avenue/Fir Avenue	7,900	< 50	98	210	68.7
Redlands Boulevard between Eucalyptus Avenue/Fir Avenue and Encilia Avenue/Eucalyptus Avenue	7,900	< 50	98	210	68.7
Redlands Boulevard between Encilia Avenue/Eucalyptus Avenue and Cottonwood Avenue	7,200	< 50	92	198	68.3
Redlands Boulevard between Cottonwood Avenue and Alessandro Boulevard	6,300	< 50	84	181	67.7
Redlands Boulevard south of Alessandro Boulevard	5,600	< 50	78	167	67.2

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA = A-weighted decibel.
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.
Source: Table G, *Noise Impact Analysis Eucalyptus Industrial Park,* City of Moreno Valley. LSA Associates, Inc. November 2011.

Table 4.9.I: Opening Year (2012) With Project Traffic Noise Levels

Roadway Segment	ADT	CL 70 CNEL (feet)	CL to 65 CNEL (feet)	CL to 60 CNEL (feet)	CNEL (dBA) 50 feet from CL of Outermost Lane	Increase CNEL (dBA) 50 feet from CL to Outermost Lane
Eucalyptus Avenue west of Nason Street	3,000	< 50*	85	178	66.9	0.3
Eucalyptus Avenue between Nason Street and Fir Avenue	3,500	< 50	94	197	66.7	0.1
Eucalyptus Avenue between Moreno Beach Drive and Auto Mall Drive	1,700	< 50	< 50	107	63.1	4.5
Eucalyptus Avenue/Fir Avenue between Auto Mall Drive and Redlands Boulevard	3,200	< 50	77	161	65.8	13.3
Fir Avenue east of Redlands Boulevard	240	< 50	< 50	< 50	54.6	NA
Nason Street north of Eucalyptus Avenue	10,900	80	169	363	71.1	0.0
Nason Street between Eucalyptus Avenue and Alessandro Boulevard	10,500	91	190	407	71.5	0.0
Nason Street south of Alessandro Boulevard	9,400	73	154	329	70.5	0.1
Moreno Beach Drive north of Eucalyptus Avenue	13,300	91	193	415	72.0	0.0
Moreno Beach Drive between Eucalyptus Avenue and Cottonwood Avenue	14,500	111	235	505	72.9	0.1
Moreno Beach Drive between Cottonwood Avenue and Alessandro Boulevard	14,200	67	144	311	71.2	0.2
Moreno Beach Drive south of Alessandro Boulevard	14,300	68	145	312	71.2	0.0
Auto Mall Drive between Eucalyptus Avenue and Moreno Beach Drive	1,500	< 50	< 50	98	62.5	2.1
Redlands Boulevard north of Eucalyptus Avenue/Fir Avenue	10,700	56	120	257	70.0	1.3
Redlands Boulevard between Eucalyptus Avenue/Fir Avenue and Encilia Avenue/Eucalyptus Avenue	8,200	< 50	100	216	68.8	0.1
Redlands Boulevard between Encilia Avenue/Eucalyptus Avenue and Cottonwood Avenue	7,400	< 50	94	201	68.4	0.1
Redlands Boulevard between Cottonwood Avenue and Alessandro Boulevard	6,400	< 50	85	183	67.7	0.0
Redlands Boulevard south of Alessandro Boulevard	5,600	< 50	78	167	67.2	0.0

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA = A-weighted decibel
CL = centerline NA = Not Applicable
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.
Source: Table H, *Noise Impact Analysis Eucalyptus Industrial Park,* City of Moreno Valley. LSA Associates, Inc. November 2011.

Additionally, the roadway segment along Eucalyptus Avenue between Moreno Beach Drive and Auto Mall Drive would experience a 4.5 dBA increase over the baseline scenario in 2012. However, similar to Eucalyptus Avenue between the Auto Mall Drive and Redlands Boulevard segment, no noise-sensitive uses exist or are planned in the vicinity of this roadway segment. Therefore, noise impacts at the roadway segments where an increase of more than 3.0 dBA would occur are considered less than significant because there are no sensitive receptors located along those roadway segments. All other roadway segments would have an increase in noise of less than 3.0 dBA, which would not be perceptible to the human ear in an outdoor environment. Therefore, no mitigation measures related to traffic noise would be required for off-site areas.

Project Build Out Year (2035) Analysis. Table 4.9.J depicts Project Build Out Year without Project traffic noise levels. Increases in noise levels associated with Project Build Out Year (2035) traffic conditions on area roadways range from 0 dBA to 1.3 dBA (Table 4.9.K). The greatest increase in noise levels is along Eucalyptus Avenue between Auto Mall Drive and Redlands Boulevard, where an increase of up to 1.3 dBA is predicted, with the ambient noise level predicted to be 71.6 dBA at 50 feet from the centerline of the street. However, similar to the opening year (2012) scenario, no noise-sensitive uses exist or are planned near the roadway segment. The existing surrounding land uses consist of the auto mall, commercial uses, and vacant land zoned for commercial uses. Therefore, noise impacts at the roadway segments where an increase of more than 3.0 dBA would occur are considered less than significant because there are no sensitive receptors located along the roadway segments that would be affected. All other roadway segments would have an increase in noise of less than 3.0 dBA, which would not be perceptible to the human ear in an outdoor environment. Therefore, no mitigation measures related to Project Build Out Year (2035) traffic noise would be required for off-site areas.

Table 4.9. J: Project Build Out Year (2035) Without Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 feet from Centerline of Outermost Lane
Eucalyptus Avenue west of Nason Street	9,400	85	177	379	71.0
Eucalyptus Avenue between Nason Street and Fir Avenue	11,800	98	206	440	72.0
Eucalyptus Avenue between Fir Avenue and Moreno Beach Drive	9,800	75	158	338	70.7
Eucalyptus Avenue between Moreno Beach Drive and Auto Mall Drive	10,400	78	164	352	70.9
Eucalyptus Avenue/Fir Avenue between Auto Mall Drive and Redlands Boulevard	9,000	71	149	320	70.3
Fir Avenue east of Redlands Boulevard	17,900	110	235	505	73.3
Nason Street north of Eucalyptus Avenue	22,300	127	272	585	74.3
Nason Street between Eucalyptus Avenue and Alessandro Boulevard	32,900	189	405	871	76.4
Nason Street south of Alessandro Boulevard	27,800	147	315	677	75.2
Moreno Beach Drive north of Eucalyptus Avenue	35,400	172	370	796	76.3
Moreno Beach Drive between Eucalyptus Avenue and Cottonwood Avenue	20,600	139	297	638	74.4

Table 4.9. J: Project Build Out Year (2035) Without Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 feet from Centerline of Outermost Lane
Moreno Beach Drive between Cottonwood Avenue and Alessandro Boulevard	21,900	90	193	415	73.1
Moreno Beach Drive south of Alessandro Boulevard	28,000	105	227	489	74.2
Auto Mall Drive between Eucalyptus Avenue and Moreno Beach Drive	6,300	57	118	252	68.8
Redlands Boulevard north of Eucalyptus Avenue/Fir Avenue	25,600	99	214	460	73.8
Redlands Boulevard between Eucalyptus Avenue/Fir Avenue and Encilia Avenue/Eucalyptus Avenue	16,100	73	157	338	71.7
Redlands Boulevard between Encilia Avenue/Eucalyptus Avenue and Cottonwood Avenue	16,300	74	158	341	71.8
Redlands Boulevard between Cottonwood Avenue and Alessandro Boulevard	16,000	73	156	336	71.7
Redlands Boulevard south of Alessandro Boulevard	16,400	74	159	342	71.8

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA = A-weighted decibel.
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.
Source: Table I, *Noise Impact Analysis Eucalyptus Industrial Park,* City of Moreno Valley. LSA Associates, Inc. November 2011.

Table 4.9.K: Project Build Out Year (2035) With Project Traffic Noise Levels

Roadway Segment	ADT	CL 70 CNEL (feet)	CL to 65 CNEL (feet)	CL to 60 CNEL (feet)	CNEL (dBA) 50 feet from CL of Outermost Lane	Increase CNEL (dBA) 50 feet from CL to Outermost Lane
Eucalyptus Avenue west of Nason Street	9,500	85	178	381	71.0	0.0
Eucalyptus Avenue between Nason Street and Fir Avenue	12,100	99	209	448	72.1	0.1
Eucalyptus Avenue between Fir Avenue and Moreno Beach Drive	10,100	76	161	345	70.8	0.1
Eucalyptus Avenue between Moreno Beach Drive and Auto Mall Drive	13,000	90	190	408	71.9	1.0
Eucalyptus Avenue/Fir Avenue between Auto Mall Drive and Redlands Boulevard	12,000	85	180	387	71.6	1.3
Fir Avenue east of Redlands Boulevard	18,200	111	238	511	73.4	0.1
Nason Street north of Eucalyptus Avenue	22,300	127	272	585	74.3	0.0
Nason Street between Eucalyptus Avenue and Alessandro Boulevard	33,300	191	408	878	76.5	0.1

Table 4.9.K: Project Build Out Year (2035) With Project Traffic Noise Levels

Roadway Segment	ADT	CL 70 CNEL (feet)	CL to 65 CNEL (feet)	CL to 60 CNEL (feet)	CNEL (dBA) 50 feet from CL of Outermost Lane	Increase CNEL (dBA) 50 feet from CL to Outermost Lane
Nason Street south of Alessandro Boulevard	28,100	148	317	682	75.3	0.1
Moreno Beach Drive north of Eucalyptus Avenue	37,400	179	383	825	76.5	0.2
Moreno Beach Drive between Eucalyptus Avenue and Cottonwood Avenue	20,700	140	298	640	74.4	0.0
Moreno Beach Drive between Cottonwood Avenue and Alessandro Boulevard	22,100	90	194	417	73.1	0.0
Moreno Beach Drive south of Alessandro Boulevard	28,000	105	227	489	74.2	0.0
Auto Mall Drive between Eucalyptus Avenue and Moreno Beach Drive	6,500	58	121	258	68.9	0.1
Redlands Boulevard north of Eucalyptus Avenue/Fir Avenue	28,300	106	229	492	74.4	0.4
Redlands Boulevard between Eucalyptus Avenue/Fir Avenue and Encilia Avenue/Eucalyptus Avenue	16,300	74	158	341	71.8	0.1
Redlands Boulevard between Encilia Avenue/Eucalyptus Avenue and Cottonwood Avenue	16,400	74	159	342	71.8	0.0
Redlands Boulevard between Cottonwood Avenue and Alessandro Boulevard	16,100	73	157	338	71.7	0.0
Redlands Boulevard south of Alessandro Boulevard	16,400	74	159	342	71.8	0.0

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA = A-weighted decibel
CL = centerline NA = Not Applicable
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.
Source: Table J, *Noise Impact Analysis Eucalyptus Industrial Park,* City of Moreno Valley. LSA Associates, Inc. November 2011.

General Plan Build Out Year Analysis. Increases in noise levels associated with the General Plan Build Out Year traffic conditions on area roadways range from 0 dBA to 0.9 dBA. The greatest increase in noise levels is along Eucalyptus Avenue between Auto Mall Drive and Redlands Boulevard, where an increase of up to 0.9 dBA is predicted, with the ambient noise level predicted to be 73.0 dBA at 50 feet from the centerline of the street. However, similar to the project build out year (2035) scenario, no noise-sensitive uses exist or are planned in the vicinity of the roadway segment. The existing surrounding land uses consist of the auto mall, commercial uses, and vacant land zoned for commercial uses. Therefore, noise impacts at the roadway segments where an increase of more than 3.0 dBA would occur are considered less than significant because there are no sensitive receptors located along the roadway segments that would be affected. All other roadway segments would have an increase in noise of less than 3.0 dBA, which would not be perceptible to the human ear in an outdoor environment. Therefore, no mitigation measures related to General Plan Build Out Year traffic noise would be required for off-site areas. Tables 4.9.L and 4.9.M depict General Plan Build Out Year traffic noise conditions without and with the proposed project.

Table 4.9.L: General Plan Build Out Year Without Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Eucalyptus Avenue west of Nason Street	19,700	135	288	619	74.2
Eucalyptus Avenue between Nason Street and Fir Avenue	17,300	125	264	568	73.6
Eucalyptus Avenue between Fir Avenue and Moreno Beach Drive	13,600	92	196	421	72.1
Eucalyptus Avenue between Moreno Beach Drive and Auto Mall Drive	16,100	103	219	471	72.8
Eucalyptus Avenue/Fir Avenue between Auto Mall Drive and Redlands Boulevard	13,700	93	197	423	72.1
Fir Avenue east of Redlands Boulevard	20,600	121	258	555	73.9
Nason Street north of Eucalyptus Avenue	24,600	136	290	624	74.7
Nason Street between Eucalyptus Avenue and Alessandro Boulevard	33,100	190	407	875	76.5
Nason Street south of Alessandro Boulevard	27,800	147	315	677	75.2
Moreno Beach Drive north of Eucalyptus Avenue	48,100	211	453	976	77.6
Moreno Beach Drive between Eucalyptus Avenue and Cottonwood Avenue	25,400	160	341	733	75.3
Moreno Beach Drive between Cottonwood Avenue and Alessandro Boulevard	22,800	92	198	426	73.3
Moreno Beach Drive south of Alessandro Boulevard	28,000	105	227	489	74.2
Auto Mall Drive between Eucalyptus Avenue and Moreno Beach Drive	7,500	64	132	283	69.5
Redlands Boulevard north of Eucalyptus Avenue/Fir Avenue	28,000	105	227	489	74.2
Redlands Boulevard between Eucalyptus Avenue/Fir Avenue and Encilia Avenue/Eucalyptus Avenue	18,200	79	170	367	72.3
Redlands Boulevard between Encilia Avenue/Eucalyptus Avenue and Cottonwood Avenue	16,700	75	161	346	71.9
Redlands Boulevard between Cottonwood Avenue and Alessandro Boulevard	18,900	81	175	376	72.4

Table 4.9.L: General Plan Build Out Year Without Project Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane
Redlands Boulevard south of Alessandro Boulevard	23,100	93	200	430	73.3

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA = A-weighted decibel.
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.
Source: Table K, *Noise Impact Analysis Eucalyptus Industrial Park,* City of Moreno Valley. LSA Associates, Inc. November 2011.

Table 4.9.M: General Plan Build Out Year With Project Traffic Noise Levels

Roadway Segment	ADT	CL 70 CNEL (feet)	CL to 65 CNEL (feet)	CL to 60 CNEL (feet)	CNEL (dBA) 50 feet from CL of Outermost Lane	Increase CNEL (dBA) 50 feet from CL to Outermost Lane
Eucalyptus Avenue west of Nason Street	19,900	136	290	623	74.2	0.0
Eucalyptus Avenue between Nason Street and Fir Avenue	17,600	126	268	574	73.7	0.1
Eucalyptus Avenue between Fir Avenue and Moreno Beach Drive	13,900	94	199	427	72.2	0.1
Eucalyptus Avenue between Moreno Beach Drive and Auto Mall Drive	18,700	113	242	520	73.5	0.7
Eucalyptus Avenue/Fir Avenue between Auto Mall Drive and Redlands Boulevard	16,700	105	224	482	73.0	0.9
Fir Avenue east of Redlands Boulevard	20,800	122	260	558	74.0	0.1
Nason Street north of Eucalyptus Avenue	24,600	136	290	624	74.4	0.0
Nason Street between Eucalyptus Avenue and Alessandro Boulevard	33,500	191	410	882	76.5	0.1
Nason Street south of Alessandro Boulevard	28,100	148	317	682	75.3	0.1
Moreno Beach Drive north of Eucalyptus Avenue	50,100	217	466	1003	77.8	0.2
Moreno Beach Drive between Eucalyptus Avenue and Cottonwood Avenue	25,500	160	342	735	75.3	0.0
Moreno Beach Drive between Cottonwood Avenue and Alessandro Boulevard	23,000	93	199	429	73.3	0.0
Moreno Beach Drive south of Alessandro Boulevard	28,000	105	227	489	74.4	0.0
Auto Mall Drive between Eucalyptus Avenue and Moreno Beach Drive	7,700	65	135	288	69.6	0.1
Redlands Boulevard north of Eucalyptus Avenue/Fir Avenue	30,700	112	241	519	74.6	0.4

Table 4.9.M: General Plan Build Out Year With Project Traffic Noise Levels

Roadway Segment	ADT	CL 70 CNEL (feet)	CL to 65 CNEL (feet)	CL to 60 CNEL (feet)	CNEL (dBA) 50 feet from CL of Outermost Lane	Increase CNEL (dBA) 50 feet from CL to Outermost Lane
Redlands Boulevard between Eucalyptus Avenue/Fir Avenue and Encilia Avenue/Eucalyptus Avenue	18,400	80	172	369	72.3	0.0
Redlands Boulevard between Encilia Avenue/Eucalyptus Avenue and Cottonwood Avenue	16,900	75	162	349	72.0	0.1
Redlands Boulevard between Cottonwood Avenue and Alessandro Boulevard	19,000	82	175	377	72.5	0.1
Redlands Boulevard south of Alessandro Boulevard	23,100	93	200	430	73.3	0.0

ADT = Average Daily Trips CNEL = Community Noise Equivalent Level dBA = A-weighted decibel
CL = centerline NA = Not Applicable
*Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.
Source: Table K, *Noise Impact Analysis Eucalyptus Industrial Park,* City of Moreno Valley. LSA Associates, Inc. November 2011.

4.9.5.5 Long-Term Operational Noise Impacts

Threshold:	Would the project cause exposure of persons to or generation of noise levels in excess of standards established in the *City of Moreno Valley General Plan, Moreno Valley Municipal Code*, or applicable standards of other agencies?

Potential long-term stationary noise impacts would primarily be associated with operations at the proposed warehouse and the light industrial uses. The proposed on-site uses would generate noise from truck delivery, loading/unloading activities at the loading areas, and other noise-producing activities within the parking lot. These activities are potential point sources of noise that could affect noise-sensitive receptors adjacent to the loading areas and parking lots, such as the existing residential uses to the southeast of the project site.

The project site is adjacent to SR-60 on the north, the auto center and vacant land on the west zoned for commercial uses, and vacant land to the east and south zoned for low-density residential uses. There are single-family residential uses located approximately 50 feet southeast of the southern boundary of the project site, approximately 395 feet southeast of the proposed warehouse buildings and approximately 664 feet southeast of the proposed loading docks.

As indicated in the project's site plan (Figure 1.2), proposed Buildings 1 and 2 have loading/unloading areas on the south side facing Eucalyptus Avenue. Building 3 has loading/unloading areas on the north side facing Eucalyptus Avenue. Buildings 4 and 5 have loading/unloading areas located on the east side of the buildings, and Building 6 has the loading/unloading area on the west side of the building facing Building 5. The closest warehouse buildings (Buildings 5 and 6) with loading docks facing the residential areas to the southeast are approximately 664 feet from these existing residences to the southeast. The proposed Building 6 would provide partial shielding to the residences to the southeast from loading/unloading activities at Buildings 5 and 6. Noise associated with loading/unloading activities would potentially affect these existing and future residential uses. Other on-site, noise-producing activities may include traffic and activity within the parking lot (talking, horn blowing, vehicle door slamming, truck idling, etc.).

As noise spreads from a source, it loses energy; therefore, the farther away the noise receiver is from the noise source, the lower the perceived noise level would be. Geometric spreading causes the sound level to attenuate or be reduced, resulting in a 6 dBA reduction in the noise level for each doubling of distance from a single-point source of noise, such as an idling truck, to the noise-sensitive receptor of concern. Although individual activity may generate relatively high and intermittent noise, when added to the typically lower ambient noise and averaged over a longer period, the cumulative noise level would be much lower and would be considered a less than significant impact.

Based on the preliminary site plan, the shortest distance (approximately 664 feet) from the existing residences to the nearest loading/unloading areas on the southeastern portion of the project site would result in a 22 dBA[1] noise attenuation (compared to the levels at 50 feet). The driveway along the southeastern side of the project site is approximately 600 feet from the nearest residences to the southeast, which also provides a noise attenuation of 22 dBA.[2]

Truck Delivery and Loading/Unloading. Delivery trucks for the proposed on-site warehouse uses would result in a maximum noise similar to noise readings from loading and unloading activities for other light industrial projects, which generate a noise level of 75 dBA L_{max} at 50 ft and is used in this analysis. Based on the above discussion, loading/unloading noise at Buildings 5 and 6 would be reduced to below 53 dBA L_{max} at ground level of the nearest residences southeast of the project site. This range of maximum noise levels is lower than the typical exterior noise standards of 75 dBA L_{max} during the day (7:00 a.m. to 10:00 p.m.) and the 65 dBA L_{max} standard during the night (10:00 p.m. to 7:00 a.m.). Although the typical truck unloading process takes an average of 15 to 20 minutes, this maximum intermittent noise level occurs in a much shorter period of time and would amount to less than a few minutes. It is not expected that this maximum noise level from truck loading/unloading activities at the proposed industrial uses would occur more than 30 minutes in any hour cumulatively during the daytime hours between 7:00 a.m. and 10:00 p.m. (with the 55 dBA L_{50} noise standard for events lasting no more than 30 minutes in any hour). Therefore, noise associated with loading and unloading activities at the loading areas associated with the proposed warehouse uses would not result in noise levels exceeding the typical daytime noise standards at the nearest residences to the southeast. In addition, if loading/unloading activities occur during the nighttime hours between 10:00 p.m. and 7:00 a.m., the cumulative noise level would be below the nighttime standard of 55 dBA L_{25} that is not to be exceeded for more than 15 minutes in any hour. Therefore, loading/unloading activities would not result in any significant noise impacts at the nearest off-site residential uses.

Similarly, loading/unloading noise from other on-site warehouse buildings (Buildings 1, 2, 3, and 4) would be reduced to below 50 dBA L_{max} at ground level of the nearest residences to the southeast from distance divergence and shielding provided by Buildings 5 and 6. This range of maximum noise levels is lower than the typical exterior noise standards of 75 dBA L_{max} (or the 55 dBA L_{50}) during the day (7:00 a.m. to 10:00 p.m.) and the 65 dBA L_{max} standard (or the 50 dBA L_{50}) during the night (10:00 p.m. to 7:00 a.m.). Therefore, noise associated with loading and unloading activities at the loading areas associated with the proposed warehouse buildings would not result in noise levels exceeding the typical daytime or nighttime noise standards at the nearest residences to the southeast. No mitigation measure is required.

Parking Lot Noise. Representative parking lot activities, such as conversing, doors slamming, engine startup, and slow-moving vehicles would generate approximately 60 to 70 dBA L_{max} at 50 feet. This level of noise is lower than that of the truck delivery and loading/unloading activities. With the noise attenuation effect from the distance divergence (minimum 600 feet and 22 dBA noise attenuation, and an additional 2 dBA noise reduction when measured at 200 feet from the project's

[1] Based on the sound pressure level equation of L = 20 Log (Distance / Reference Distance); where L is the sound level (in dBA), the value of 20 is 20 µPa (Pascal) root mean squared or 20 units of pressure (usually considered the threshold of hearing), multiplied by the logarithm of the distance divided by the reference distance, thus (log [664 ft ÷ 50 ft] = 1.123; 1.123 × 20 = 22.46).

[2] log [600 ft ÷ 50 ft] = 1.079; 1.079 × 20 = 21.58.

boundary) and the proposed on-site warehouse buildings, noise in the parking lots of the warehouse uses would not be a significant noise impact with respect to existing residences to the southeast of the project site. No mitigation is required.

Other Potential On-site Operational Noises. It is anticipated that the proposed uses would have some sort of speaker system at the truck loading docks. As stated previously, the closest warehouse buildings (Buildings 5 and 6) with loading docks adjacent to the residential areas to the southeast are approximately 664 ft from these existing residences to the southeast. The proposed Building 6 would provide partial shielding to the residences to the southeast from the loading docks area at Buildings 5 and 6. Noise associated with loudspeaker use at these loading docks would be attenuated by 13 dBA with the distance alone. Building 6 would provide, at a minimum, 8 dBA reduction for these existing residences to the southeast. Typical loudspeakers generate a sound level of 75 dBA L_{max} at 50 ft. With the distance attenuation and building shielding effect, the speaker noise at the nearest residences will be at or below 54 dBA L_{max}. This range of maximum noise levels is lower than the typical exterior noise standards of 75 dBA L_{max} (or the 55 dBA L_{50}) during the day (7:00 a.m. to 10:00 p.m.) and the 65 dBA L_{max} standard (or the 50 dBA L_{50}) during the night (10:00 p.m. to 7:00 a.m.). Therefore, noise associated with loading dock speakers at the proposed warehouse buildings would not result in noise levels exceeding the typical daytime or nighttime noise standards at the nearest residences to the southeast. No mitigation measure is required.

The proposed project would have rooftop heating, ventilating, and air conditioning (HVAC) mechanical equipment, as well as ground-floor garbage compactors. Although no final design is available at this time for the type and location of the rooftop mechanical units, based on noise measurements conducted at a similar use, rooftop HVAC units generate noise levels of approximately 62 dBA at 50 ft. The minimum distance between the residences to the southeast and feasible rooftop equipment location is 450 ft, which would provide 19 dBA in noise attenuation by distance divergence when compared to the noise level measured at 50 ft. In addition, the parapet or edge of the roof would provide an additional 3 to 5 dBA in noise reduction for ground-floor receptors. Therefore, noise levels at the nearest residences to the southeast, attributable to the rooftop mechanical equipment, would be below 40 dBA. This range of noise levels is much lower than traffic noise on roadways in the project area and the loading/unloading and truck movement noise. No significant noise impacts are anticipated from the rooftop mechanical equipment.

Noise associated with garbage compactors is approximately 70 dBA at 6 ft. It is assumed that two garbage compactors would be located at the loading docks on the south side of the proposed buildings. These compactors would be approximately 390 ft from the nearest residences to the southeast. This distance provides approximately 36 dBA in noise attenuation when compared to the noise level measured at 6 ft. The noise attenuation provided by the distance divergence would reduce the noise associated with the garbage compactor to less than 34 dBA. No significant noise impacts from the garbage compactor would occur.

Interior Noise Standard. The typical maximum allowable interior noise levels for residential uses are 45 dBA between 10:00 p.m. and 7:00 a.m. and 50 dBA between 7:00 a.m. and 10:00 p.m. Typical Southern California homes with windows open would achieve up to 12 dBA in exterior to interior noise reduction. When windows are closed, the noise attenuation increases to 24 dBA. Interior noise levels at the nearest residential homes to the southeast, attributable to loading/unloading activities from the nearest on-site light industrial use loading areas, would be reduced to 41 dBA L_{max} with windows open and to 29 dBA L_{max} with windows closed. This range of noise levels is compatible with or lower than typical household activity noise. Therefore, no significant interior noise impacts for these off-site residences would occur.

4.9.5.6 Noise Impacts to Adjacent Future Development

Threshold	Would the proposed project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Future development of the L-Aquila D'Pietra (LADP) project would result in the occupation of residential units in close proximity to noise-generating uses located within the limits of the proposed project site. Noise impacts resulting from the construction and occupation of the LADP would be fully addressed in the environmental document for that project. While CEQA generally discourages the use of speculation in EIRs, in light of the existing condition, following discussion provides data on conditions that *may* occur if the LADP were developed as currently proposed. The following discussion is speculative and is included for information purposes only. It must not be used to assess impacts associated with the construction or operation of the LADP or to assign mitigation on the proposed project.

Based on the land use assumptions for the future LADP project, residential development would be located along the southern project boundary between the proposed project and the proposed LADP. It is anticipated that the proposed project site would be fully developed prior to the occupation of any dwelling units in LADP; therefore, no construction-related noise impacts to future adjacent sensitive receptors would result from development of the proposed project.

Truck Movements on Service Driveways and Loading/Unloading Operations. The nearest truck docks are located approximately 255 feet from the southern boundary of the project site and approximately 280 feet from the nearest future residence. Buildings on the project site would provide some noise attenuation for noise occurring at the truck dock. The nearest internal driveways are located approximately 5 feet from the southern boundary of the project and approximately 30 feet from the nearest future LADP residence. However, this service roadway is not anticipated to be utilized as a truck driveway as the width of the closest internal driveway is 30 feet. Other truck driveways located on site are 36 feet or 40 feet in width, which would accommodate trucks more easily. In addition, based on the conceptual site plan for the proposed project, it is reasonable to conclude that the internal driveway on the southern side of Buildings 5 and 6 would be utilized by passengers cars as the internal driveway is an access point for employee parking. Therefore, based on these assumptions, the nearest internal driveway that would be utilized by trucks on a daily basis would be farther north, between Buildings 4 and 5. This 36-foot wide driveway would be approximately 255 feet from the southern boundary of the project site and approximately 280 feet from the nearest future LADP residence.

At a distance of approximately 280 feet, distance divergence provides 15 dBA in noise attenuation. Additionally, it is assumed that the proposed development would include a 6-foot screening wall that would provide an additional 5 dBA in noise attenuation. Therefore, noise levels at the future LADP residential uses would be approximately 55 dBA L_{max}[1].. When measured at 200 feet from the project's boundary, this noise level would be attenuated to 51 dBA L_{max} and would not exceed the City's residential exterior noise standards of 60 dBA L_{max} during the day (8:00 a.m. to 10:00 p.m.) and the 55 dBA L_{max} standard during the night (10:00 p.m. to 8:00 a.m.). A less than significant impact would occur and no mitigation is required.

Parking Lot Noise. Representative parking lot activities, such as conversing, doors slamming, engine startup, and slow-moving vehicles would generate approximately 60 to 70 dBA L_{max} at 50 feet. This level of noise is lower than that of the truck delivery and loading/unloading activities. With the noise attenuation effect from the distance divergence (minimum 280 feet and 15 dBA noise attenuation, and an additional 4 dBA noise reduction when measured at 200 feet from the project's boundary) and the proposed on-site warehouse buildings, noise in the parking lots of the warehouse

[1] 75 dBA L_{max} – 15 dBA L_{max} – 5 dBA L_{max} = 55 dBA L_{max}.

uses would not be a significant noise impact with respect to future residences to the south of the project site. No mitigation is required.

Heating, Ventilating, and Air Conditioning Equipment. Rooftop HVAC units generate noise levels of approximately 62 dBA at 50 feet. The future proposed residences are located approximately 185 feet to the south from the nearest potential on-site rooftop HVAC equipment location. With the effect of distance divergence, noise generated by HVAC equipment would be reduced at the closest future residence when compared with the noise level measured at 50 feet. Additionally, the roof edge (parapet) creates a noise barrier that reduces noise levels from rooftop HVAC units by an additional 3 to 5 dBA or more for ground floor receptors. The HVAC noise would be attenuated to 48 dBA or lower at the nearest future residence. At 200 feet from the project's boundary, this noise would be further reduced to 44 dBA. Because of the attenuation achieved, the City's exterior noise standard of 60 dBA L_{dn}/CNEL for HVAC equipment in residential district would not be exceeded at the nearest future residence, no significant noise impact resulting from the operation of rooftop HVAC equipment would occur and no mitigation is required.

Garbage Compactor Noise. Garbage compactors generate approximately 70 dBA L_{max} at 6 feet. The nearest garbage compactors would be located approximately 255 feet from the proposed LADP residences. With the effect of distance divergence, noise generated by garbage compactors would be reduced at the closest residences. When measured at 200 feet from the project's boundary, noise from the garbage compactor would be reduced to 33 dBA L_{max}. Because the City's exterior noise standard of 60 dBA L_{max} during the day and 55 dBA L_{max} during the night would not be exceeded at the nearest sensitive noise receptors, no significant noise impacts from the on-site garbage compactors would occur. In the absence of any significant impact, no mitigation is required.

Other Potential On-site Operational Noise Sources. It is anticipated that the proposed uses would have some sort of speaker system at the truck loading docks. As stated previously, the closest warehouse buildings (Buildings 4) with loading docks adjacent to the residential areas to the southeast are approximately 280 feet from these potential future residences to the south. The proposed Building 4 would provide partial shielding to the future potential residences to the south from the loading docks area. Typical loud speakers generate a sound level of 75 dBA L_{max} at 50 feet and buildings would provide a minimum of 8 dBA shielding reduction for these future potential residences to the south. With the distance attenuation, the speaker noise at the nearest future residence would be reduced to 52 dBA L_{max} and at 200 feet from the project's boundary, the noise would be reduced to 48 dBA L_{max}. This range of noise levels will be lower than the City's exterior noise standards of 55 dBA L_{max}[1] standard. Therefore, noise associated with loading dock speakers at the proposed warehouse buildings would not result in noise levels exceeding the typical daytime or nighttime noise standards at the nearest residences to the southeast. No mitigation measures are required.

Combined Noise Level from On-site Stationary Sources. Similar to the discussions above for the existing residences to the southeast, most of the on-site stationary sources would occur intermittently and they do not usually occur at the same time with their maximum noise level. Therefore, it is not practical to add their noise together for a combined noise level at a specific receptor location. Assuming a worst-case scenario of all these noise sources occurring at the same time with their maximum noise level, the maximum noise level measured at 200 feet from the project's southern boundary would be 55 dBA L_{max}. Although this "combined" noise level is not likely to occur, if it occurs, it would not exceed the City's 55 dBA L_{max} nighttime standard for residential uses.

[1] *Chapter 11.80.030 City of Moreno Valley Municipal Code,* City of Moreno Valley.

4.9.6 Significant Impacts

4.9.6.1 Short-Term Construction Noise Impacts

Threshold:	Would the project result in a substantial temporary, periodic, and/or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Two types of short-term noise impacts could occur during the construction of the proposed project. First, construction crew commutes and the transport of construction equipment and materials to the site for the proposed project would incrementally increase noise levels on access roads leading to the site. There would be a relatively high single-event noise exposure potential at a maximum level of 87 dBA L_{max} with trucks passing at 50 feet. However, the projected construction traffic would be small when compared with the existing traffic volumes on SR-60, Eucalyptus Avenue, and other affected streets. Furthermore, the proposed project's truck traffic will not travel on roadways adjacent to the existing residences, as Encilia Avenue does not provide access to the project site. Therefore, short-term construction-related worker commutes and equipment transport noise impacts would be less than significant and no mitigation is required.

The second type of short-term noise impact is related to noise generated during excavation, grading, and building erection on the project site. Construction is completed in discrete steps, each of which has its own mix of equipment, and consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on the site, and therefore, the noise levels surrounding the site as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase. Table 4.9.N lists typical construction equipment noise levels recommended for noise-impact assessments, based on a distance of 50 feet between the equipment and a noise receptor. Typical noise levels range up to 91 dBA L_{max} at 50 feet during the noisiest construction phases. The site preparation phase, which includes excavation and grading of the site, tends to generate the highest noise levels, because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve one or two minutes of full-power operation followed by three to four minutes at lower power settings.

Table 4.9.N: Typical Construction Equipment Maximum Noise Levels

Type of Equipment	Range of Maximum Sound Levels Measured (dBA at 50 feet)	Suggested Maximum Sound Levels for Analysis (dBA at 50 feet)
Pile Drivers, 12,000 to 18,000 ft-lb/blow	81 to 96	93
Rock Drills	83 to 99	96
Jack Hammers	75 to 85	82
Pneumatic Tools	78 to 88	85
Pumps	74 to 84	80
Dozers	77 to 90	85
Tractors	83 to 91	80
Scrapers	83 to 94	87
Haul Trucks	79 to 86	88
Cranes	71 to 87	82
Portable Generators	75 to 82	80
Rollers	77 to 82	80

Table 4.9.N: Typical Construction Equipment Maximum Noise Levels

Type of Equipment	Range of Maximum Sound Levels Measured (dBA at 50 feet)	Suggested Maximum Sound Levels for Analysis (dBA at 50 feet)
Front-End Loaders	77 to 90	86
Hydraulic Backhoe	81 to 90	86
Hydraulic Excavators	81 to 90	86
Graders	79 to 89	86
Air Compressors	76 to 89	86
Trucks	81 to 87	86

Source: Noise Control for Buildings and Manufacturing Plants, Bolt, Beranek & Newman, 1987

Construction of the proposed project is expected to require the use of scrapers, bulldozers, and water and pickup trucks. Based on the information in Table 4.9.N, the maximum noise level generated by each scraper on the proposed project site is assumed to be approximately 87 dBA L_{max} at 50 feet from the scraper. Each bulldozer would generate approximately 85 dBA L_{max} at 50 feet. The maximum noise level generated by water and pickup trucks is approximately 86 dBA L_{max} at 50 feet from these vehicles. Each doubling of the sound sources with equal strength increases the noise level by three (3) dBA. Assuming that each piece of construction equipment operates at some distance from the other equipment, the worst-case composite noise level during this phase of construction would be 91 dBA L_{max} at a distance of 50 feet from the active construction area.

The nearest receptor locations to the project site boundary are existing residences approximately 50 feet to the southeast. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 91 dBA L_{max}, generated by construction activities on the project site. This noise level would exceed the City's exterior noise standard of 60 dBA[1] CNEL for residential uses. However, no significant construction noise impacts would occur if construction of the proposed project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on Sundays and Federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures have been identified to reduce the noise levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards.

Mitigation Measures. Construction of the proposed project would result in noise levels at the closest residences exceeding the maximum noise level allowed under the City's Municipal Code. The following measures would reduce short-term construction-related noise impacts associated with the proposed project:

4.9.6.1A During all project site excavation and grading on site, the project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.

4.9.6.1B The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest to the project site.

4.9.6.1C 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 to the project site during all project construction.

4.9.6.1D During all project site construction activities, the construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours

[1] *Chapter 11.80.030 Table 11.80.030-2, City of Moreno Valley Municipal Code,* City of Moreno Valley.

of 6:00 a.m. and 8:00 p.m. on weekdays and between the hours of 7:00 a.m. to 8:00 p.m. on weekends and holidays, unless written approval is obtained from the City Building Official or City Engineer.

Level of Significance after Mitigation. With the implementation of the proposed mitigation measures, potential short-term noise impacts would be reduced below the level of significance.

4.9.7 Cumulative Impacts

The cumulative area for noise impacts is the City of Moreno Valley. Cumulative projects are identified in Chapter 2.0, Table 2.A and Figure 2.1. Implementation of the proposed project would result in the introduction of new noise sources and levels. Construction crew commutes and the transport of construction equipment, materials, and fill to the site for the proposed project would incrementally increase noise levels on access roads leading to the site. Secondary sources of noise would include noise generated during excavation, grading, and building erection on the project site. The net increase in project site noise levels generated by these activities and other sources has been quantitatively estimated and compared to the applicable noise standards and thresholds of significance. Although it is not possible to predict if contiguous properties may be constructed at the same time and create cumulative noise impacts that would be greater than if developed at separate times, it is unlikely that adjacent properties will be developed at the same time as the proposed project. However, in the unlikely event that adjacent properties are developed at the same time as the proposed project, implementation of the stated mitigation measures would render the cumulative impacts of the proposed project to less than significant levels. The noise analysis contained in this section also provides an assessment of on-site operational noise level impacts onto adjacent sensitive uses, both existing and future. Additionally, on-site operational noises are individual noise occurrences and are not additive in nature.

Cumulative traffic volumes were developed from the addition of traffic generated by approved and pending projects to opening year with project traffic volumes. Cumulative noise impacts associated with roadway noise have been addressed based on the cumulative traffic volumes. The increases over existing traffic volume are attributable to cumulative development projects in the project vicinity and region. As indicated, the cumulative roadway noise (with project) assessment concludes that noise levels along two roadway segments would exceed baseline noise levels by 3 dBA or more. Noise levels along this segment would occur even if the proposed project did not proceed. As stated earlier, the baseline condition represents a noise environment that, in light of approved and continuing development in the project area, is not likely to be replicated. Comparing cumulative noise levels that would occur both with and without the project, the proposed project would not expose sensitive uses located adjacent to area roadways to excessive noise levels. As indicated, the future roadway noise assessment concludes that there will be no significant roadway noise impacts associated with cumulative and cumulative plus project conditions. Therefore, there are no projects that would, in combination with the proposed project, produce significant noise impacts to sensitive land uses from on-site operational noise. Thus, no cumulatively considerable noise impacts are expected to occur in this area, and the proposed project will not make a significant contribution to cumulative noise impacts, so no additional mitigation measures are required.

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4.10 POPULATION AND HOUSING

This section identifies population and housing conditions within the City of Moreno Valley and addresses potential impacts that may result from the construction and operation of the proposed on-site uses. The analysis is based in part on population and housing projections identified by the California Department of Finance (DOF), Southern California Association of Governments (SCAG), as well as information contained in the City's General Plan.

4.10.1 Existing Setting

4.10.1.1 Population Characteristics

For the most recent year data available (2010), the U.S. Census Bureau estimated the City's population to be 193,365 persons. As detailed in Table 4.10.A, this population represents a 35.8 percent increase from the population recorded during the previous Federal Census in 2000. The rate of population growth that occurred in the City since 2000 was considerably higher than the population growth experienced in the City between 1990 and 2000, even with the economic and housing downturn in the later part of the decade.

Table 4.10.A: City of Moreno Valley Population

Census Year	Population	Increase
1990	118,881[1]	—
2000	142,381[1]	19.9%
2010	193,365[2]	35.8%

[1] U.S. Census Bureau: State and County QuickFacts. Data derived from Population Estimates, 2000 and 1990 Census of Population and Housing.

[2] U.S. Census Bureau website accessed December 28, 2011 for April 1, 2010 data. http://www.dof.ca.gov/research/demographic/state_census_data_center/census_2010/documents/2010Census

4.10.1.2 Housing Characteristics

The number of dwelling units in the City has increased to accommodate the City's growing population (Table 4.10.B). Currently, the DOF identifies that 42,595 units or nearly 80 percent of the existing housing units in the City are single-family detached units (Table 4.10.C). Multiple-unit dwellings comprise approximately 16 percent of the City's current housing stock.

Table 4.10.B: City of Moreno Valley Housing Units, 1990, 2000, and 2008

Year	Housing Units	Increase
1990	37,935[1]	—
2000	41,431[1]	9.2%
2008	53,127[2]	28.2%

[1] U.S. Census Bureau: State and County QuickFacts. Data derived from Population Estimates, 2000 and 1990 Census of Population and Housing.

[2] Department of Finance. Table E-5: City/County Population and Housing estimates, Revised January 1, 2008. http://www.dof.ca.gov/research/demographic/reports/estimates/e-5_2001-06/documents/E-5_2008%20Internet%20Version.xls web site accessed May 1, 2008.

Table 4.10.C: City of Moreno Valley Composition of the Housing Stock, 2008

Housing Type	Number of Units	Percentage
Single-Family, Detached	42,595	80.1%
Single-Family, Attached	1,031	1.9%
2- to 4-Unit Structure/ 5- or More Unit Structure	8,458	15.9%
Mobile Home	1,043	1.9%
Total	**53,127**	**100%**

Source: Department of Finance. Table E-5: City/ County Population and Housing estimates, Revised January 1, 2008. http://www.dof.ca.gov/research/demographic/reports/estimates/e-5_2001-06/documents/E-5_2008%20Internet%20Version.xls Web-site accessed May 1, 2008.

4.10.1.3 Employment Characteristics

As identified in Table 4.10.D, 23,072 jobs were located within the City. Two employment sectors, retail trade (32.7%) and education (21.9%), accounted for approximately half of jobs in the City.

Table 4.10.D: City of Moreno Valley 2005 Employment by Sector

Job Sector	Number of Employees	% of Employees
Retail Trade	7,559	32.7%
Education	5,075	21.9%
Other Services	1,703	7.3%
Health Services	1,607	6.9%
Construction	1,361	5.8%
Manufacturing	1,238	5.3%
Distribution/Transportation	1,164	5.0%
Hotel and Amusement Activities	758	3.2%
Financial, Insurance, Real Estate	757	3.2%
Business Services	559	2.4%
Government	392	1.6%
Agriculture	334	1.4%
Engineering and Management	311	1.3%
Utilities	259	1.1%
Total Employment	**23,072**	**100%**

Source: Demographic, Economic & Quality of Life Report, City of Moreno Valley, http://www.moreno-valley.ca.us/do_biz/pdfs/demo-economic-qol-0108.pdf, January 2008, date accessed May 1, 2008.

4.10.2 Existing Policies and Regulations

City of Moreno Valley General Plan. The City's General Plan Chapter 9 (Goals and Objectives) establishes goals and objectives to guide the development, redevelopment, and preservation of a balanced housing inventory within the City. Specific policies relevant to the proposed project include:

Objective 2.5 Promote a mix of industrial uses which provides 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.

Goal 2.2 An organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population, and promote the optimum

degree of health, safety, well-being, and beauty for all areas of the community, while maintaining a sound economic base.

Goal 2.4 A supply of housing in sufficient numbers suitable to meet the diverse needs of future residents and to support healthy economic development without creating an oversupply of any particular type of housing.

4.10.3 Thresholds of Significance

Significant population and housing impacts would result from the development of the proposed on-site uses if any of the following conditions occurred:

- Displacement of substantial amounts of existing housing, necessitating the construction of replacement housing elsewhere;
- Displacement of substantial numbers of people, necessitating the construction of replacement housing elsewhere; and/or
- Substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through the extension of roads or other infrastructure).

4.10.4 Methodology

To assess the potential housing and population impacts that may result from the development and occupation of the proposed on-site uses, the current condition of the project site, the historic and current population and housing characteristics, and future employment and population projections were identified. The analysis is based in part on population and housing projections identified by the DOF and SCAG, as well as information contained in the City's General Plan.

4.10.5 Less than Significant Impacts

As pertaining to the following issues, the construction and operation of the proposed on-site uses were determined to have no impact or a less than significant impact.

4.10.5.1 Population Growth

Threshold	Would the proposed project induce substantial population growth in an area, either directly (e.g., new homes and businesses) or indirectly (e.g., extension of roads and infrastructure)?

CEQA requires that an EIR discuss how a proposed project could induce growth. *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 (*CEQA Guidelines* §15126.2(d)). New employees of commercial or industrial development and new population from residential development represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area. Direct employment impacts reflect the initial or first-round increases in jobs and wages, which result from the creation of on-site jobs. Indirect impacts occurring as a consequence of the direct impacts, elsewhere within the project area, may result from the production of goods and services required to support the proposed on-site uses, and/or the production of goods and services required to meet consumer demand generated by wages paid to new employees.

As outlined in Section 4.8.6.1, the project will eliminate the potential for 681 multifamily residential units on the site that could have contributed to the City's affordable housing program in the future.

This was determined to be a significant housing impact, which could also incrementally reduce the future population in the City.

A project could also indirectly induce growth by reducing or removing barriers to growth or by creating a condition that attracts additional population or new economic activity. Under CEQA, growth inducement is not necessarily considered detrimental, beneficial, or of little significance to the environment. Typically, the growth-inducing potential of a project would be considered significant if it fosters 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 agencies (e.g., SCAG). Significant growth impacts could also occur if the project provides infrastructure or service capacity to accommodate growth beyond the levels 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.

As identified in Table 4.10.A, the City's population has grown steadily over the past decades. Population projections developed by the SCAG estimate the City's population will reach nearly 169,895 persons by 2010 and nearly 238,703 persons by 2030 (Table 4.10.E). Implementation of the proposed project would include a General Plan Amendment to change the land use designations in the southern portion of the site from residential 15 (R15), Residential 5 (R5), and Residential 2 (R2) to Business Park/Light Industrial, and a zone change of the entire 122.8-acre site from Business Park (BP), Business Park Mixed Use (BPX), Residential 15 District (R15), Residential 5 District (R5), and Residential Agriculture (RA-2) to Light Industrial (LI).

Table 4.10.E: Population, Housing, and Employment Forecasts

	2010	2020	2030
Population			
City of Moreno Valley	169,895 [1]	205,503	238,703
Riverside County	2,085,432	2,644,270	3,143,468
SCAG	19,208,661	21,137,519	22,890,797
Housing Units			
City of Moreno Valley	47,295	59,515	71,619
Riverside County	685,775	907,932	1,127,780
SCAG	6,072,578	6,865,355	7,660,107
Employment			
City of Moreno Valley	46,416	66,221	86,993
Riverside County	727,711	954,499	1,188,976
SCAG	8,729,192	9,659,847	10,527,202

[1] Actual U.S. Census Bureau population figure for the City in 2010 is 193,365.
Source http://:www.scag.ca.gov/forecast/downloads/2004GF.xls, 2004, and http://www.wrcog.cog.ca.us/downloads/wrcogsubregforecast.pdf date accessed May 1, 2008.

The "jobs-to-housing ratio" measures the extent to which job opportunities in a given geographic area are sufficient to meet the employment needs of area residents. Since most residents of the region are employed somewhere in the region, the standard used for comparison is the jobs-to-housing ratio of the southern California region. A sub-area of the region with a jobs-to-housing ratio lower than the overall standard would be considered a "jobs-poor" area, indicating that many of the residents must commute to places of employment outside the sub-area. The projected 2010 jobs-to-housing ratio for the City, subregion (Western Riverside County), and region (SCAG) are 0.98, 1.06, and 1.43, respectively (Table 4.10.F). As the projected 2010 jobs-to-housing ratio for the City is lower than both the sub-regional and regional ratio, the City is "jobs poor" (meaning more residents must commute outside the City for employment).

Table 4.10.F: Projected Future Jobs-to-Housing Ratios

	2010 Jobs-to-Housing Ratio*	2030 Jobs-to-Housing Ratio
City	0.98	1.21
Riverside County	1.06	1.05
SCAG	1.43	1.37

*Using Southern California Association of Governments' most recently adopted forecasts, the housing and employment estimates for 2010 are the closest to the current year for which the SCAG provides information; therefore, the 2010 estimates are used to calculate the jobs-to-housing ratio.

The development of the proposed on-site warehouse distribution uses would create new jobs in the local economy. Based on an employee generation factor of 1 employee for every 1,465 square feet of warehouse uses,[1] the proposed project would generate up to 1,532 job opportunities.[2] The new employment opportunities resulting from development of the proposed warehouse uses would improve the City's current jobs-to-housing ratio by providing jobs to local residents. While the places of residence of the persons accepting employment provided by the proposed uses is uncertain, due to the City's projected jobs-to-housing ratio, it is reasonable that a large percentage of these jobs would be filled by persons already living within the City or project area; therefore, no significant increase in population of the City would result from the development or operation of the proposed on-site uses. In the absence of a significant impact, no mitigation is required.

A Tentative Tract Map for a business park and single-family residential development had been previously approved by the City to subdivide the project site into 101 single-family residential units, but the loss of these potential residences to the existing housing stock would not be significant as the City is considered to have more residential units than jobs. Development of the property as proposed would result in a maximum of 681 fewer residential units in the City (previously referenced Table 4.8C), which would result in a jobs-to-housing ratio of 0.98 and 1.21 in 2010 and 2030 (previously referenced Table 4.10.F),[3] similar to the current projected ratios for these years. The decrease in dwelling units and increase in employment opportunities associated with development of the proposed project would incrementally improve (i.e., increase) the future jobs-to-housing balance in the City. While the increase in potential employment opportunities is a positive effect on the local economy, the loss of a potential for 681 residential units represents a significant impact on local housing, similar to the significant impact identified in Section 4.8.6.1 to the City's Housing Element. As with the Housing Element impact, there is no effective mitigation for this impact other than a project alternative that allows a similar amount of residential uses to be built on the site at some point in the future.

The proposed project would introduce a type of land use not historically associated with the rural character and lifestyle of the northeastern portion of the City, but it would provide an opportunity for the City to provide more land for employment-generating uses. The proposed project would provide some additional employment opportunities for Moreno Valley citizens, and would also have good access to the regional transportation system corridors such as SR-60. The proposed project is located in an area where various land uses already occur or are being planned. Such land uses include existing residential uses, public services uses, retail, and industrial uses.

[1] *Table II-B Average Employees Per Acre – Average of Riverside and San Bernardino Counties,* Employment Density Study Summary Report, Southern California Association of Government, The Natelson Company, Inc., October 31, 2001.

[2] 1 employee/1,465 square feet of warehouse use × 2,244,419 square feet of warehouse uses = 1,532 employees.

[3] Year 2010 jobs: 18,045. Year 2010 Housing (with project): 15,814. 18,045 ÷ 15,814 = 1.141 Year 2030 jobs: 25,370. Year 2010 Housing (with project): 24,595. 25,370 ÷ 24,595 = 1.032.

4.10.5.1 Displace Substantial Housing/People

Threshold	Would the proposed project displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere?

The project site is currently undeveloped and zoned by the City as "Business Park/Mixed Use" (BPX), "Business Park" (BP), Residential 15 District (R15), Residential 5 District (R5), and Residential Agriculture 2 District (RA-2). Although a Tentative Tract Map for a business park and single-family residential development had been previously approved by the City to subdivide the project site into 101 single-family residential units, the project site has not been historically utilized for residential uses, and no residential structures are currently located within the project limits. The construction and operation of the proposed on-site uses would neither displace existing housing or residents nor require the construction of replacement housing elsewhere in the City. However, the areas currently zoned for residential uses on the site could support up to 681 units, as shown in Table 4.10.G. Approximately 80 percent of that potential new housing was in the R15 category, which is considered high enough density to support affordable housing programs. In addition, a portion of the project site is shown in the latest Housing Element for the City (2008–2014) as a potential location for affordable housing in the future (2011 Housing Element, Vacant Properties Inventory). Development of the site as proposed could eliminate as many as 681 housing units from the site, with 80 percent of those units (548) at a density that is generally accepted as helping to promote housing affordability (15 units per acre) on a regional level. Economic conditions are very difficult for new housing sales at present, but these changes may incrementally hinder the City's ability to achieve its affordable housing goals in the future.

Table 4.10.G: Potential Housing Impacts

Zone	Acres/Density	Maximum Units	Average Units (80% of max)
R-15	36.5 ac × 15 du/ac	548	438
R-5	21.8 ac × 5 du/ac	109	87
RA-2	12.2 ac × 2 du/ac	24	19
Total	**70.5 acres**	**681**	**544**

Notes: R-15 Multi-Family; R-5 Suburban Residential; and RA-2 Residential Agriculture
Source: City General Plan Land Use Map, August 2010; City Zoning Map, November 7, 2011.

A portion of the project site is shown in the latest Housing Element for the City (2008–2014) as a potential location for multifamily residential affordable housing in the future (2011 Housing Element, Vacant Properties Inventory). The 2011 Housing Element (Table 20-8, *Sites Inventory Summary for All Income Groups*) states that the total number of potential affordable units from the Amended Inventory is 20,894 and the City's Regional Housing Needs Assessment (RHNA) allocation is 7,474, or 2.8 times as much as the RHNA allocation.

The loss of the (max) potential 548 units (R-15 land) from the proposed project would reduce the total potential affordable units from 20,894 to 20,346 or still 2.7 times the RHNA number. The proposed project would not reduce the City's potential pool of affordable housing to below its RHNA number; therefore, it would not create a significant impact related to the City's Housing Element.

The proposed project would not displace any existing residential units, nor would it trigger or require the construction of replacement housing elsewhere in the City. Therefore, there are no significant impacts related to this issue, and no mitigation is required.

4.10.6 Significant Impacts

Based on the analysis in Section 4.10.5, the proposed project will not result in any significant impacts related to population or housing.

4.10.7 Cumulative Impacts

The project includes development of 2.2 million square feet of new industrial uses, but would eliminate the potential for up to 681 new residential units, most of which would be in the R15 category, which can support affordable housing programs. The proposed industrial uses would provide additional employment opportunities for City and area residents. The proposed project, together with the other developments identified in Chapter 3, will serve existing and future cumulative demands for both housing and employment. The General Plan Amendment and Zone Change represents a cumulatively considerable housing impact within the City over the long term. The proposed uses would not induce significant population or housing growth in areas where growth was not previously anticipated.

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4.11 TRANSPORTATION AND TRAFFIC

This section analyzes the potential traffic and circulation impacts of the proposed project based on the *Traffic Impact Analysis* (TIA),[1] which is included in its entirety as Appendix I to this EIR. The TIA examines baseline and with-project traffic conditions for the existing (2011) conditions, as well as for the opening year of the proposed project (2016) and future (2035) conditions with the circulation system proposed in the General Plan Circulation Element.

4.11.1 Existing Setting

4.11.1.1 Existing Traffic Controls and Intersection Geometrics

An inventory of the existing study area street system was conducted by LSA Associates, Inc. (LSA) Existing study area locations are illustrated in Figure 4.11.1 and consist of 7 project driveways and 17 off-site intersections. In the project vicinity, existing Eucalyptus Avenue is a divided four-lane roadway, Auto Mall Drive is a divided four-lane roadway, and Redlands Boulevard is an undivided two-lane roadway.

4.11.1.2 Existing Traffic Volumes

Existing traffic conditions are based on a.m. and p.m. peak hour intersection turning movement counts collected by National Data and Surveying Services, Inc. (NDS) in July 2011. Count sheets are contained in the TIA, included as Appendix I of this EIR. Vehicle classification counts were conducted at the intersections of Nason Street/Alessandro Boulevard, Moreno Beach Drive/SR-60 Westbound Ramps, Moreno Beach Drive/SR-60 Eastbound Ramps, Moreno Beach Drive/Alessandro Avenue, Redlands Boulevard/SR-60 Westbound Ramps, Redlands Boulevard/SR-60 Eastbound Ramps, and Redlands Boulevard/Alessandro Boulevard. Passenger Car Equivalent (PCE) volumes for these locations were computed using a PCE factor of 1.5 for 2-axle trucks, 2.0 for 3-axle trucks, and 3.0 for trucks with 4 or more axles, values recommended by the City of Moreno Valley. The percentage of trucks at intersections where classification counts were not conducted was determined based on percentage of trucks and average truck PCE at the nearest intersection with classification counts. Detailed volume development worksheets are included in the TIA (Appendix I).

4.11.1.3 Existing Intersection Levels of Service

Traffic Level of Service Definitions. Level of service (LOS) will be referred to frequently in this section. Roadway operations and the relationship between capacity and traffic volumes are generally expressed in LOS, which are defined using the letter grades A through F (Table 4.11.A) and reflect the reality that conditions rapidly deteriorate as traffic approaches the absolute capacity of the roadway facility.

LOS was used in the traffic study to determine whether there is adequate traffic operation at each of the study intersections. These intersections were selected based on the City of *Moreno Valley* Public Works Department staff recommendations. The distribution of project trips was developed in consultation with City staff by examining the location of the proposed project trips in relation to the surrounding residential areas, as well as the regional roadway network, which follows current practice. The ramp terminus intersections on SR-60 are under the jurisdiction of Caltrans; all other study intersections are under the jurisdiction of the City of Moreno Valley.

[1] *Traffic Study, Eucalyptus Industrial Park,* prepared for ProLogis by LSA Associates, Inc., April 24, 2012.

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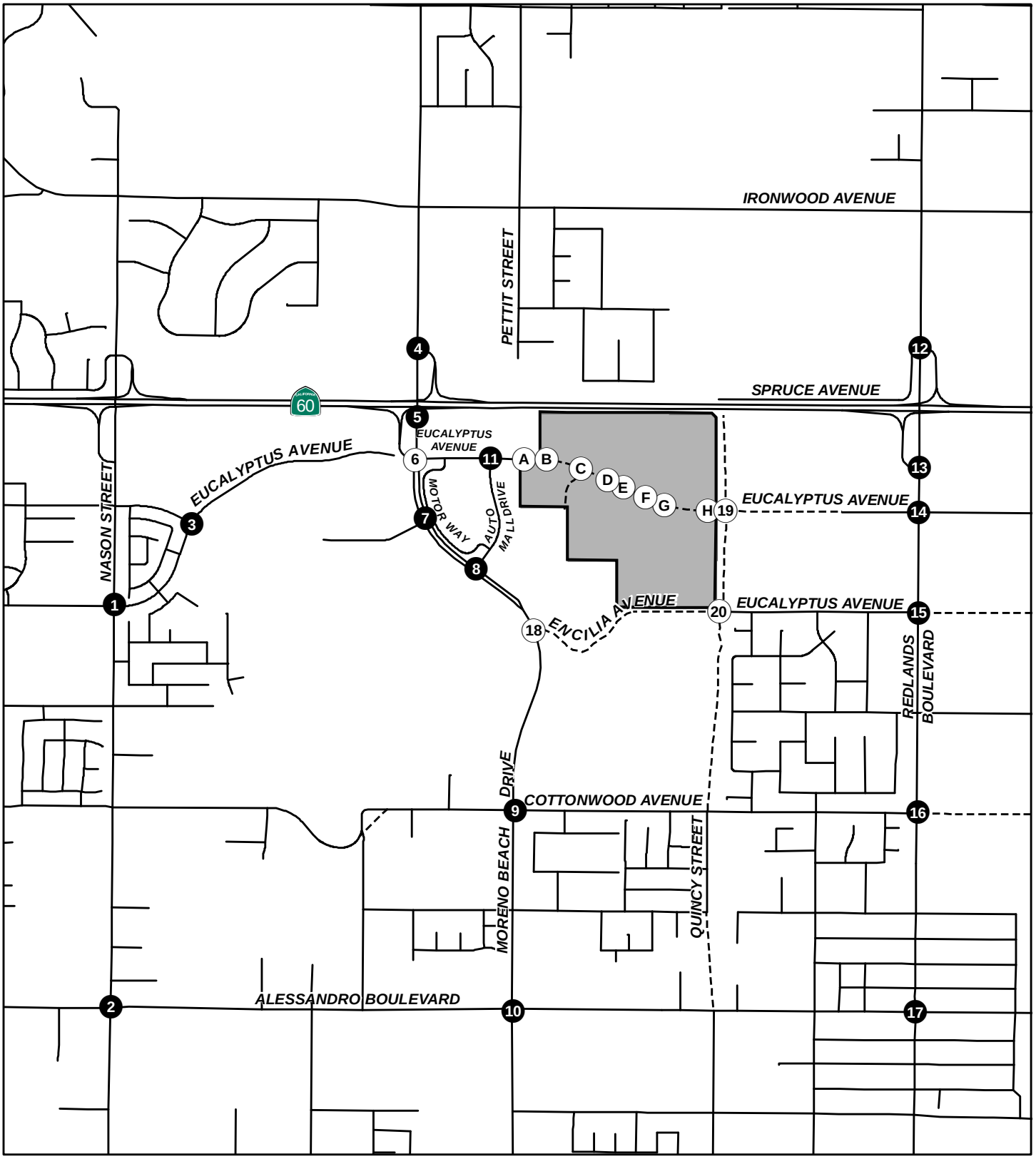

LSA

FIGURE 4.11.1

Project Location

Study Area Intersections

Existing Intersection

Future Intersection

Future Road

N

0 900 1,800

FEET

SOURCE: Riverside County, 2011

Eucalyptus Industrial Park
Environmental Impact Report

Existing Study Area Intersections

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Table 4.11.A: Traffic Level of Service (LOS) Definitions

LOS	Description
A	No approach phase is fully utilized by traffic and no vehicle waits longer than one red indication. The approach appears quite open, turns are made easily, and nearly all drivers find freedom of operation.
B	This service level represents stable operation, where an occasional approach phase is fully utilized and a substantial number approach full use. Many drivers begin to feel restricted within platoons of vehicles.
C	This level still represents stable operating conditions. Occasionally drivers may have to wait through more than one red signal indication, and backups may develop behind turning vehicles. Most drivers feel somewhat restricted, but not objectionably so.
D	This level encompasses a zone of increasing restriction approaching instability at the intersection. Delays to approaching vehicles may be substantial during short peaks within the peak period; however, enough cycles with lower demand occur to permit periodic clearance of developing queues, thus preventing excessive backups.
E	Capacity occurs at the upper end of this service level. It represents the most vehicles that any particular intersection approach can accommodate. Full utilization of every signal cycle is seldom attained no matter how great the demand.
F	This level describes forced flow operations at low speeds, where volumes exceed capacity. These conditions usually result from queues of vehicles backing up from a restriction downstream. Speeds are reduced substantially and stoppages may occur for short or long periods of time due to the congestion. In the extreme case, both speed and volume can drop to zero.

Source: *Highway Capacity Manual, Special Report 209,* Transportation Research Board, Washington, DC, 1985.

4.11.1.4 Level of Service Standards

As previously stated, the ramp terminus intersections on SR-60 are under the jurisdiction of Caltrans; all other study intersections are under the jurisdiction of the City of Moreno Valley. The City of Moreno Valley's standard for peak hour intersection LOS and roadway segment LOS is either C or D, depending on the LOS defined for that roadway in the General Plan Circulation Element. The standard of LOS D applies to all City intersections and roadways analyzed in the traffic study conducted for the proposed project, with the exception of Moreno Beach Drive/Cottonwood Avenue, at which the standard of LOS C applies. Caltrans considers acceptable LOS to be between C and D for all intersections under its jurisdiction; therefore, all signalized ramp terminus intersections on SR-60 must operate with a weighted average delay of 45 seconds or less, and all unsignalized ramp terminus intersections on SR-60 must operate with a delay of 30 seconds or less. Any intersection operating below the relevant jurisdiction's level of service is considered an impact requiring mitigation. Table 4.11.B summarizes the level of service criteria for unsignalized and signalized intersections.

Table 4.11.B: Level of Service Criteria for Unsignalized and Signalized Intersections

Level of Service	Unsignalized Intersection Average Delay per Vehicle (seconds)	Signalized Intersection Average Delay per Vehicle (seconds)
A	$\leq$ 10	$\leq$ 10
B	> 10 and $\leq$ 15	> 10 and $\leq$ 20
C	> 15 and $\leq$ 25	> 20 and $\leq$ 35
D	> 25 and $\leq$ 35	> 35 and $\leq$ 55
E	> 35 and $\leq$ 50	> 55 and $\leq$ 80
F	> 50	> 80

Source: Transportation Research Board, *2000 Highway Capacity Manual, Intersection Level of Service Criteria,* December 2000.

4.11.1.5 Baselines

This section discusses LOS for the following five "no-project" conditions (or baselines) against which the project impacts are compared:

- Existing (2011) setting;
- Opening year (2016);
- Opening year (2016) cumulative;
- Future year (2035); and
- General Plan Build Out.

Existing (2011) Setting Baseline. Existing traffic volumes at study area intersections are based on peak hour intersection turn movement counts. The roadway network included in the analysis of the Existing (2011) condition is the roadways as they exist at the time the traffic counts were collected. An intersection level of service analysis was conducted for existing conditions to determine current circulation system performance. As identified in Table 4.11.C, all study area intersections are operating within their specified LOS standard with the exception of the following intersection:

- Redlands Boulevard/SR-60 Westbound Ramps.

An analysis of freeway mainline traffic volumes and levels of service was conducted for freeway segments on SR-60. This analysis is provided in the TIA. In the existing condition, the following three freeway segments currently operate at unsatisfactory LOS:

- SR-60 Eastbound between Pigeon Pass Road and Heacock Street (p.m. peak hour);
- SR-60 Westbound between Heacock Street and Perris Boulevard (a.m. peak hour); and
- SR-60 Westbound between Perris Boulevard and Nason Street (a.m. peak hour).

Freeway ramp merge-diverge volumes and LOS were also analyzed for freeway segments on SR-60. Based on this analysis, all locations currently operate at acceptable LOS in the existing condition.

Opening Year (2016) Baseline. Background traffic volumes at study area intersections for Opening Year (2016) baseline conditions represent the existing (2011) conditions plus the ambient growth that is expected to occur by the time the proposed project is built. Year 2016 without Project traffic volumes were developed by increasing the existing (2011) volumes by 10.4 percent (or 2% per year compounded over five years). The roadway network included in the analysis of the Opening Year (2016) Baseline condition are the roadways as they exist at the time the traffic counts were collected. As identified in Table 4.11.C, all intersections are forecast to operate at satisfactory levels of service with the exception of the following intersection:

- Redlands Boulevard/SR-60 Westbound Ramps.

An analysis of freeway mainline traffic volumes and levels of service was conducted for freeway segments on SR-60. This analysis is provided in the TIA. In the Opening Year (2016) Baseline condition, the following four freeway segments are forecast to operate at unsatisfactory LOS:

- SR-60 Eastbound: Pigeon Pass Road to Heacock Street (a.m. and p.m. peak hours);
- SR-60 Eastbound: Heacock Street to Perris Boulevard (p.m. peak hour);
- SR-60 Westbound: Heacock Street to Perris Boulevard (a.m. peak hour); and
- SR-60 Westbound: Perris Boulevard to Nason Street (a.m. peak hour).

Table 4.11.C: Baseline Intersection Levels of Service Without Project

Intersection	Existing (2011)				Opening Year (2016)				Opening Year (2016) + Cumulative				Future Year (2035)[1]				General Plan Build Out[1]			
	A.M. Peak Hour		P.M. Peak Hour		A.M. Peak Hour		P.M. Peak Hour		A.M. Peak Hour		P.M. Peak Hour		A.M. Peak Hour		P.M. Peak Hour		A.M. Peak Hour		P.M. Peak Hour	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Nason Street/ Eucalyptus Avenue	27.5	C	22.4	C	27.8	C	22.4	C	29.3	C	25.6	C	**82.3**	**F**	**>100**	**F**	**85**	**F**	**>100**	**F**
Nason Street/ Alessandro Boulevard	29.1	C	28.5	C	29.3	C	28.6	C	29.9	C	30	C	**68.3**	**F**	**82.5**	**F**	**92**	**F**	**>100**	**F**
Fir Avenue/ Eucalyptus Avenue	18.2	B	17.7	B	18.3	B	17.8	B	25.4	C	21.1	C	14.6	B	21.2	C	19.3	B	24.3	C
Moreno Beach Drive/ SR-60 WB Ramps	15.5	B	13.2	B	16	B	13.5	B	17.4	B	16.7	B	**>100**	**F**	18.8	B	**79.3**	**F**	**>100**	**F**
Moreno Beach Drive/ SR-60 EB Ramps	28.5	C	35.3	D	29	C	41.2	D	32.8	C	**95.2**	**F**	25.7	C	**87.6**	**F**	**97.6**	**F**	**>100**	**F**
Moreno Beach Drive/ Eucalyptus Avenue	*Future Intersection*				*Future Intersection*				*Future Intersection*				39.7	D	**>100**	**F**	**58.2**	**F**	**>100**	**F**
Moreno Beach Drive/ Trail Ridge Way	17.5	B	19.9	B	17.7	B	20.1	C	17.1	B	21.9	C	17.3	B	20.5	C	15.3	B	21.3	C
Moreno Beach Drive/ Auto Mall Drive	15.8	B	16.1	B	15.5	B	16	B	16.4	B	23.4	C	18.7	B	**25.8**	C	21.8	C	27.7	C
Moreno Beach Drive/ Cottonwood Avenue	18.1	B	19.3	B	18.3	B	20.5	C	26.2	C	**55.3**	**E**	26.3	C	**66**	**F**	**95.8**	**F**	**>100**	**F**
Moreno Beach Drive/ Alessandro Boulevard	24.4	C	26.8	C	24.7	C	29.5	C	30.4	C	**72.7**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**

Table 4.11.C: Baseline Intersection Levels of Service Without Project

Intersection	Existing (2011)				Opening Year (2016)				Opening Year (2016) + Cumulative				Future Year (2035)[1]				General Plan Build Out[1]			
	A.M. Peak Hour		P.M. Peak Hour		A.M. Peak Hour		P.M. Peak Hour		A.M. Peak Hour		P.M. Peak Hour		A.M. Peak Hour		P.M. Peak Hour		A.M. Peak Hour		P.M. Peak Hour	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Auto Mall Drive/ Eucalyptus Avenue	8.9	A	9.1	A	8.9	A	9.1	A	10.1	B	14.9	B	11.6	B	18.4	C	14.9	B	**42.4**	**E**
Redlands Boulevard/ SR-60 WB Ramps	25.3	D	**77**	**F**	30.1	D	**>100**	**F**	**>100**	**F**	**>100**	**F**	**61.8**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**
Redlands Boulevard/ SR-60 EB Ramps	21.9	C	24	C	22.6	C	25.2	C	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**
Redlands Boulevard/ Eucalyptus Avenue-Fir Avenue	*Future Intersection*				*Future Intersection*				**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**
Redlands Boulevard/ Encilia Avenue-Eucalyptus Avenue	13.2	B	15.2	C	14	B	16.4	C	20.5	C	35	D	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**
Redlands Boulevard/ Cottonwood Avenue	14.2	B	6.3	A	14.3	B	6.4	A	17.4	B	11.1	B	15.9	B	21.8	C	51.8	D	**>100**	**F**
Redlands Boulevard/ Alessandro Boulevard	10.5	B	12.2	B	11.1	B	13.4	B	15.8	C	**42.7**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**

Shaded=Exceeds LOS Standard.
[1] Assumes Encilia Avenue and Quincy Street are not built as proposed for this project.
Source: *Tables F, L, R, X, and DD, Traffic Study, Eucalyptus Industrial Park*. LSA Associates, Inc. April 2012, Appendix I of this EIR.

Freeway ramp junction volumes and LOS were also analyzed for freeway segments on SR-60. Based on this analysis, all locations are forecast to operate at acceptable LOS in the Opening Year (2016) Baseline condition.

Opening Year (2016) Cumulative Baseline. For the Opening Year (2016) Cumulative scenario, information concerning approved and pending projects in the project vicinity was obtained from the City of Moreno Valley and added to the year 2016 traffic volumes. From this information, 12 projects were identified to have potential impacts at the study intersections under year 2016 conditions. Trip generation for the approved and pending projects was taken directly from the traffic studies prepared for the projects, where available, or calculated based on the rates published in the Institute of Transportation Engineers (ITE) *Trip Generation,* 7th Edition. As in 2016 Baseline, the roadway network included in the analysis of the Opening Year (2016) Cumulative Baseline condition are the roadways as they existed at the time the traffic counts were collected.

As identified in previously referenced Table 4.11.C, the following intersections are forecast to operate at unsatisfactory levels of service in opening year 2016 with cumulative project traffic:

- Moreno Beach Drive/SR-60 EB Ramps (p.m. peak hour);
- Moreno Beach Drive/Cottonwood Avenue (p.m. peak hour);
- Moreno Beach Drive/Alessandro Boulevard (p.m. peak hour);
- Redlands Boulevard/SR-60 Westbound Ramps (a.m. and p.m. peak hour);
- Redlands Boulevard/SR-60 Eastbound Ramps (a.m. and p.m. peak hour);
- Redlands Boulevard/Eucalyptus Avenue-Fir Avenue (a.m. and p.m. peak hour); and
- Redlands Boulevard/Alessandro Boulevard (p.m. peak hour).

An analysis of freeway mainline traffic volumes and levels of service was conducted for freeway segments on SR-60. This analysis is provided in the TIA. In the Opening Year (2016) Cumulative Baseline condition, the following five freeway segments are forecast to operate at unsatisfactory LOS:

- SR-60 Eastbound: Pigeon Pass Road to Heacock Street (a.m. and p.m. peak hours);
- SR-60 Eastbound: Heacock Street to Perris Boulevard (a.m. and p.m. peak hours);
- SR-60 Eastbound: Perris Boulevard to Nason Street (a.m. peak hour);
- SR-60 Westbound: Heacock Street to Perris Boulevard (a.m. and p.m. peak hours); and
- SR-60 Westbound: Perris Boulevard to Nason Street (a.m. and p.m. peak hours).

Freeway ramp junction volumes and LOS were also analyzed for freeway segments on SR-60. Based on this analysis, all locations are forecast to operate at acceptable LOS in the Opening Year (2016) Cumulative Baseline condition.

Future Year (2035) Baseline. Future year (2035) traffic volumes were developed using the Riverside County Traffic Analysis Model (RivTAM). It was observed that forecast year turn-movement volumes decrease for certain movements at some of the study intersections, possibly due to some cumulative projects included in the interim year scenarios not being included in the RivTAM model. These turning-movement volumes were adjusted by applying a total growth factor of 5 percent to cumulative traffic volumes (which includes growth from existing traffic and traffic from approved and pending projects) to account for increase in traffic volumes at these locations from cumulative conditions to year 2035 conditions. Improvements to the Moreno Beach Drive and Redlands Boulevard interchanges with SR-60 were included in the analysis of the Future Year (2035) Baseline. Currently, the SR-60 Eastbound Ramps terminate at the west leg of the Moreno Beach Drive/Eucalyptus

Avenue intersections. Improvements to the Moreno Beach Drive interchange would relocate the SR-60 Eastbound Ramp intersection north of Eucalyptus Avenue, resulting in one additional intersection in the study area. As identified in previously referenced Table 4.11.C, the following intersections were forecast to operate at an unsatisfactory level of service at General Plan Build Out without the Project:

- Nason Street/Eucalyptus Avenue (a.m. and p.m. peak hour);
- Nason Street/Alessandro Boulevard (a.m. and p.m. peak hour);
- Moreno Beach Drive/SR-60 Westbound Ramps (a.m. peak hour);
- Moreno Beach Drive/SR-60 Eastbound Ramps (p.m. peak hour);
- Moreno Beach Drive/Eucalyptus Avenue (p.m. peak hour);
- Moreno Beach Drive/Cottonwood Avenue (p.m. peak hour);
- Moreno Beach Drive/Alessandro Boulevard (a.m. and p.m. peak hours);
- Redlands Boulevard/SR-60 Westbound Ramps (a.m. and p.m. peak hours);
- Redlands Boulevard/SR-60 Eastbound ramps (a.m. and p.m. peak hours);
- Redlands Boulevard/Eucalyptus Avenue-Fir Avenue (a.m. and p.m. peak hours);
- Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue (a.m. and p.m. peak hours); and
- Redlands Boulevard/Alessandro Boulevard (a.m. and p.m. peak hour).

An analysis of freeway mainline traffic volumes and levels of service was conducted for freeway segments on SR-60. This analysis is provided in the TIA. In the Future Year (2035) Baseline, the following nine freeway segments currently operate at unsatisfactory LOS:

- SR-60 Eastbound: Pigeon Pass Road to Heacock Street (a.m. and p.m. peak hours);
- SR-60 Eastbound: Heacock Street to Perris Boulevard (a.m. and p.m. peak hours);
- SR-60 Eastbound: Perris Boulevard to Nason Street (a.m. and p.m. peak hours);
- SR-60 Eastbound: Nason Street to Moreno Beach Drive (a.m. and p.m. peak hours);
- SR-60 Eastbound: Moreno Beach Drive to Redlands Boulevard (a.m. peak hour);
- SR-60 Westbound: Heacock Street to Perris Boulevard (a.m. and p.m. peak hours);
- SR-60 Westbound: Perris Boulevard to Nason Street (a.m. and p.m. peak hours);
- SR-60 Westbound: Nason Street to Moreno Beach Drive (a.m. peak hour); and
- SR-60 Westbound: Moreno Beach Drive to Redlands Boulevard (a.m. peak hour).

Freeway ramp junction volumes and LOS were also analyzed for freeway segments on SR-60. Based on this analysis, the following nine ramps are forecast to operate at unacceptable LOS in the Future Year (2035) Baseline condition.

- SR-60 Eastbound: Moreno Beach Drive Off-Ramp (a.m. and p.m. peak hours);
- SR-60 Eastbound: Moreno Beach Drive On-Ramp (a.m. and p.m. peak hours);
- SR-60 Eastbound: Redlands Boulevard Loop On-Ramp (a.m. peak hour);
- SR-60 Eastbound: Redlands Boulevard Slip On-Ramp (a.m. peak hour);
- SR-60 Westbound: Moreno Beach Drive On-Ramp (a.m. peak hour);
- SR-60 Westbound: Moreno Beach Drive Off-Ramp (a.m. peak hour);
- SR-60 Westbound: Redlands Boulevard Slip On-Ramp (a.m. peak hour);

- SR-60 Westbound: Redlands Boulevard Loop On-Ramp (a.m. peak hour); and
- SR-60 Westbound: Redlands Boulevard Off-Ramp (a.m. peak hour).

General Plan Build Out Conditions. The City also required the traffic study to examine traffic conditions at ultimate build-out of the General Plan, which would occur at some indeterminate time after 2035. General Plan Build Out traffic volumes were developed using the City of Moreno Valley's General Plan Build Out traffic model maintained by Urban Crossroads, Inc. These volumes were then compared to the traffic volumes obtained from the RivTAM for year 2035. In some cases, the traffic volumes obtained from the Moreno Valley Traffic Model were lower than those obtained from the RivTAM. In these cases, the higher of the two volumes was used so as to so as to ensure that traffic volumes do not decrease from year 2035 to build out year conditions. Improvements to the Moreno Beach Drive and Redlands Boulevard interchanges with SR-60 were included in the analysis of General Plan Build Out Conditions. Currently, the SR-60 Eastbound Ramps terminate at the west leg of the Moreno Beach Drive/Eucalyptus Avenue intersections. Improvements to the Moreno Beach Drive interchange would relocate the ramp SR-60 Eastbound Ramp intersection north of Eucalyptus Avenue, resulting in one additional intersection in the study area.

The General Plan Build-Out analysis found a continued worsening of traffic congestion at almost all area intersections, such that only 4 of the 17 intersections studies were not at LOS F. This analysis was done without the implementation of planned improvements so "actual" future traffic conditions could be identified at the point all land uses in the General Plan are built as planned.

4.11.2 Existing Policies and Regulations

The City of Moreno Valley's current General Plan was approved in July 2006. Goals and policies extracted from the Circulation Element are included in the current General Plan. The specific policies and recommendations of implementation of the General Plan that are relevant to the proposed project are as follows:

Community Development

Policy 2.2.17 Discourage nonresidential uses on local residential streets that generate traffic, noise, or other characteristics that would adversely affect nearby residents.

Circulation Element

Objective 5.1 Create a safe, efficient, and neighborhood-friendly street system.

Policy 5.1.1 Plan access and circulation of each development project to accommodate vehicles (including emergency vehicles and trash trucks), pedestrians, and bicycles.

Policy 5.1.2 Plan the circulation system to reduce conflicts between vehicular, pedestrian, and bicycle traffic.

Policy 5.1.3 Require adequate off-street parking for all developments.

Policy 5.1.4 Driveway placement shall be designed for safety and to enhance circulation wherever possible.

Policy 5.1.5 Incorporate Americans with Disabilities Act (ADA) and Title 24 requirements in roadway improvements as appropriate.

Policy 5.1.6 Design new developments to provide opportunity for access and circulation to future adjacent developments.

Objective 5.2 Implement access management policies.

Policy 5.2.1 Locate residential units with access from local streets. Minimize direct residential access from collectors. Prohibit direct single-family driveway access on arterials and higher classification roadways.

Policy 5.2.2 Feed short local streets into collectors.

Policy 5.2.3 Encourage the incorporation of traffic-calming design into local and collector streets to promote safe vehicle speeds.

Objective 5.3 Maintain LOS C on roadway links, wherever possible, and LOS D in the vicinity of SR-60 and high employment centers.

Policy 5.3.1 Obtain right-of-way and construct roadways in accordance with the designation shown on the General Plan Circulation Element Map and the City street improvement standards.

Policy 5.3.5 Ensure that new development pays a fair-share cost to provide local and regional transportation improvements and to mitigate cumulative traffic impacts. For this purpose, require new developments to participate in Transportation Uniform Mitigation Fee (TUMF), the Development Impact Fee Program (DIF), and any other applicable transportation fee programs and benefit assessment districts.

Policy 5.3.6 Where new developments would increase traffic flows beyond the 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.

Policy 5.3.7 Provide consideration to projects that have overriding regional or local benefits that would be desirable even though the LOS standards cannot be met. These projects would be required to analyze traffic impacts and mitigate such impacts to the extent that it is deemed feasible.

Objective 5.4 Maximize efficiency of the regional circulation system through close coordination with State and regional agencies and implementation of regional transportation policies.

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.

Policy 5.4.2 Coordinate with Caltrans and the RCTC regarding the integration of Intelligent Transportation Systems (ITS) consistent with the principles and recommendations of the Inland Empire Regional ITS Architecture Project.

Objective 5.5 Maximize efficiency of the local circulation system by using appropriate policies and standards to design, locate, and size roadways.

Policy 5.5.3 Prohibit points of access from conflicting with other existing or planned access points. Require points of access to roadways to be separated sufficiently to maintain capacity, efficiency, and safety of the traffic flow.

Policy 5.5.4 Wherever possible, minimize the frequency of access points along streets by the consolidation of access points between adjacent properties on all circulation element streets, excluding collectors.

Policy 5.5.5 Design streets and intersections in accordance with the Moreno Valley Municipal Code.

Policy 5.5.8 Whenever possible, require private and public land developments to provide on-site and off-site improvements necessary to mitigate any development-generated circulation impacts. A review of each proposed land development project shall be undertaken to identify project impacts to the circulation system. The City may require

developers to provide traffic impact studies prepared by qualified professionals to identify the impacts of a development.

Policy 5.5.9 Design curves and grades to permit safe movement of vehicular traffic per applicable Caltrans and Moreno Valley standards.

Policy 5.5.10 Provide adequate sight distances for safe vehicular movement at all intersections and driveways.

Objective 5.8 Encourage development of an efficient public transportation system for the entire community.

Policy 5.8.1 Support the development of high-speed transit linkages, or express routes, that would benefit the citizens and employers of Moreno Valley.

Policy 5.8.4 Ensure that all new developments make adequate provision for bus stops and turnout areas for both public transit and school bus service.

Objective 5.10 Encourage bicycling as an alternative to single occupant vehicle travel for the purpose of reducing fuel consumption, traffic congestion, and air pollution.

Policy 5.10.1 Bikeways shall link residential neighborhood areas with parks, employment centers, civic and commercial areas, and schools.

Objective 5.11 Eliminate obstructions that impede safe movement of vehicles, bicyclists, and pedestrians.

Policy 5.11.2 Driveways shall be designed to avoid conflicts with pedestrian and bicycle travel.

Program 5-1 Periodically review current traffic volumes, traffic collision data, and the pattern of urban development to coordinate, program, and as necessary revise the planning and prioritization of road improvements.

Program 5-2 Periodically reassess the goals, objectives and policies statements of the Circulation Element and propose amendments, as necessary.

Program 5-3 Develop a comprehensive strategy to ensure full funding of the circulation system. The strategy will include the DIF, TUMF, and other funding sources that may be available to the City. In addition, the creation of benefit assessment districts, and road and bridge fee districts may be considered where appropriate.

Program 5-4 Develop a multi-year transportation infrastructure improvement program that, to the extent feasible, phases the construction of new projects in advance of new development.

Program 5-5 The above-referenced program will prioritize circulation improvement projects to be funded from DIF, TUMF and other sources. Prioritization to consider the following factors: (a) Traffic safety; (b) Congestion relief; (c) Access to new development; and (d) Equitable benefit.

Program 5-6 Conduct studies of specified arterial segments to determine if any additional improvements will be needed to maintain an acceptable LOS at General Plan build-out. Generally, these segments will be studied as new developments are proposed in their vicinity. Measures will be identified that are consistent with the Circulation Element designation of these roadway segments, such as additional turn lanes at intersections, signal optimization by coordination and enhanced phasing, and travel demand management measures. The study of specified arterial segments will be required to identify measures to maintain an acceptable LOS at General Plan build-out for at least one of the reasons discussed below:

(a) Segments will need improvement, but their ultimate volumes slightly exceed design capabilities.

(b) Segments will need improvements but require inter-jurisdictional coordination.

(c) Segments would require significant encroachment on existing adjacent development if built out to their Circulation Element designations.

Program 5-7 Establish traffic study guidelines to deal with development projects in a consistent manner. The traffic study guidelines shall include criteria for projects that propose changes it the approved General Plan land uses.

Program 5-13 Implement Transportation Demand Management (TDM) strategies that reduce congestion in the peak travel hours. Examples include carpooling, telecommuting, and flexible work hours.

4.11.3 Methodology

Evaluation of traffic and circulation impacts associated with the proposed project includes the following:

4.11.3.1 Project Trip Generation

Trip generation estimates for the proposed project were based on the ITE rates for Land Use 150 (Warehousing) for buildings under 200,000 square feet, and the City of Moreno Valley rates for High-Cube warehousing for buildings over 200,000 square feet. The vehicle splits from the City of Fontana's *Truck Trip Generation Study* were utilized to convert project trips into PCE trips. As illustrated in Table 4.11.D, the proposed project is expected to generate 309 vehicle trips in the a.m. peak hour, 356 vehicle trips in the p.m. peak hour, and 4,409 daily vehicle trips.

Table 4.11.D: Project New Trip Generation

Land Use	A.M. Peak Hour			P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Vehicular Trips							
Passenger Cars	131	45	176	43	156	199	2,420
2-Axle Trucks	8	9	17	12	8	20	238
3-Axle Trucks	15	18	33	25	15	40	505
4+-Axle Trucks	41	42	83	61	36	97	1,246
Total Trips (Vehicular)	**191**	**114**	**309**	**141**	**215**	**356**	**4,409**
PCE Trips							
Passenger Cars	131	45	176	43	156	199	2,420
2-Axle Trucks	15	16	31	19	15	34	359
3-Axle Trucks	30	36	66	50	30	80	1,010
4+-Axle Trucks	123	126	249	183	108	291	3,738
Total Trips (PCE)[1]	**299**	**223**	**522**	**295**	**309**	**604**	**7,527**

Notes: PCE = Passenger Car Equivalent.
[1] Based on the following Passenger Car Equivalent Factors: 2-axle = 1.5 PCE, 3-axle = 2.0 PCE, 4 +-axles = 3.0 PCE. Total Trips (PCE) = Passenger Cars + Truck Trips converted to PCE.

The concept of PCEs accounts for the larger impact of trucks on traffic operations. It does so by assigning each type of truck a PCE factor that represents the number of passenger vehicles that could travel through an intersection in the same time that a particular type of truck could. For example, in this report, trucks with four or more axles have been assigned a PCE factor of 3.0, indicating that three passenger vehicles could travel through an intersection in the same amount of time required for a single truck with four or more axles; therefore, the impacts and mitigations identified in this report incorporate the impact of trucks on intersection operations. As illustrated in

Table 4.11.D, the proposed project is expected to generate 522 PCE trips in the a.m. peak hour, 604 PCE trips in the p.m. peak hour, and 7,527 daily PCE trips.

The project site is currently zoned for Industrial/Business Park (34% of the project site), Multi-Family Residential (35% of the project site), Suburban Residential (22% of the project site), and Residential Agricultural (11% of the project site). Table 4.11.E compares the trip generation of the project site as currently zoned and the trip generation resulting from the implementation of the proposed project. As indicated in Table 4.11.E, compared with the existing project zoning, the proposed project would generate 6,702 fewer daily trips, 885 fewer a.m. peak hour trips, and 939 fewer p.m. peak hour trips.

Table 4.11.E: Trip Generation Comparison

Land Use	A.M. Peak Hour			P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Trip Generation of Existing Land Use (PCE)[1]	818	589	1,407	679	864	1,543	14,229
Trip Generation of Proposed Project (PCE)[2]	299	223	522	295	309	604	7,527
Total Trips (PCE) Difference[3]	**-519**	**-366**	**-885**	**-384**	**-555**	**-939**	**-6,702**

Notes: PCE = Passenger Car Equivalent.
1 Based on 665,300 square feet of industrial/business park uses, 549 multiple-family units, 114 SFR units, and 24 residential agricultural units.
2 Based on 2.24 million square feet of warehouse uses.
3 Existing Zoning trips – proposed project trips.

4.11.3.2 Trip Distribution and Assignment

Trip distribution patterns for the proposed project were developed based on select zone model runs obtained from the RivTAM and through consultation with City staff. Trip distribution was developed separately for passenger vehicles and trucks, and was also developed separately for year 2016 and build out conditions to account for changes in the roadway network between 2016 and build out conditions. The project trip generation was applied to the trip distribution patterns for the proposed project to develop trip assignments for new project trips. The trip distribution for passenger vehicles and trucks in the 2016 and build out conditions are shown in Figures 8, 9, 10 and 11 of the TIA.

4.11.4 Thresholds of Significance

In the Initial Study[1] for this project, it was concluded that the proposed project could create potentially significant traffic impacts associated with the following CEQA traffic impact thresholds of significance if the project would:

- *Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections).*

  (A significant traffic impact would occur if the project would cause a decrease from a standard LOS to a less than standard LOS at a study intersection based on a peak hour analysis. The following are the LOS standards that apply within the project study area)

  - City of Moreno Valley LOS is C or D, depending on the LOS defined for that roadway in the General Plan Circulation Element. The LOS D criteria would apply to all study area intersections except for the intersections of Moreno Beach Drive/Cottonwood Avenue and Redlands Boulevard/Cottonwood Avenue, where the standard of LOS C applies.
  - Caltrans LOS standard is between C and D. Within the project study area all signalized ramp terminus intersections must operate with a weighted average delay of 45 seconds or less,

1 *Initial Study, Eucalyptus Industrial Park, City of Moreno Valley, Riverside County, California,* prepared by LSA Associates, Inc., January 28, 2008 (see Appendix A).

and stop controlled ramp terminus intersections on SR-60 must operate with a worst-case approach delay (two-way stop) or weighted average delay (four-way stop) of 30 seconds or less. Freeway segments on SR-60 must operate with a volume to capacity ratio of 0.80 or better. Caltrans does not have an LOS standard for freeway ramp junctions; therefore, the Riverside County Congestion Management Program (CMP) threshold of LOS E has been used. A significant impact would occur if the project causes a Caltrans facility to exceed the LOS standard, or if the project adds traffic to a facility operating with unsatisfactory LOS in the baseline condition.

- *Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.*
    - The Riverside County CMP specifies a LOS standard of E for all roadways and highways on the designated CMP roadway system. The LOS standards adopted by the City of Moreno Valley and Caltrans are more stringent than the CMP standard; therefore, the analysis according to the City and Caltrans standards would satisfy CMP standards as well. SR-60 is the only designated roadway on the CMP system within the project study area.
- *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).*

The Initial Study also concluded that the project would not affect or would create a less than significant impact associated with the following CEQA traffic impact thresholds:

- *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).*
- *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in increased safety risks.*
- *Result in inadequate emergency access.*
- *Result in inadequate parking capacity.*

4.11.5 No Impact/Less than Significant Impacts

The following potential impacts were determined to be less than significant. In each of the following issues, either no impact would occur (therefore, no mitigation would be required) or adherence to established regulations, standards, and policies would reduce potential impacts to a less than significant level.

4.11.5.1 Air Traffic Patterns

Threshold	Would the proposed project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

The proposed project site is located approximately 5.5 miles northwest of the MARB and is not within the designated safety zones or the flight paths established for this facility.[1] The proposed project does not consist of any uses that would cause changes to air traffic volumes or otherwise affect air traffic patterns. Additionally, the proposed project does not include any visual, electronic, or physical hazards to aircraft in flight and is not anticipated to disrupt or alter air traffic patterns, including either an increase in traffic levels or a change in location. As such, no impacts associated with this issue would occur and no mitigation is required.

[1] March Air Reserve Compatibility Plan, December 29, 2004. http://www.rcaluc.org/filemanager/plan/old//March%20Air%20Reserve%20Base%20(MARB).pdf. Accessed June 3, 2008.

4.11.5.2 Design Features or Incompatible Uses

Threshold	Would the proposed project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The design of roadways must provide adequate sight distance and traffic control measures. This provision is normally realized through roadway design to facilitate roadway traffic flows. Roadway improvements in and around the project site would be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control as well as incorporate design standards tailored specifically to site access requirements.

The City requested an analysis of the internal circulation to verify that large trucks will be able to maneuver safely in and out of the project. Sufficiency of the turning radii available on the project was verified with ITE *Turning Vehicle Templates* using the template for a large semitrailer (Template WB 50). The analysis confirmed that the turning radii provided in the current plan is consistent to the requirements prescribed by ITE and that unrestricted truck movement is allowed by the current site plan. This is also consistent with the radii required for WB-40 (semitrailer medium or small), B-40 (bus large), and SU-30 (single-unit truck or bus medium) per the ITE *Turning Vehicle Templates*. As determined by the TIA conducted for the proposed project, the proposed roadways as designed in the current plan provide for safe truck movement.

As part of the City's plan check process, the final design of all roadways and intersections within the project site access would be reviewed by a licensed professional civil engineer to ensure adequate safety when traveling to and from the project site. The proposed project does not include any sharp curves or dangerous intersections in its design. Adherence to applicable existing requirements of the City of Moreno Valley and other agencies would reduce impacts associated with this issue to a less than significant level and no mitigation is required.

At the time that the Notice of Preparation (NOP) was released for the proposed project, the Moreno Valley Unified School District (MVUSD) indicated it had plans to locate an elementary school (MVUSD Elementary School #24), a middle school (MVUSD Middle School #7), and a high school (MVUSD High School #5) in the vicinity of Redlands Boulevard and future Eucalyptus Avenue, in close proximity to the proposed project. After the NOP was released, MVUSD decided to abandon plans for these school sites and relocate the future school facilities in a different area of the City.[1] Since no proposed schools would be located next to the proposed project, there would not be an incompatible use associated with the proposed project and the traffic associated with the proposed project on school facilities in the area. Similarly, for the existing residences to the southeast, it is anticipated that there would not be an incompatible use associated with traffic generated by the proposed project since there would be no truck or vehicle access to the project site on Encilia Avenue. It is reasonable to conclude that traffic associated with the proposed project would utilize the future Eucalyptus Avenue as this route would provide direct access to the proposed project. Therefore, impacts associated with this issue are less than significant and no mitigation is required. Air quality and noise impacts associated with project-related traffic and sensitive receptors are analyzed in Section 4.3 (Air Quality) and Section 4.9 (Noise).

4.11.5.3 Inadequate Emergency Access

Threshold	Would the proposed project result in inadequate emergency access?

The developers of the proposed project would be required to design, construct, and maintain structures, roadways, and facilities to provide for adequate emergency access and evacuation. Construction activities, which may temporarily restrict vehicular traffic, would be required to implement adequate and appropriate measures to facilitate the passage of persons and vehicles

[1] *Resolution No. 2007-08-81*, Moreno Valley Unified School District Board of Education, approved April 15, 2008.

through/around any required road closures. The proposed project design would be submitted to and approved by the City's Fire and Police Departments prior the issuance of building permits. Adherence to applicable existing requirements of the City of Moreno Valley and other agencies would reduce impacts associated with this issue to a less than significant level and no further discussion is required.

As discussed in the Section 4.11.6, the project would cause significant impacts at some study area intersections that may be used by emergency vehicles. Mitigation measures are prescribed that would fully mitigate the impact of the project at study intersections; therefore, the project would not result in inadequate emergency access due to traffic congestion at study intersections.

4.11.5.4 Inadequate Parking Capacity

Threshold	Would the proposed project result in inadequate parking capacity?

Automobile parking standards contained in Section 9.11.040D-12 of the *City of Moreno Valley Municipal Code* require one (1) space per 1,000 square feet of gross floor area for the first 20,000 square feet. For the second 20,000 square feet, (1) space per 2,000 square feet of gross floor area is required. In addition, structures in excess 40,000 square feet require (1) space per 4,000 square feet of gross floor area. The preliminary site plan indicates that 1,091 automobile parking spaces are provided, which includes spaces for employees, drivers, and handicap spaces, and is well above the minimum requirement of 562 spaces. The design of the proposed project would be required to comply with parking standards prior to final site plan approval. Adherence to parking standards contained in the *Zoning Code* would ensure that the proposed project would not result in inadequate parking capacity. Impacts associated with parking capacity are less than significant.

4.11.5.5 Alternative Transportation

Threshold	Would the proposed project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts or bicycle racks)?

The project proposes an amendment to the Master Plan of Trails to relocate the Eucalyptus Avenue Trail to the north side of Eucalyptus Avenue and/or eliminate the planned trail segment on Quincy Avenue from SR-60 to Fir Avenue. A recent action by the City Trails Commission has accepted these changes. The project provides bike parking to facilitate alternative transportation should employees desire to bike to work.

The Riverside Transit Agency (RTA) has numerous bus routes that serve the City of Moreno Valley and bus service in the project area is via Route 17, which provides service along Fir Avenue to Auto Mall Drive, adjacent to the southwestern portion of project site. Although the RTA provides service along Fir Avenue, it does not presently provide service directly to the project site. The design of the proposed project would be required to adhere to applicable City of Moreno Valley standards that support and/or facilitate alternative modes of transportation. Through the City's project review process, policies, plans, and/or programs supporting alternative transportation would be reviewed and incorporated as applicable. Consequently, a less than significant impact would occur as a result of the proposed project and no additional analysis is required in this EIR.

4.11.6 Significant Impacts

The following potential impacts were determined to be significant, either because the project would contribute to an intersection already exceeding the LOS threshold, or because the project would cause the intersection to exceed the LOS threshold. Local and regional circulation improvements already programmed in the City's DIF program or the Western Riverside Council of Governments' (WRCOG) TUMF for western Riverside County have not been assumed in the LOS analysis. The project would be required to contribute to local and regional circulation improvement through the

payment of the DIF and TUMFs, and would therefore contribute to improvements that may mitigate the direct project impact or cumulative impact of the project. Mitigation of direct project impacts can be in the form of improvements to the intersection, or payment of the fees if projects funded by the fee would mitigate the project impact to a less than significant level.

4.11.6.1 Existing (2011) With Project Conditions (Intersection) Traffic and Level of Service Impacts

Threshold:	Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system?
Threshold:	Exceed, either individually or cumulatively, the City's LOS D criteria at all study area intersections except for the intersections of Moreno Beach Drive/Cottonwood Avenue and Redlands Boulevard/Cottonwood Avenue, where the standard of LOS C applies, or the LOS standard on Caltrans facilities All signalized ramp terminus intersections must operate with a weighted average delay of 45 seconds or less, and stop controlled ramp terminus intersections on SR-60 must operate with a worst-case approach delay (two-way stop) or weighted average delay (four-way stop) of 30 seconds or less. Freeway segments on SR-60 must operate with a volume-to-capacity ratio of 0.80 or better and freeway ramp junctions must operate at LOS E or better. A significant impact would occur if the project causes a Caltrans facility to exceed the LOS standard, or if the project adds traffic to a facility operating with unsatisfactory LOS in the baseline condition.

Existing (2011) with project conditions consider the addition of traffic generated by the proposed project to Existing (2011) without Project conditions. An intersection LOS analysis was conducted to determine Existing (2011) with Project intersection performance. Table 4.11.F summarizes the LOS for the study area intersections and shows that, with the addition of project traffic, the following intersections are forecast to operate at unsatisfactory levels of service:

- Redlands Boulevard/SR-60 Westbound Ramps (a.m. and p.m. peak hours); and
- Redlands Boulevard/Eucalyptus Avenue-Fir Avenue (p.m. peak hour).

The project would contribute to the worsening of the already unsatisfactory LOS at the intersection of Redlands Boulevard/SR-60 Westbound Ramps and would create a significant impact at the intersection of Redlands Boulevard/Eucalyptus Avenue-Fir Avenue. Therefore, mitigation is required at both intersections.

Freeway mainline and ramp junctions were evaluated in the Existing plus Project condition. The results of the freeway analysis are provided in the Traffic Study. The following segments are forecast to operate at an unsatisfactory level of service in the Existing plus Project condition:

- SR-60 Eastbound: Pigeon Pass Road to Heacock Street (a.m. and p.m. peak hours);
- SR-60 Westbound: Heacock Street to Perris Boulevard (a.m. peak hour); and
- SR-60 Westbound: Perris Boulevard to Nason Street (a.m. peak hour).

The project would add to the existing unsatisfactory LOS on these three freeway segments; therefore, the addition of project traffic would be considered a cumulative impact. Neither the project applicant nor the City has jurisdiction over Caltrans facilities; therefore, implementation of improvements to the freeway mainline cannot be guaranteed. Review of the SCAG Regional Transportation Improvement Plan (RTIP) indicates that there are no projects programmed on SR-60 within the study area. Furthermore, Caltrans does not have a mechanism for development projects to contribute to improvements on State Highways. Therefore, the cumulative impact to these three segments of SR-60 would be significant and unavoidable.

Table 4.11.F: Existing (2011) Intersection Levels of Service

Intersection	Without Project				With Project				Mitigation Required?	Project With Improvements			
	A.M. Peak Hour		P.M. Peak Hour		A.M. Peak Hour		P.M. Peak Hour			A.M. Peak Hour		P.M. Peak Hour	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS		Delay	LOS	Delay	LOS
Nason Street/Eucalyptus Avenue	27.5	C	22.4	C	27.5	C	22.8	C	No	27.5	C	22.8	C
Nason Street/Alessandro Boulevard	29.1	C	28.5	C	29.3	C	28.9	C	No	29.3	C	28.9	C
Fir Avenue/Eucalyptus Avenue	18.2	B	17.7	B	18.2	B	17.5	B	No	18.2	B	17.5	B
Moreno Beach Drive/SR-60 WB Ramps	15.5	B	13.2	B	14.9	B	12.4	B	No	14.9	B	12.4	B
Moreno Beach Drive/SR-60 EB Ramps	28.5	C	35.3	D	28.9	C	38.7	D	No	28.9	C	38.7	D
Moreno Beach Drive/Eucalyptus Avenue	*Future Intersection*				*Future Intersection*				No	*Future Intersection*			
Moreno Beach Drive/Trail Ridge Way	17.5	B	19.9	B	17.7	B	19.9	B	No	17.7	B	19.9	B
Moreno Beach Drive/Auto Mall Drive	15.8	B	16.1	B	15.8	B	18.9	B	No	15.8	B	18.9	B
Moreno Beach Drive/Cottonwood Avenue	18.1	B	19.3	B	17.8	B	19.4	B	No	17.8	B	19.4	B
Moreno Beach Drive/Alessandro Boulevard	24.4	C	26.8	C	25.2	C	27.7	C	No	25.2	C	27.7	C
Auto Mall Drive/Eucalyptus Avenue	8.9	A	9.1	A	9.4	A	10.1	B	No	9.4	A	10.1	B
Redlands Boulevard/SR-60 WB Ramps	25.3	D	**77**	**F**	**36.4**	**E**	**>100**	**F**	**Yes**	23.5	C	23.2	C
Redlands Boulevard/SR-60 EB Ramps	21.9	C	24	C	24.7	C	27.6	C	No	24.7	C	27.6	C
Redlands Boulevard/Eucalyptus Avenue-Fir Avenue	*Future Intersection*				25.3	D	**44.6**	**E**	**Yes**	18.2	B	18.3	B
Redlands Blvd./Encilia Avenue-Eucalyptus Avenue	13.2	B	15.2	C	13.5	B	15.6	C	No	13.5	B	15.6	C
Redlands Boulevard/Cottonwood Avenue	14.2	B	6.3	A	14.2	B	6.2	A	No	14.2	B	6.2	A
Redlands Boulevard/Alessandro Boulevard	10.5	B	12.2	B	10.6	B	12.2	B	No	10.6	B	12.2	B
Driveway A/Eucalyptus Avenue	*Future Intersection*				9.3	A	9.5	A	No	9.3	A	9.5	A
Driveway B/Eucalyptus Avenue	*Future Intersection*				9.1	A	9.2	A	No	9.1	A	9.2	A
Driveway C/Eucalyptus Avenue	*Future Intersection*				9.2	A	9.6	A	No	9.2	A	9.6	A
Driveway D/Eucalyptus Avenue	*Future Intersection*				9.3	A	9.2	A	No	9.3	A	9.2	A
Driveway E/Eucalyptus Avenue	*Future Intersection*				9.1	A	9.5	A	No	9.1	A	9.5	A
Driveway F/Eucalyptus Avenue	*Future Intersection*				9.2	A	9.2	A	No	9.2	A	9.2	A
Driveway G/Eucalyptus Avenue	*Future Intersection*				9.2	A	9.5	A	No	9.2	A	9.5	A
Driveway H/Eucalyptus Avenue	*Future Intersection*				10	A	9.7	A	No	10	A	9.7	A

Source: *Tables F, I, and GG. Traffic Study, Eucalyptus Industrial Park*. LSA Associates, Inc. April 2012.

The Traffic Study also analyzes the existing with project conditions a.m. and p.m. peak hour ramp merge-diverge volumes and levels of service for the ramp junctions on SR-60. All locations are forecast to operate at an acceptable level of service.

4.11.6.2 Opening Year 2016 With Project Conditions (Intersection) Traffic and Level of Service Impacts

Threshold:	Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system?
Threshold:	Exceed, either individually or cumulatively, the City's LOS D criteria at all study area intersections except for the intersections of Moreno Beach Drive/Cottonwood Avenue and Redlands Boulevard/Cottonwood Avenue, where the standard of LOS C applies, or the LOS standard on Caltrans facilities All signalized ramp terminus intersections must operate with a weighted average delay of 45 seconds or less, and stop controlled ramp terminus intersections on SR-60 must operate with a worst-case approach delay (two-way stop) or weighted average delay (four-way stop) of 30 seconds or less. Freeway segments on SR-60 must operate with a volume-to-capacity ratio of 0.80 or better and freeway ramp junctions must operate at LOS E or better. A significant impact would occur if the project causes a Caltrans facility to exceed the LOS standard, or if the project adds traffic to a facility operating with unsatisfactory LOS in the baseline condition.

Opening Year (2016) with Project conditions considers the addition of traffic generated by the proposed project to Opening Year (2016) without Project conditions. An intersection LOS analysis was conducted to determine opening year (2016) intersection performance. The LOS for the study area intersections are summarized in Table 4.11.G, which shows that the following intersections would operate at unsatisfactory LOS:

- Moreno Beach Drive/SR-60 Westbound Ramps (p.m. peak hour);
- Redlands Boulevard/SR-60 Westbound Ramps (a.m. and p.m. peak hours); and
- Redlands Boulevard/Eucalyptus Avenue-Fir Avenue (p.m. peak hour).

The project would have a significant impact at all three intersections, and therefore mitigation would be required.

Freeway mainline and ramp junctions were evaluated in the Opening Year (2016) plus Project condition. The results of the freeway analysis are provided in the TIA. The following segments are forecast to operate at an unsatisfactory level of service in the Opening Year (2016) plus Project condition:

- SR-60 Eastbound: Pigeon Pass Road to Heacock Street (a.m. and p.m. peak hours);
- SR-60 Eastbound: Heacock Street to Perris Boulevard (p.m. peak hour);
- SR-60 Westbound: Heacock Street to Perris Boulevard (a.m. peak hour); and
- SR-60 Westbound: Perris Boulevard to Nason Street (a.m. peak hour).

The project would add to the existing unsatisfactory LOS on these four freeway segments; therefore, the addition of project traffic would be considered a cumulative impact. Neither the project applicant nor the City has jurisdiction over Caltrans facilities; therefore, implementation of improvements to the freeway mainline cannot be guaranteed. Review of the RTIP indicates that there are no projects programmed on SR-60 within the study area. Furthermore, Caltrans does not have a mechanism for development projects to contribute to improvements on State Highways. Therefore, the cumulative impact to these three segments of SR-60 would be significant and unavoidable.

Table 4.11.G: Opening Year (2016) Intersection Levels of Service

Intersection	Without Project				With Project				Mitigation Required?	Project With Improvements			
	A.M. Peak Hour		P.M. Peak Hour		A.M. Peak Hour		P.M. Peak Hour			A.M. Peak Hour		P.M. Peak Hour	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS		Delay	LOS	Delay	LOS
Nason Street/Eucalyptus Avenue	27.8	C	22.4	C	27.8	C	22.7	C	No	27.8	C	22.7	C
Nason Street/Alessandro Boulevard	29.3	C	28.6	C	29.4	C	28.9	C	No	29.4	C	28.9	C
Fir Avenue/Eucalyptus Avenue	18.3	B	17.8	B	18.3	B	17.7	B	No	18.3	B	17.7	B
Moreno Beach Drive/SR-60 WB Ramps	16	B	13.5	B	15.7	B	13	B	No	15.7	B	13	B
Moreno Beach Drive/SR-60 EB Ramps	29	C	41.2	D	29.6	C	**49.3**	**D**	**Yes**	28.8	C	37.3	D
Moreno Beach Drive/Eucalyptus Avenue	*Future Intersection*				*Future Intersection*				No	*Future Intersection*			
Moreno Beach Drive/Trail Ridge Way	17.7	B	20.1	C	17.8	B	20.2	C	No	17.8	B	20.2	C
Moreno Beach Drive/Auto Mall Drive	15.5	B	16	B	15.6	B	18.6	B	No	15.6	B	18.6	B
Moreno Beach Drive/Cottonwood Avenue	18.3	B	20.5	C	18	B	20.8	C	No	18	B	20.8	C
Moreno Beach Drive/Alessandro Boulevard	24.7	C	29.5	C	25.4	C	31.1	C	No	25.4	C	31.1	C
Auto Mall Drive/Eucalyptus Avenue	8.9	A	9.1	A	9.4	A	10.2	B	No	9.4	A	10.2	B
Redlands Boulevard/SR-60 WB Ramps	30.1	D	**>100**	**F**	**51.3**	**F**	**>100**	**F**	**Yes**	25.3	C	24.7	C
Redlands Boulevard/SR-60 EB Ramps	22.6	C	25.2	C	25.9	C	29.6	C	No	25.9	C	29.6	C
Redlands Boulevard/Eucalyptus Avenue-Fir Avenue	*Future Intersection*				29.5	D	**60.3**	**F**	**Yes**	17.6	B	18.3	B
Redlands Blvd./Encilia Avenue-Eucalyptus Avenue	14	B	16.4	C	14.4	B	17	C	No	14.4	B	17	C
Redlands Boulevard/Cottonwood Avenue	14.3	B	6.4	A	14.4	B	6.4	A	No	14.4	B	6.4	A
Redlands Boulevard/Alessandro Boulevard	11.1	B	13.4	B	11.2	B	13.5	B	No	11.2	B	13.5	B
Driveway A/Eucalyptus Avenue	*Future Intersection*				9.3	A	9.5	A	No	9.3	A	9.5	A
Driveway B/Eucalyptus Avenue	*Future Intersection*				9.1	A	9.2	A	No	9.1	A	9.2	A
Driveway C/Eucalyptus Avenue	*Future Intersection*				9.2	A	9.6	A	No	9.2	A	9.6	A
Driveway D/Eucalyptus Avenue	*Future Intersection*				9.3	A	9.2	A	No	9.3	A	9.2	A
Driveway E/Eucalyptus Avenue	*Future Intersection*				9.1	A	9.5	A	No	9.1	A	9.5	A
Driveway F/Eucalyptus Avenue	*Future Intersection*				9.2	A	9.2	A	No	9.2	A	9.2	A
Driveway G/Eucalyptus Avenue	*Future Intersection*				9.2	A	9.5	A	No	9.2	A	9.5	A
Driveway H/Eucalyptus Avenue	*Future Intersection*				10	A	9.7	A	No	10	A	9.7	A

Source: *Tables L, O, and II. Traffic Study, Eucalyptus Industrial Park*. LSA Associates, Inc. April 2012.

The TIA also analyzes the Opening Year (2016) with Project conditions a.m. and p.m. peak hour ramp merge-diverge volumes and levels of service for the ramp junctions on SR-60. All locations are forecast to operate at an acceptable level of service in the Opening Year (2016) plus Project condition.

4.11.6.3 Opening Year 2016 Cumulative With Project Conditions (Intersection) Traffic and Level of Service Impacts

Threshold:	Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system?
Threshold:	Exceed, either individually or cumulatively, the City's LOS D criteria at all study area intersections except for the intersections of Moreno Beach Drive/Cottonwood Avenue and Redlands Boulevard/Cottonwood Avenue, where the standard of LOS C applies, or the LOS standard on Caltrans facilities All signalized ramp terminus intersections must operate with a weighted average delay of 45 seconds or less, and stop controlled ramp terminus intersections on SR-60 must operate with a worst-case approach delay (two-way stop) or weighted average delay (four-way stop) of 30 seconds or less. Freeway segments on SR-60 must operate with a volume-to-capacity ratio of 0.80 or better and freeway ramp junctions must operate at LOS E or better. A significant impact would occur if the project causes a Caltrans facility to exceed the LOS standard, or if the project adds traffic to a facility operating with unsatisfactory LOS in the baseline condition.

Opening Year (2016) Cumulative with Project conditions considers the addition of traffic generated by the proposed project to Opening Year (2016) Cumulative without Project conditions. As previously noted, the Opening Year (2016) Cumulative scenario was developed by adding the traffic volumes that would be generated by approved and pending projects in the project vicinity to year 2016 traffic volumes. Additionally, projects currently included in the City's Capital Improvements Program (CIP) and planned for construction by 2016, including improvements to the Moreno Beach Drive and Redlands Boulevard interchanges with SR-60, have been considered as complete. An intersection LOS analysis was conducted to determine Opening Year (2016) Cumulative intersection performance. As identified in Table 4.11.H, the addition of project traffic to the Opening Year (2016) Cumulative scenario would result in conditions exceeding the established LOS standard at the following intersections:

- Moreno Beach Drive/SR-60 Eastbound Ramps (p.m. peak hour);
- Moreno Beach Drive/Cottonwood Avenue (p.m. peak hour);
- Moreno Beach Drive/Alessandro Avenue (p.m. peak hour);
- Redlands Boulevard/SR-60 Westbound Ramps (a.m. and p.m. peak hours);
- Redlands Boulevard/SR-60 Eastbound Ramps (a.m. and p.m. peak hours);
- Redlands Boulevard/Fir Avenue-Eucalyptus Avenue (a.m. and p.m. peak hours);
- Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue (p.m. peak hour); and
- Redlands Boulevard/Alessandro Boulevard (p.m. peak hour).

While these intersections are forecast to exceed satisfactory levels of service in Opening Year (2016) Cumulative with Project conditions (Table 4.11.H), with the exception of the intersection of Redlands Boulevard/Eucalyptus Avenue-Fir Avenue and Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue, these intersections already exceeded established LOS standards in the Opening Year (2016) Cumulative without-Project condition. Because the proposed project would contribute to and would cause intersections to operate at unsatisfactory levels, mitigation is required.

Table 4.11.H: Opening Year (2016) Cumulative Intersection Levels of Service

Intersection	Without Project				With Project				Mitigation Required?	Project With Improvements			
	A.M. Peak Hour		P.M. Peak Hour		A.M. Peak Hour		P.M. Peak Hour			A.M. Peak Hour		P.M. Peak Hour	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS		Delay	LOS	Delay	LOS
Nason Street/Eucalyptus Avenue	29.3	C	25.6	C	29.2	C	25.8	C	No	28.3	C	25.7	C
Nason Street/Alessandro Boulevard	29.9	C	30	C	30	C	30.3	C	No	29.7	C	30.2	C
Fir Avenue/Eucalyptus Avenue	25.4	C	21.1	C	25.3	C	21	C	No	25	C	20.9	C
Moreno Beach Drive/SR-60 WB Ramps	17.4	B	16.7	B	18.1	B	19.1	B	No	17	B	16.8	B
Moreno Beach Drive/SR-60 EB Ramps	32.8	C	**95.2**	**F**	34.7	C	**>100**	**F**	No	29.3	C	30.1	C
Moreno Beach Drive/Eucalyptus Avenue	*Future Intersection*				*Future Intersection*				No	*Future Intersection*			
Moreno Beach Drive/Trail Ridge Way	17.1	B	21.9	C	17.2	B	21.9	C	No	17.2	B	21.9	C
Moreno Beach Drive/Auto Mall Drive	16.4	B	23.4	C	17.4	B	25	C	No	17.4	B	25	C
Moreno Beach Drive/Cottonwood Avenue	26.2	C	**55.3**	**E**	26.4	C	**60.5**	**F**	No	26.9	C	31.7	C
Moreno Beach Drive/Alessandro Boulevard	30.4	C	**72.7**	**F**	31.7	C	**82.1**	**F**	No	31.8	C	35.2	D
Auto Mall Drive/Eucalyptus Avenue	10.1	B	14.9	B	10.7	B	25.2	D	No	10.7	B	16.7	C
Redlands Boulevard/SR-60 WB Ramps	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	No	26.3	C	33.8	C
Redlands Boulevard/SR-60 EB Ramps	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	No	30.5	C	39.9	D
Redlands Boulevard/Eucalyptus Avenue-Fir Avenue	*Future Intersection*				**>100**	**F**	**>100**	**F**	**Yes**	42.5	D	44.8	D
Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue	20.5	C	35	D	21.4	C	**37.4**	**E**	**Yes**	19	C	26.1	D
Redlands Boulevard/Cottonwood Avenue	17.4	B	11.1	B	17.5	B	11.1	B	No	17.1	B	10.8	B
Redlands Boulevard/Alessandro Boulevard	15.8	C	**42.7**	**F**	15.9	C	**43.5**	**F**	No	15.1	C	23.8	C
Driveway A/Eucalyptus Avenue	*Future Intersection*				9.8	A	10.7	A	No	9.8	A	10.7	A
Driveway B/Eucalyptus Avenue	*Future Intersection*				9.7	A	10	A	No	9.7	A	10	A
Driveway C/Eucalyptus Avenue	*Future Intersection*				9.9	A	10.8	A	No	9.9	A	10.8	A
Driveway D/Eucalyptus Avenue	*Future Intersection*				10	A	10.2	A	No	10	A	10.2	A
Driveway E/Eucalyptus Avenue	*Future Intersection*				9.6	A	10.7	A	No	9.6	A	10.7	A
Driveway F/Eucalyptus Avenue	*Future Intersection*				9.8	A	10.2	A	No	9.8	A	10.2	A
Driveway G/Eucalyptus Avenue	*Future Intersection*				9.6	A	10.5	A	No	9.6	A	10.5	A
Driveway H/Eucalyptus Avenue	*Future Intersection*				11.2	A	10.8	A	No	11.2	A	10.8	A

Source: *Tables R, U, and KK. Traffic Study, Eucalyptus Industrial Park*. LSA Associates, Inc. April 2012.

Freeway mainline and ramp junctions were evaluated in the Opening Year 2016 Cumulative plus Project condition. The results of the freeway analysis are provided in the TIA. The following segments are forecast to operate at an unsatisfactory level of service in the Opening Year 2016 Cumulative plus Project condition:

- SR-60 Eastbound: Pigeon Pass Road to Heacock Street (a.m. and p.m. peak hours);
- SR-60 Eastbound: Heacock Street to Perris Boulevard (a.m. and p.m. peak hours);
- SR-60 Eastbound: Perris Boulevard to Nason Street (a.m. and p.m. peak hours);
- SR-60 Westbound: Heacock Street to Perris Boulevard (a.m. and p.m. peak hours);
- SR-60 Westbound: Perris Boulevard to Nason Street (a.m. and p.m. peak hours); and
- SR-60 Westbound: Nason Street to Moreno Beach Drive (a.m. peak hour).

The project would add to the existing unsatisfactory LOS on these six freeway segments; therefore, the addition of project traffic would be considered a cumulative impact. Review of the RTIP indicates that there are no projects programmed on SR-60 within the study area. Furthermore, neither the project applicant nor the City has jurisdiction over Caltrans facilities; therefore, implementation of improvements to the freeway mainline cannot be guaranteed. Furthermore, Caltrans does not have a mechanism for development projects to contribute to improvements on State Highways. Therefore, the cumulative impact to these segments of SR-60 would be significant and unavoidable.

The Traffic Study also analyzes the Opening Year 2016 Cumulative with Project conditions a.m. and p.m. peak hour ramp merge-diverge volumes and levels of service for the ramp junctions on SR-60. All locations are forecast to operate at an acceptable level of service in the Opening Year 2016 Cumulative plus Project condition.

4.11.6.4 Future Year 2035 With Project Conditions (Intersection) Traffic and Level of Service Impacts

Threshold:	Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system?
Threshold:	Exceed, either individually or cumulatively, the City's LOS D criteria at all study area intersections except for the intersections of Moreno Beach Drive/Cottonwood Avenue and Redlands Boulevard/Cottonwood Avenue, where the standard of LOS C applies, or the LOS standard on Caltrans facilities All signalized ramp terminus intersections must operate with a weighted average delay of 45 seconds or less, and stop controlled ramp terminus intersections on SR-60 must operate with a worst-case approach delay (two-way stop) or weighted average delay (four-way stop) of 30 seconds or less. Freeway segments on SR-60 must operate with a volume-to-capacity ratio of 0.80 or better and freeway ramp junctions must operate at LOS E or better. A significant impact would occur if the project causes a Caltrans facility to exceed the LOS standard, or if the project adds traffic to a facility operating with unsatisfactory LOS in the baseline condition.

Future Year (2035) with Project conditions considers the addition of traffic generated by the proposed project to Future Year (2035) Baseline conditions. An intersection LOS analysis was conducted to determine Future Year (2035) Intersection performance. As identified in Table 4.11.I, the addition of project traffic to the Future Year (2035) scenario would result in conditions exceeding City and Caltrans LOS standards at the following intersections:

- Nason Street/Eucalyptus Avenue (a.m. and p.m. peak hours);
- Nason Street/Alessandro Boulevard (a.m. and p.m. peak hours);

Table 4.11.I: Future Year (2035) Intersection Levels of Service

Intersection	Without Project				With Project				Mitigation Required?	Project With Improvements			
	A.M. Peak Hour		P.M. Peak Hour		A.M. Peak Hour		P.M. Peak Hour			A.M. Peak Hour		P.M. Peak Hour	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS		Delay	LOS	Delay	LOS
Nason Street/Eucalyptus Avenue	**82.3**	**F**	**>100**	**F**	**83.3**	**F**	**>100**	**F**	**Yes**	40.1	D	40.6	D
Nason Street/Alessandro Boulevard	**68.3**	**F**	**82.5**	**F**	**70.6**	**F**	**85.2**	**F**	**Yes**	47.3	D	54.5	D
Fir Avenue/Eucalyptus Avenue	14.6	B	21.2	C	14.5	B	21	C	No	14.5	B	21	C
Moreno Beach Drive/SR-60 WB Ramps	**>100**	**F**	18.8	B	**>100**	**F**	20.5	C	**Yes**	18.3	B	20.4	C
Moreno Beach Drive/SR-60 EB Ramps	25.7	C	**87.6**	**F**	28	C	**>100**	**F**	**Yes**	20.5	C	29	C
Moreno Beach Drive/Eucalyptus Avenue	39.7	D	**>100**	**F**	49.5	D	**>100**	**F**	**Yes**	28.1	C	36.3	D
Moreno Beach Drive/Trail Ridge Way	17.3	B	20.5	C	17.3	B	20.5	C	No	17.3	B	20.5	C
Moreno Beach Drive/Auto Mall Drive	18.7	B	25.8	C	19	B	26.2	C	No	19	B	26.2	C
Moreno Beach Drive/Cottonwood Avenue	26.3	C	**66**	**F**	26.3	C	**67.7**	**F**	**Yes**	19.7	B	23.8	C
Moreno Beach Drive/Alessandro Boulevard	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**Yes**	33.8	C	44.3	D
Auto Mall Drive/Eucalyptus Avenue	11.6	B	18.4	C	12.7	B	25.1	D	No	12.7	B	25.1	D
Redlands Boulevard/SR-60 WB Ramps	**61.8**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**Yes**	11.8	B	13	B
Redlands Boulevard/SR-60 EB Ramps	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**Yes**	25.8	C	38.8	D
Redlands Boulevard/Eucalyptus Avenue-Fir Avenue	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**Yes**	32.9	C	38.8	D
Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**Yes**	29.4	C	33.4	C
Redlands Boulevard/Cottonwood Avenue	15.9	B	21.8	C	15.9	B	21.9	C	No	15.9	B	21.9	C
Redlands Boulevard/Alessandro Boulevard	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**Yes**	43.5	D	50.6	D
Driveway A/Eucalyptus Avenue	*Future Intersection*				11.2	B	16	B	No	11.2	B	16	B
Driveway B/Eucalyptus Avenue	*Future Intersection*				11.5	B	12.7	B	No	11.5	B	12.7	B
Driveway C/Eucalyptus Avenue	*Future Intersection*				11.8	B	16.8	C	No	11.8	B	16.8	C
Driveway D/Eucalyptus Avenue	*Future Intersection*				11.8	B	14.7	B	No	11.8	B	14.7	B
Driveway E/Eucalyptus Avenue	*Future Intersection*				10.7	B	15.9	C	No	10.7	B	15.9	C
Driveway F/Eucalyptus Avenue	*Future Intersection*				11.9	B	13.7	B	No	11.9	B	13.7	B
Driveway G/Eucalyptus Avenue	*Future Intersection*				10.7	B	14.8	B	No	10.7	B	14.8	B
Driveway H/Eucalyptus Avenue	*Future Intersection*				14.8	B	15.6	C	No	14.8	B	15.6	C

Source: *Tables X, AA, and MM. Traffic Study, Eucalyptus Industrial Park*. LSA Associates, Inc. April 2012

- Moreno Beach Drive/SR-60 Westbound Ramps (a.m. peak hour);
- Moreno Beach Drive/SR-60 Eastbound Ramps (p.m. peak hour);
- Moreno Beach Drive/Eucalyptus Avenue (p.m. peak hour);
- Moreno Beach Drive/Cottonwood Avenue (p.m. peak hour);
- Moreno Beach Drive/Alessandro Avenue (a.m. and p.m. peak hours);
- Redlands Boulevard/SR-60 Westbound Ramps (a.m. and p.m. peak hours);
- Redlands Boulevard/SR-60 Eastbound Ramps (a.m. and p.m. peak hours);
- Redlands Boulevard/Fir Avenue-Eucalyptus Avenue (a.m. and p.m. peak hours);
- Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue (a.m. and p.m. peak hours); and
- Redlands Boulevard/Alessandro Boulevard (a.m. and p.m. peak hours).

All of the intersections that are forecast to experience a deficient LOS with the proposed project would also operate with a deficient LOS without the proposed project. Although the proposed project does not cause these intersections to operate at an unsatisfactory LOS, it does contribute to the worsening of the intersections' LOS and therefore mitigation would be required to offset the cumulative impact of the project.

Freeway mainline and ramp junctions were evaluated in the Future Year 2035 plus Project condition. The results of the freeway analysis are provided in the TIA. The following segments are forecast to operate at an unsatisfactory level of service in the Future Year 2035 Cumulative plus Project condition:

- SR-60 Eastbound: Pigeon Pass Road to Heacock Street (a.m. and p.m. peak hours);
- SR-60 Eastbound: Heacock Street to Perris Boulevard (a.m. and p.m. peak hours);
- SR-60 Eastbound: Perris Boulevard to Nason Street (a.m. and p.m. peak hours);
- SR-60 Eastbound: Nason Street to Moreno Beach Drive (a.m. and p.m. peak hours);
- SR-60 Eastbound: Moreno Beach Drive to Redlands Boulevard (a.m. and p.m. peak hours);
- SR-60 Westbound: Heacock Street to Perris Boulevard (a.m. and p.m. peak hours);
- SR-60 Westbound: Perris Boulevard to Nason Street (a.m. and p.m. peak hours);
- SR-60 Westbound: Nason Street to Moreno Beach Drive (a.m. peak hour); and
- SR-60 Westbound: Moreno Beach Drive to Redlands Boulevard (a.m. peak hour).

The Traffic Study also analyzes the Future Year 2035 plus Project conditions a.m. and p.m. peak hour ramp merge-diverge volumes and levels of service for the freeway segments on SR-60. The following ramp junctions are forecast to operate at an unacceptable level of service in the future Year 2035 plus Project condition.

- SR-60 Eastbound: Moreno Beach Drive Off-Ramp (a.m. and p.m. peak hours);
- SR-60 Eastbound: Moreno Beach Drive On-Ramp (a.m. and p.m. peak hours);
- SR-60 Eastbound: Redlands Boulevard Loop On-Ramp (a.m. peak hour);
- SR-60 Eastbound: Redlands Boulevard Slip On-Ramp (a.m. peak hour);
- SR-60 Westbound: Moreno Beach Drive On-Ramp (a.m. peak hour);
- SR-60 Westbound: Moreno Beach Drive Off-Ramp (a.m. peak hour);
- SR-60 Westbound: Redlands Boulevard Slip On-Ramp (a.m. peak hour);

- SR-60 Westbound: Redlands Boulevard Loop On-Ramp (a.m. peak hour); and
- SR-60 Westbound: Redlands Boulevard Off-Ramp (a.m. peak hour).

The project would add to the unsatisfactory LOS on these nine freeway segments and nine ramp junctions. Therefore, the addition of project traffic would be considered a cumulative impact. Review of the RTIP indicates that there are no projects programmed on SR-60 within the study area. Furthermore, neither the project applicant nor the City has jurisdiction over Caltrans facilities; therefore, implementation of improvements to the freeway mainline cannot be guaranteed. Furthermore, Caltrans does not have a mechanism for development projects to contribute to improvements on State Highways. Therefore, the cumulative impact to these three segments of SR-60 would be significant and unavoidable.

4.11.6.5 General Plan Build Out With Project Conditions (Intersection) Traffic and Level of Service Impacts

Threshold:	Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system?
Threshold:	Exceed, either individually or cumulatively, the City's LOS D criteria at all study area intersections except for the intersections of Moreno Beach Drive/Cottonwood Avenue and Redlands Boulevard/Cottonwood Avenue, where the standard of LOS C applies, or the Caltrans LOS standard of between C and D.

General Plan Build Out with project conditions considers the addition of traffic generated by the proposed project to General Plan Build Out baseline conditions. An intersection LOS analysis was conducted to determine General Plan Build Out intersection performance. As identified in Table 4.11.J, the addition of project traffic to the General Plan Build Out scenario would result in conditions exceeding City and Caltrans LOS standards at the following intersections:

- Nason Street/Eucalyptus Avenue (a.m. and p.m. peak hours);
- Nason Street/Alessandro Boulevard (a.m. and p.m. peak hours);
- Moreno Beach Drive/SR-60 Westbound Ramps (a.m. and p.m. peak hours);
- Moreno Beach Drive/SR-60 Eastbound Ramps (a.m. and p.m. peak hours);
- Moreno Beach Drive/Eucalyptus Avenue (a.m. and p.m. peak hours);
- Moreno Beach Drive/Cottonwood Avenue (a.m. and p.m. peak hours);
- Moreno Beach Drive/Alessandro Avenue (a.m. and p.m. peak hours);
- Redlands Boulevard/SR-60 Westbound Ramps (a.m. and p.m. peak hours);
- Redlands Boulevard/SR-60 Eastbound Ramps (a.m. and p.m. peak hours);
- Redlands Boulevard/Fir Avenue-Eucalyptus Avenue (a.m. and p.m. peak hours);
- Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue (a.m. and p.m. peak hours);
- Redlands Boulevard/Cottonwood Avenue (a.m. and p.m. peak hours); and
- Redlands Boulevard/Alessandro Boulevard (a.m. and p.m. peak hours).

All of the intersections that are forecast to experience a deficient LOS with the proposed project would also operate with a deficient LOS without the proposed project. Although the proposed project does not cause these intersections to operate at an unsatisfactory LOS, it does contribute to the worsening of the intersections' LOS and therefore mitigation would be required to offset the cumulative impact of the project.

Table 4.11.J: General Plan Build Out Intersection Levels of Service

Intersection	Without Project				With Project				Mitigation Required?	Project With Improvements			
	A.M. Peak Hour		P.M. Peak Hour		A.M. Peak Hour		P.M. Peak Hour			A.M. Peak Hour		P.M. Peak Hour	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS		Delay	LOS	Delay	LOS
Nason Street/Eucalyptus Avenue	**85**	**F**	**>100**	**F**	**90.1**	**F**	**>100**	**F**	**Yes**	36.4	D	54.9	D
Nason Street/Alessandro Boulevard	**92**	**F**	**>100**	**F**	**94.9**	**F**	**>100**	**F**	**Yes**	43.3	D	45.3	D
Fir Avenue/Eucalyptus Avenue	19.3	B	24.3	C	19.3	B	24.3	C	No	22.8	C	27.4	C
Moreno Beach Drive/SR-60 WB Ramps	**79.3**	**F**	**>100**	**F**	**90.2**	**F**	**>100**	**F**	**Yes**	29.5	C	26.8	C
Moreno Beach Drive/SR-60 EB Ramps	**97.6**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**Yes**	36.4	D	44.3	D
Moreno Beach Drive/Eucalyptus Avenue	**58.2**	**F**	**>100**	**F**	**73.6**	**F**	**>100**	**F**	**Yes**	30.3	C	46.2	D
Moreno Beach Drive/Trail Ridge Way	15.3	B	21.3	C	15.4	B	21.3	C	No	16.5	B	23	C
Moreno Beach Drive/Auto Mall Drive	21.8	C	27.7	C	22.1	C	28.1	C	No	23.5	C	29.9	C
Moreno Beach Drive/Cottonwood Avenue	**95.8**	**F**	**>100**	**F**	**97**	**F**	**>100**	**F**	**Yes**	29.8	C	32.3	C
Moreno Beach Drive/Alessandro Boulevard	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**Yes**	34.1	C	44.2	D
Auto Mall Drive/Eucalyptus Avenue	14.9	B	**42.4**	**E**	17.3	C	**73.3**	**F**	**Yes**	20.5	C	29.7	C
Redlands Boulevard/SR-60 WB Ramps	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**Yes**	19.8	B	16.8	B
Redlands Boulevard/SR-60 EB Ramps	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**Yes**	23.6	C	27.7	C
Redlands Boulevard/Eucalyptus Avenue-Fir Avenue	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**Yes**	31.3	C	40.5	D
Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**Yes**	32.5	C	40.1	D
Redlands Boulevard/Cottonwood Avenue	51.8	D	**>100**	**F**	52.3	D	**>100**	**F**	**Yes**	30.1	C	33.8	C
Redlands Boulevard/Alessandro Boulevard	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**Yes**	37.1	D	50.2	D
Driveway A/Eucalyptus Avenue	*Future Intersection*				15.5	C	27.4	D	No	15.5	C	27.4	D
Driveway B/Eucalyptus Avenue	*Future Intersection*				14.9	B	20.4	C	No	14.9	B	20.4	C
Driveway C/Eucalyptus Avenue	*Future Intersection*				15.8	C	31.7	D	No	15.8	C	31.7	D
Driveway D/Eucalyptus Avenue	*Future Intersection*				17.3	C	23.3	C	No	17.3	C	23.3	C
Driveway E/Eucalyptus Avenue	*Future Intersection*				14.4	B	27.8	D	No	14.4	B	27.8	D
Driveway F/Eucalyptus Avenue	*Future Intersection*				16	C	23.3	C	No	16	C	23.3	C
Driveway G/Eucalyptus Avenue	*Future Intersection*				14.3	B	24.1	C	No	14.3	B	24.1	C
Driveway H/Eucalyptus Avenue	*Future Intersection*				23.7	C	34.1	D	No	23.7	C	34.1	D

Source: *Tables DD, EE, and OO. Traffic Study, Eucalyptus Industrial Park*. LSA Associates, Inc. April 2012

4.11.6.6 Mitigation Measures

The project is responsible for mitigation of all project impacts to the roadway network. Mitigation measures can be directly constructed by the project applicant, could be funded by the applicant and constructed by the City, or could be in the form of payment of fees to implement improvements that are required for all future development in the region. Typically, project proponents install internal streets and improvements within the project site. For streets that are affected by the proposed project, a fair-share amount is typically contributed by the project proponent to the city's roadway program, usually in form of a DIF. The DIF is a program covering the entire City of Moreno Valley and provides funds for a variety of public facilities that are both transportation and non-transportation related. The transportation component of the DIF includes various roads, bridges, and traffic signals required to complete the City's Circulation Element and covers projects not included in the TUMF program, which provides funding for the regional circulation infrastructure. The DIF establishes separate rates based on the location of projects. The DIF program is administered by the City and was adopted through (Ord. 695 § 1.1 (part), 2005).

On a regional scale, the WRCOG administers the TUMF program for western Riverside County. The TUMF requires developers of residential, industrial, and commercial property to pay a development fee to fund transportation projects that will be required as a result of the growth the projects create. The TUMF funds both local area transportation improvement projects and improvements to the region's arterial backbone system. While the TUMF cannot fund all necessary transportation system improvements, it is intended to address a current transportation funding shortfall by establishing a new revenue source that ensures future development will contribute toward addressing the impacts of new growth on regional transportation infrastructure.

Funding accumulated through the TUMF program will be used to construct transportation improvements that will be needed to accommodate future travel demand in western Riverside County. Local area projects receive 48.1 percent of all funds and the funds are programmed in each of five "zones" proportionately to the fees paid. These zone projects are proposed by local jurisdictions. Another 48.1 percent of all TUMFs goes to the RCTC, which proposes and implements transportation projects of a regional nature. The remaining 3.8 percent is allocated to transit projects by the RTA.

In February 2006, the WRCOG adopted the Final Transportation Uniform Mitigation Fee Nexus Study Report,[1] which established each jurisdiction's fair-share contribution for regional transportation facilities (e.g., freeway interchanges, regional arterials, and railroad grade separations) in western Riverside County. Through this study, the WRCOG determined a TUMF of $2.27 per gross square foot for industrial uses.[2] As part of the Final TUMF Nexus Study, a transportation facility project list was complied that contains the full listing of all transportation projects and project segments included for funding by the program. The timing of the improvements is established through the WRCOG to ensure that construction of needed improvements occurs prior to or concurrent with the time at which the identified roadway segment or intersection LOS is forecast to fail to achieve performance levels.

The following improvements within the project area are included in the TUMF program:

- SR-60/Moreno Beach Drive Interchange reconstruction;
- SR-60/Redlands Boulevard Interchange reconstruction;
- Widen Alessandro Boulevard from 2 to 4 lanes between Nason Street and Gilman Springs Road;
- Widen Redlands Boulevard from 2 to 4 lanes from Locust Avenue to Alessandro Boulevard; and
- Widen Nason Street from 2 to 4 lanes from Ironwood Avenue to Alessandro Boulevard.

[1] *Final Report Transportation Uniform Mitigation Fee Nexus Study 2005 Update,* Western Riverside Council of Governments, adopted February 6, 2006.

[2] *Table ES.1- Transportation Uniform Mitigation Fee for Western Riverside County, Final Report Transportation Uniform Mitigation Fee Nexus Study 2005 Update,* Western Riverside Council of Governments, adopted February 6, 2006.

The project traffic study recommends circulation improvements when any facility operates at a level of service below the target LOS, regardless of whether the deficiency is a background condition or caused by the project. These recommendations are required even if the project does not have a direct significant impact under CEQA. Mitigation of project impacts is the responsibility of the project applicant, whether the impact is a direct project impact or is a cumulative impact. Many of the improvements programmed into the DIF and TUMF program would mitigate the project's direct and cumulative impacts. In these cases, payment of the fee would constitute mitigation of the impact. In cases where the programmed improvement does not fully mitigate the project's impact, additional improvements and the project's fair share of these improvements have been identified.

Mitigation Measure. To reduce impacts associated with Existing (2011) intersection LOS, the following mitigation has been identified:

4.11.6.4A Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program:

- **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is currently approved, and permitted by Caltrans. If not otherwise completed prior to project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.
- **Redlands Boulevard/Fir Avenue/Eucalyptus Avenue.** If not otherwise completed prior to project opening, prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements: Install a traffic signal. This improvement is listed in the City's DIF program. Add a northbound left-turn lane and a southbound left-turn lane. These improvements are listed in the TUMF.

Level of Significance after Mitigation. As identified in Table 4.11.F, with the implementation of the recommended improvements, the minimum level of service standards would be maintained for the Existing (2011) with Project and impacts would be reduced to a less than significant level for all identified intersections. However, improvements to freeway facilities are under the authority of Caltrans. Since the City has no control over when and how the improvements will be in place, impacts associated with SR-60 ramp intersections would remain significant and unavoidable until such improvement is constructed.

Mitigation Measure. To reduce impacts associated with Opening Year (2016) intersection LOS, the following mitigation has been identified:

4.11.6.4B Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program:

- **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF would mitigate the significant impact at this location. This project is scheduled to go into construction by the end of this year and completed by the end of 2013.
- **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is currently approved, and permitted by Caltrans. If not otherwise completed prior to project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

- **Redlands Boulevard/Fir Avenue/Eucalyptus Avenue**. If not otherwise completed prior to project opening, prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements: Install a traffic signal. This improvement is listed in the City's DIF program. Add a northbound left-turn lane and a southbound left-turn lane.

Level of Significance after Mitigation. As identified in Table 4.11.G, with the implementation of the recommended improvements, the minimum level of service standards would be maintained for the Opening Year (2016) with Project and impacts would be reduced to a less than significant level for all identified intersections. In addition to the signalization of the Redlands Boulevard/SR-60 Westbound ramp intersection included in the City's DIF program, reconstruction of the Redlands Boulevard/SR-60 interchange is programmed in the TUMF program. As a result, there are programmed improvements at the deficient freeway ramp intersection identified in **Mitigation Measure 4.11.6.1B** in both the DIF and TUMF programs. However, improvements to freeway facilities are under the authority of Caltrans. Although the City would collect fees that would be utilized for improvements to the Moreno Beach Drive/SR-60 Eastbound Ramps and Redlands Boulevard/SR-60 Westbound Ramps, improvements to these intersections are outside the City's jurisdiction. Since the City has no control over when and how the improvements will be in place, impacts associated with these identified intersections would remain significant and unavoidable until such improvements are constructed.

Mitigation Measure. To reduce impacts associated with opening year (2016) cumulative intersection LOS, the following mitigation has been identified:

4.11.6.4C Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program:

- **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF would mitigate the significant impact at this location.
- **Moreno Beach Drive/Cottonwood Avenue.** Add a southbound through lane. This improvement is listed in the City's DIF program. Therefore, payment of the DIF would mitigate the significant impact at this location.
- **Moreno Beach Drive/Alessandro Boulevard.** Add a southbound through lane. This improvement is listed in the City's DIF program. Therefore, payment of the DIF would mitigate the significant impact at this location.
- **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is listed in the City's DIF program and will be installed before building occupancy since it was identified as a direct project impact. Add a northbound through lane. The Redlands Boulevard/SR-60 Interchange reconstruction would implement the northbound through lane. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the DIF and TUMF would mitigate the significant impact at this location.
- **Redlands Boulevard/SR-60 Eastbound Ramps.** The Redlands Boulevard/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the TUMF would mitigate the significant impact at this location.

- **Redlands Boulevard/Fir Avenue/Eucalyptus Avenue.** Install a traffic signal. Add a westbound right-turn lane and provide overlap phasing for the westbound right turns. Add a westbound left-turn lane and an eastbound left-turn lane. These improvements are programmed in the City's DIF program. Add a northbound left-turn lane a southbound through lane and a southbound left-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF would mitigate the significant impact at this location.
- **Redlands Boulevard/Eucalyptus Avenue.** Add a southbound right-turn lane. This improvement is programmed in the TUMF. Therefore, payment of the TUMFs would mitigate the significant impact at this location.
- **Redlands Boulevard/Alessandro Boulevard.** Add a southbound left-turn lane. This improvement is programmed in the TUMF. Therefore, payment of the TUMFs would mitigate the significant impact at this location.

Level of Significance after Mitigation. As identified in Table 4.11.H, with the implementation of the recommended improvements, the minimum level of service standards would be maintained for the Opening Year (2016) Cumulative with Project and impacts would be reduced to a less than significant level for all identified intersections. In addition, reconstruction of the interchanges at the location of the deficient freeway ramp intersections identified in **Mitigation Measure 4.11.6.1C** are already programmed into the TUMF program. However, as noted previously, improvements to freeway facilities are under the authority of Caltrans. Although the City would collect fees that would be utilized for improvements to the Moreno Beach Drive/SR-60 Eastbound Ramps, Redlands Boulevard/SR-60 Westbound Ramps, and Redlands Boulevard/SR-60 Eastbound Ramps intersections, improvements to these intersections are outside the City's jurisdiction. Since the City has no control over when and how these improvements will be in place, impacts associated with these identified intersections would remain significant and unavoidable until such improvements are constructed.

Mitigation Measure. To reduce impacts associated with Future Year (2035) intersection LOS, the following mitigation has been identified:

4.11.6.4D Prior to issuance of building permits, the project applicant shall pay the fair-share contribution toward the following traffic improvements through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program. At some locations, the DIF and TUMFs would not fully mitigate the projects impact. For these locations, additional improvements shall be implemented by the project applicant prior to the issuance of a certificate of occupancy for the project:

- **Nason Street/Eucalyptus Avenue.** Add a northbound right-turn lane. This improvement is programmed in the City's DIF; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, the project shall contribute a fair share (calculated to be 1.76%) toward restriping the westbound approach to provide dual left-turn lanes
- **Nason Street/Alessandro Boulevard.** Add an eastbound through lane and a westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, the project shall contribute a fair share (calculated to be 1.4%) toward modification of the traffic signal to provide overlap phasing for the eastbound right-turn lane.
- **Moreno Beach Drive/SR-60 Westbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the

design phase. Therefore, payment of the TUMF would mitigate the significant impact at this location.

- **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF would mitigate the significant impact at this location.
- **Moreno Beach Drive/Eucalyptus Avenue.** Convert the existing eastbound through lane to a left-turn lane and the eastbound right-turn lane to a shared through/right-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, the project shall contribute a fair share (calculated to be 8.63%) toward modification of the traffic signal to provide right-turn overlap phasing for the westbound right turn.
- **Moreno Beach Drive/Cottonwood Avenue.** Add a southbound through lane. This improvement is programmed in the City's DIF program. Therefore, payment of the DIF would mitigate the significant impact at this location.
- **Moreno Beach Drive/Alessandro Boulevard.** Add 2 southbound through lanes, 2 northbound through lanes, an eastbound through lane, and a westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would mitigate the significant impact at this location.
- **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is programmed in the City's DIF program and will be installed before building occupancy since it was identified as a direct project impact.
- **Redlands Boulevard/SR-60 Eastbound Ramps.** The Redlands Boulevard/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the TUMF would mitigate the significant impact at this location.
- **Redlands Boulevard/Fir Avenue-Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane, eastbound through lane, eastbound left-turn lane, and a westbound right-turn lane with overlap phasing. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, add a southbound through lane, southbound left-turn lane, northbound through lane, northbound left-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF would mitigate the significant impact at this location.
- **Redlands Boulevard/Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, add a northbound left-turn lane and a southbound left-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF would mitigate the significant impact at this location.
- **Redlands Boulevard/Alessandro Boulevard.** Install a traffic signal. This improvement is programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, add a southbound left-turn lane, a northbound left-turn lane, a westbound left-turn lane, an eastbound left-turn lane, a westbound right-turn lane, and a southbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF would mitigate the significant impact at this location.

Level of Significance after Mitigation. As identified in Table 4.11.I, with the implementation of the recommended improvements, the minimum level of service standards would be maintained for the Future Year (2035) with Project scenario and impacts would be reduced to a less than significant level for all identified intersections. In addition, reconstruction of the interchanges at the location of the deficient freeway ramp intersections identified in **Mitigation Measure 4.11.6.2D** are already programmed into the TUMF program. It is anticipated that by future year (2035) improvement to the identified freeway ramps and intersections would be built through the TUMF process and coordination by Caltrans, WRCOG, and the City of Moreno Valley. Because the project would pay its fair-share cost associated with these improvements and because such improvements are anticipated to be constructed by the future year (2035), impacts associated with this issue are less than significant after the identified mitigation measures have been implemented.

Mitigation Measure. To reduce impacts associated with General Plan Build Out intersection LOS, the following mitigation has been identified:

4.11.6.4E Prior to issuance of building permits, the project applicant shall implement the following improvements, either through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program, or through a fair-share contribution to the City of Moreno Valley as noted below:

- **Nason Street/Eucalyptus Avenue.** Add a northbound right-turn lane and an eastbound right-turn lane. These improvements are programmed in the City's DIF; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. Implementation of the improvements identified for this intersection in **Mitigation Measure 4.11.6.4D** would also partially mitigate the significant impact at this intersection. In addition, the project shall pay a fair share (calculated to be 1.6%) toward modification of the traffic signal to provide right-turn overlap phasing for the eastbound and northbound right turns.
- **Nason Street/Alessandro Boulevard.** Add an eastbound through lane and westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. Implementation of the improvements identified for this intersection in **Mitigation Measure 4.11.6.4D** would also partially mitigate the significant impact at this intersection. In addition, the project shall pay a fair share (calculated to be 1.35%) toward the addition of an eastbound left-turn lane and modification of the traffic signal to provide overlap phasing for the westbound right-turn lane.
- **Moreno Beach Drive/SR-60 Westbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF would mitigate the significant impact at this location.
- **Moreno Beach Drive/SR-60 Eastbound Ramps.** The Moreno Beach Drive/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF and is currently in the design phase. Therefore, payment of the TUMF would mitigate the significant impact at this location.
- **Moreno Beach Drive/Eucalyptus Avenue.** Restripe eastbound approach to dual left-turn lanes and add a northbound through lane, a westbound through lane, and a southbound right-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. Implementation of the improvements identified for this intersection in **Mitigation Measure 4.11.6.4D** would also partially mitigate the significant impact at this intersection. In addition, the project shall pay a fair share (calculated to be

5.17%) toward modification of the traffic signal to provide right-turn overlap phasing for the southbound right-turn lane.

- **Moreno Beach Drive/Cottonwood Avenue.** Add a southbound through lane, a northbound through lane, an eastbound left-turn lane, an eastbound through lane, a westbound through lane, and a westbound left-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would mitigate the significant impact at this location.
- **Moreno Beach Drive/Alessandro Boulevard.** Add 2 southbound through lanes, add 2 northbound through lanes, an eastbound through lane, and a westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would mitigate the significant impact at this location.
- **Auto Mall Drive/Eucalyptus Avenue.** Install a traffic signal. This improvement is programmed in the City's DIF program; therefore, payment of the DIF would mitigate the significant impact at this location.
- **Redlands Boulevard/SR-60 Westbound Ramps.** Install a traffic signal. This improvement is programmed in the City's DIF program and will be installed before building occupancy since it was identified as a direct project impact. Therefore, payment of the DIF would mitigate the significant impact at this location.
- **Redlands Boulevard/SR-60 Eastbound Ramps.** The Redlands Boulevard/SR-60 Interchange reconstruction would fully mitigate the project impact at this location. The interchange reconstruction project is programmed in the TUMF. Therefore, payment of the TUMF would mitigate the significant impact at this location.
- **Redlands Boulevard/Fir Avenue-Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane, eastbound through lane, eastbound left-turn lane, a westbound right-turn lane with overlap phasing, and a southbound right-turn lane with overlap phasing. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, add a southbound through lane, a southbound left-turn lane, a northbound through lane, a northbound left-turn lane, and a northbound right-turn lane. These improvements are programmed in the TUMF. Therefore, payment of the TUMF would also partially mitigate the significant impact at this location. In addition, the project shall pay a fair share (calculated to be 10.44%) of the cost of adding a southbound left-turn lane.
- **Redlands Boulevard/Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, add a northbound left-turn lane, a northbound through lane, a southbound left-turn lane, and a southbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF would mitigate the significant impact at this location.
- **Redlands Boulevard/Cottonwood Avenue.** Add an eastbound through lane and westbound through lane. These improvements are programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, add a northbound through lane, and a southbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF would mitigate the significant impact at this location.
- **Redlands Boulevard/Alessandro Boulevard.** Install a traffic signal. This improvement is programmed in the City's DIF program; therefore, payment of the DIF would partially mitigate the significant impact at this intersection. In addition, add a southbound left-turn lane, a northbound left-turn lane, a westbound left-turn lane, an eastbound left-turn lane, a westbound right-turn lane, a southbound through lane, a

westbound through lane, and an eastbound through lane. These improvements are programmed in the TUMF. Therefore, payment of the DIF and TUMF would mitigate the significant impact at this location.

Level of Significance after Mitigation. As identified in Table 4.11.J, with the implementation of the recommended improvements, the minimum level of service standards would be maintained for the General Plan Build Out with Project scenario and impacts would be reduced to a less than significant level for all identified intersections. However, as noted previously, improvements to the freeway intersections and infrastructure are under the authority of Caltrans. In addition, the deficient freeway ramp intersections identified in **Mitigation Measure 4.11.6.2E** are already programmed into the TUMF program. It is anticipated that by the General Plan Build Out, improvements to the identified freeway ramps and intersections would be built through the TUMF process and coordination by Caltrans, WRCOG, and the City of Moreno Valley. Because the project would pay its fair-share cost associated with these improvements and because such improvements are anticipated to be constructed by the future year (2035), impacts associated with this issue are less than significant after the identified mitigation measures have been implemented.

Encilia Avenue and Quincy Street Connections. According to the City's General Plan Circulation Element, Encilia Avenue is planned to be extended west across the Quincy Channel (located on the east side of the project boundary), and then north to intersect with Eucalyptus Avenue. The project will not construct Encilia Avenue but will preserve right-of-way along the south project boundary to allow Encilia Avenue to be constructed in the future. Since the project will not construct Encilia Avenue, the study evaluates a scenario where Encilia Avenue is not constructed under General Plan Build Out conditions as well as a scenario where Encilia Avenue is constructed under Build Out conditions to compare levels of service near the project.

The project also proposes to eliminate the proposed Quincy Street connection to the north of the proposed Eucalyptus Avenue. Elimination of the Quincy Street connection creates a physical barrier between the industrial and residential uses, and will help to segregate and prevent truck traffic from entering future residential streets. The analysis in the preceding sections includes the above changes to the circulation network. The City requested an analysis to evaluate traffic operations under conditions wherein the circulation network is constructed as it is shown in the Circulation Element to compare traffic operations with the above changes.

The TIA evaluated General Plan Build Out conditions with the Quincy Street and Encilia Avenue connections. Base traffic volumes for this scenario were developed by using the RivTAM. The methodology used for this analysis was similar to the preceding project-related traffic impact evaluations. In addition, since the RivTAM is a 2035 model, these base volumes were adjusted by applying growth factors for north-south and east-west roadways based on comparison of 2035 and build out traffic volumes. Thirteen intersections were evaluated for the General Plan Build Out without and with Project conditions under this proposed roadway configuration. Under Build Out without Project conditions, the following intersections are forecast to operate at unsatisfactory LOS:

- Moreno Beach Drive/SR-60 Westbound Ramps (a.m. and p.m. peak hours);
- Moreno Beach Drive/SR-60 Eastbound Ramps (a.m. and p.m. peak hours);
- Moreno Beach Drive/Eucalyptus Avenue (a.m. and p.m. peak hours);
- Redlands Boulevard/SR-60 Westbound Ramps (a.m. and p.m. peak hours);
- Redlands Boulevard/SR-60 Eastbound Ramps (a.m. and p.m. peak hours);
- Redlands Boulevard/Eucalyptus Avenue-Fir Avenue (a.m. and p.m. peak hours);
- Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue (a.m. and p.m. peak hours);

- Moreno Beach Drive/Encilia Avenue (a.m. and p.m. peak hours); and
- Quincy Street/Encilia Avenue-Eucalyptus Avenue (p.m. peak hour).

Project trips were assigned to this roadway network based on select zone model runs from the RivTAM. Under Build Out with Project conditions, the same intersections that operate at unsatisfactory levels of service listed under without project conditions also operate at unsatisfactory levels of service under with project conditions. Table 4.11.K shows the LOS impacts at the study intersections for this scenario. The improvements required under this scenario for all study intersections to meet the level of service standards are listed in **Mitigation Measure 4.11.6.4F**. As noted in **Mitigation Measure 4.11.6F**, the impacts to study intersections with the Encilia Avenue and Quincy Street connections are similar to the General Plan Build Out condition. The project impact at the intersections of Moreno Beach Drive/Eucalyptus Avenue and Redlands Boulevard/Fir Avenue-Eucalyptus Avenue is slightly worse, resulting in the need for minor additional improvements at these two intersection over those prescribed to mitigate the impacts in the General Plan Build Out condition.

Mitigation Measure. The following measure is recommended if the Encilia Avenue and Quincy Street Connection plan is implemented as part of the proposed project (from TIA Table RR):

4.11.6.4F If the Encilia Avenue and Quincy Street Connection plan is implemented as part of the proposed project, then prior to issuance of building permits, the project applicant shall implement the following improvements: In addition to those identified in **Mitigation Measure 4.11.6.4E**, either through fees paid to the City of Moreno Valley based on the City's DIF system and the County's TUMF program, or through a fair-share contribution to the City of Moreno Valley as noted below:

- **Moreno Beach Drive/Eucalyptus Avenue.** Restripe the southbound shared through/right-turn lane to a southbound through lane. This improvement is programmed in the City's DIF program; therefore, payment of the DIF would mitigate the impacts of the project at this intersection.
- **Redlands Boulevard/Fir Avenue-Eucalyptus Avenue.** Pay the fair share (calculated to be 10.84%) to add a southbound right-turn lane.
- **Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue.** Install a traffic signal and add a westbound left-turn lane. These improvements are programmed in the City's DIF program. In addition, add a northbound left-turn lane, northbound through lane, southbound left-turn lane, and a southbound through lane. These improvements are programmed in the TUMF program. Therefore, payment of the DIF and TUMF would fully mitigate the impact of the project at this intersection.
- **Moreno Beach Drive/Encilia Avenue.** Install a traffic signal, add a northbound through lane, southbound left-turn lane, and a southbound through lane. This improvement is programmed in the City's DIF program; therefore, payment of the DIF would mitigate the impacts of the project at this intersection.

The TIA analysis indicates that the traffic volumes on Encilia Avenue are very low during the a.m. and p.m. peak hours. The highest traffic volume on Encilia Avenue occurs during the p.m. peak hour on the easterly segment of proposed street. Approximately 600 two-way trips are forecast on this leg. The traffic volumes on Quincy Street between future Encilia Avenue and future Eucalyptus Avenue are lower still, with approximately 360 vehicles on the segment during the peak hour. Applying a peak hour to ADT conversion factor of 10 times peak hour trips translates to approximately 3,600 vehicles on Quincy Street and 6,000 vehicles on Encilia Avenue. Most traffic on Encilia Avenue is generated by the proposed residential development to the south of the future Encilia Avenue.

Table 4.11.K: Encilia Avenue and Quincy Street Connection Impacts

Intersection	Without Project				With Project				Improvements Required?	Project With Improvements			
	A.M. Peak Hour		P.M. Peak Hour		A.M. Peak Hour		P.M. Peak Hour			A.M. Peak Hour		P.M. Peak Hour	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS		Delay	LOS	Delay	LOS
Moreno Beach Drive/SR-60 WB Ramps	**76.9**	**F**	**90.9**	**F**	**87.8**	**F**	**>100**	**F**	**Yes**	27.4	C	23.5	C
Moreno Beach Drive/SR-60 EB Ramps	**93.4**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**Yes**	34.3	C	43.5	D
Moreno Beach Drive/Eucalyptus Avenue	**53.7**	**F**	**>100**	**F**	**69.4**	**F**	**>100**	**F**	**Yes**	32.1	C	51.4	D
Moreno Beach Drive/Trail Ridge Way	15.6	B	20.9	C	15.6	B	20.9	C	No	15.6	B	20.9	C
Moreno Beach Drive/Auto Mall Drive	21.6	C	27.4	C	21.9	C	27.9	C	No	21.9	C	27.9	C
Auto Mall Drive/Eucalyptus Avenue	13	B	20.2	C	14.4	B	28.2	D	No	14.4	B	28.2	F
Redlands Boulevard/SR-60 WB Ramps	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**Yes**	20	B	18	F
Redlands Boulevard/SR-60 EB Ramps	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**Yes**	27.1	C	34.6	D
Redlands Boulevard/Eucalyptus Avenue-Fir Avenue	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**Yes**	33.2	C	42.9	B
Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue	**>100**	**F**	**>100**	**F**	**>100**	**F**	**>100**	**F**	**Yes**	29.2	C	39.8	C
Moreno Beach Drive/Encilia Avenue	**50.5**	**F**	**>100**	**F**	**52.1**	**F**	**>100**	**F**	**Yes**	11	B	22.9	C
Quincy Street/Eucalyptus Avenue-Fir Avenue	15.8	C	15.7	C	26.1	D	22	C	No	26.1	D	22	C
Quincy Street/Encilia Avenue-Eucalyptus Avenue	10.1	B	**28.6**	**D**	10.1	B	**29.1**	**D**	**Yes**	9.8	A	21.8	C
Driveway A/Eucalyptus Avenue	*Future Intersection*				12.2	B	15.6	C	No	12.2	B	15.6	C
Driveway B/Eucalyptus Avenue	*Future Intersection*				13.7	B	12.4	B	No	13.7	B	12.4	B
Driveway C/Eucalyptus Avenue	*Future Intersection*				14.5	B	16.4	C	No	14.5	B	16.4	C
Driveway D/Eucalyptus Avenue	*Future Intersection*				13.2	B	14.4	B	No	13.2	B	14.4	B
Driveway E/Eucalyptus Avenue	*Future Intersection*				11.5	B	15.5	C	No	11.5	B	15.5	C
Driveway F/Eucalyptus Avenue	*Future Intersection*				14.5	B	13.3	B	No	14.5	B	13.3	B
Driveway G/Eucalyptus Avenue	*Future Intersection*				11.4	B	14.4	B	No	11.4	B	14.4	B
Driveway H/Eucalyptus Avenue	*Future Intersection*				19.4	C	16.1	C	No	19.4	C	16.1	C

Source: *Tables PP, QQ, and SS. Traffic Study, Eucalyptus Industrial Park*. LSA Associates, Inc. April 2012

In addition, all intersections that operate at satisfactory LOS with the Encilia Avenue and Quincy Street connections also operate at satisfactory LOS if Encilia Avenue and Quincy Street connections are not constructed. Therefore, elimination of these roadways from the General Plan does not have a significant adverse impact on the City's circulation network.

Level of Impact After Mitigation. With the implementation of the recommended improvements, all intersections operate at satisfactory LOS.

4.11.7 Cumulative Impacts

Cumulative impacts refer to incremental effects of an individual project when viewed in connection with the effects of past projects, current projects, and probable future projects. Cumulative projects are identified in Table 4.11.H. Cumulative impacts associated with traffic volumes are determined based the addition of traffic volumes from approved and pending projects in the area and projected traffic growth to existing traffic volumes. The cumulative analysis forecasts that, with the development of the proposed project and the cumulative projects, eight intersections would require improvements in order to maintain the City's LOS standard of D. Those intersections are as follows:

- Moreno Beach Drive/SR-60 Eastbound Ramps (p.m. peak hour);
- Moreno Beach Drive/Cottonwood Avenue (p.m. peak hour);
- Moreno Beach Drive/Alessandro Avenue (p.m. peak hour);
- Redlands Boulevard/SR-60 Westbound Ramps (a.m. and p.m. peak hours);
- Redlands Boulevard/SR-60 Eastbound Ramps (a.m. and p.m. peak hours);
- Redlands Boulevard/Fir Avenue-Eucalyptus Avenue (a.m. and p.m. peak hours);
- Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue (p.m. peak hour); and
- Redlands Boulevard/Alessandro Boulevard (p.m. peak hour).

Although the suggested improvements are consistent with the City's General Plan, the project will be responsible for contributing its fair share toward the funding of the future improvements via payment of the City's DIF. Of these six affected intersections, five intersections are under the jurisdiction of the City of Moreno Valley (Moreno Beach Drive/Cottonwood Avenue; Moreno Beach Drive/Alessandro Boulevard; Redlands Boulevard/Fir Avenue-Eucalyptus Avenue; Redlands Boulevard/Encilia Avenue-Eucalyptus Avenue, and Redlands Boulevard/Alessandro Boulevard).

Three intersections (Moreno Beach Drive/SR-60 Eastbound Ramps, Redlands Boulevard/SR-60 Westbound Ramps, and Redlands Boulevard/SR-60 Eastbound Ramps) are under the jurisdiction of Caltrans. The improvements identified in **Mitigation Measure 4.11.6.4C** would reduce impacts at these intersections to a less than significant level. However, since the affected freeway ramp intersections are under the jurisdiction of Caltrans, neither the project proponent nor the City has control over the specific timing of when the improvements would be constructed. It is anticipated that by opening year (2016), improvements at these intersections would not be constructed, as they are not currently planned for near-term construction. Therefore, this cumulative impact in opening year (2016) remains significant and unavoidable until such time as the improvements to this interchange are constructed by Caltrans, WRCOG, and the City of Moreno Valley through the TUMF process.

Because TUMF provides a mechanism for collecting fees from all development projects in the area that would contribute traffic to the existing roadway network, fees for the improvements to the affected freeway intersections would be collected. Therefore, it is anticipated that since these freeway intersection improvements are programmed into the TUMF program, such improvements would be constructed by future year (2035) and would be able to accommodate future year (2035) traffic levels, resulting in a less than significant cumulative impact.

4.12 UTILITIES AND SERVICE SYSTEMS

This section analyzes the existing and planned water supply and storm water facilities (as they relate to water) for the project site and the surrounding area, and evaluates the impacts to utility providers that could result from the construction and operation of the proposed on-site uses. This section is based in part on the *City of Moreno Valley General Plan,*[1] the Eastern Municipal Water District's *2010 Urban Water Management Plan*,[2] and information obtained from utility providers serving the proposed project site. Additionally, the analysis for the following section is derived in part from the *Water Supply Assessment* (WSA) (Water Supply Assessment approved by the Eastern Municipal Water District Board of Directors on February 23, 2012), and is included in its entirety as Appendix J to this EIR. Impacts related to wastewater and solid waste were determined to be less than significant in the Initial Study prepared for the proposed project and required no further analysis in the EIR.

4.12.1 Solid Waste Services

4.12.1.1 Existing Setting for Solid Waste Services

Solid waste disposal and recycling services for the proposed project site would be provided by Waste Management of the Inland Empire.[3] Waste Management of the Inland Empire separates and markets recyclable materials collected within its service area. Solid wastes would primarily be transported to the Badlands Sanitary Landfill located at 31125 Ironwood Avenue in Moreno Valley. Additionally, Waste Management of the Inland Empire will also use other County landfills in the area, such as the Lamb Canyon Landfill on County land near the City of Beaumont and the El Sobrante Landfill in the City of Corona. The Badlands Sanitary Landfill is designated a Class III landfill run by the County of Riverside.[4] Waste types accepted at the Badlands Sanitary Landfill include agricultural, construction/demolition, industrial, mixed municipal, and tires.

The Badlands Sanitary Landfill currently has a permitted capacity of 33.5 million cubic yards with a remaining capacity of 14.7 million cubic yards.[5] The tonnage of any mass of solid waste is dependent on the material (e.g., metals, paper, and green waste) and its density (compacted or uncompacted). Utilizing conversion factors from various jurisdictions, one cubic yard of compacted municipal solid waste typically weighs 750 pounds (0.37 ton).[6] Based on this conversion factor, remaining space at the Badlands Sanitary Landfill totals approximately 5.45 million tons with an estimated closure date of January 2024. The maximum daily permitted throughput of this facility is 4,000 tons/day. The Badlands Sanitary Landfill currently accepts approximately 1,683 tons/day.[7]

Recyclable materials collected by Waste Management of the Inland Empire are handled at the Moreno Valley Transfer Station owned and operated by Waste Management, Inc. The Moreno Valley Transfer Station is a large-volume transfer and processing facility that accepts the following waste types: construction and demolition materials, green materials, metals, and mixed municipal waste. The Moreno Valley Transfer Station currently has a permitted capacity of 2,600 tons per day and currently accepts 2,000 tons per day. This facility currently has the capacity to accept an additional 600 tons per day.

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1 *City of Moreno Valley General Plan*, City of Moreno Valley, adopted by City Council Resolution No. 2006-83, July 11, 2006.

2 *EMWD 2010 Urban Water Management Plan,* Eastern Municipal Water District, June 2011.

3 Trash service in the City of Moreno Valley is mandatory and Waste Management of Inland Valley is the only solid waste service provider.

4 Class III landfills are required to be located where adequate separation can be provided between non-hazardous solid waste and surface and subsurface waters. This class of landfill is not permitted to accept hazardous waste.

5 *Badlands Sanitary Landfill Facility/Site Summary Details,* CalRecycle website, http://www.calrecycle.ca.gov/SWFacilities/Directory/33-AA-0006/Detail/, website accessed December 21, 2011.

6 http://www.recyclemaniacs.org/doc/measurement-tracking/CURC-profile-input-form-with-conversion-guide.xls, website accessed December 21, 2011.

7 Based on 2011 average; e-mail correspondence with John Farrar, Administrative Services Assistant, County of Riverside Waste Management Department, December 21, 2011.

4.12.1.2 Existing Policies and Regulations

Assembly Bill 939 (AB 939) California Integrated Waste Management Act. AB 939 was signed into law in 1989 and established a 50 percent waste reduction requirement for cities and counties by the year 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted. Jurisdictions select and implement the combination of waste prevention, reuse, recycling, and composting that best meets the needs of their residents while achieving the diversion requirements of the Act. Cities and counties also have the flexibility to work cooperatively toward the 50 percent goal by forming regional agencies. According to the provisions of the Act, in the year 2000, waste-to-energy or biomass conversions may contribute 10 percent toward the goal, with the remaining 40 percent accomplished through source reduction, recycling, and composting. The statute also allows a time extension to meet these goals for cities and counties that experience adverse market or economic conditions.

Assembly Bill 1327 (AB 1327) California Solid Waste Reuse and Recycling Access Act of 1991. Signed into law in 1991, AB 1327 added Chapter 18 to Part 3 of Division 30 of the Public Resources Code. Chapter 18 required the California Integrated Waste Management Board (CIWMB) to develop a model ordinance for adoption of recyclable materials in development projects. Local agencies were then required to adopt the model, or ordinances of their own, in order to govern adequate areas for collection and loading of recyclable materials in development projects by September 1, 1993. If a local agency had not adopted a model ordinance by that date, the CIWMB model would be adopted and enforced by the local agency.

Senate Bill 1016 (SB 1016). As previously identified, the California Integrated Waste Management Act of 1989 (AB 939) requires each jurisdiction to divert 50 percent of its solid waste from being disposed in landfills. The new per capita disposal measurement system (SB 1016, Wiggins, Chapter 343, Statutes of 2008) became effective January 1, 2009. It builds on AB 939 compliance requirements by implementing a simplified measure of local jurisdictions' performance. SB 1016 accomplishes this by changing to a disposal-based indicator: the per capita disposal rate, which uses only two factors: a jurisdiction's population and its disposal as reported by disposal facilities. SB 1016 changes how each jurisdiction's progress is measured to reach the 50 percent goal for diverting waste from landfills. This measurement is no longer determinative of compliance. In order for the CIWMB and jurisdictions to more properly focus on successful program implementation, SB 1016 shifts from the historical emphasis on using calculated generation and estimated diversion to using annual disposal as a factor when evaluating jurisdictions' program implementation

Riverside County Integrated Waste Management Plan. The Riverside Countywide Integrated Waste Management Plan (RCIWMP), adopted by the Riverside County Board of Supervisors on January 14, 1997, and approved by the RCIWMB on September 23, 1998, outlines the goals, policies, and programs the County and its cities, including the City of Moreno Valley, would implement to create an integrated and cost-effective waste management system that complies with the provisions of AB 939 and its diversion mandates. The RCIWMP is composed of the Riverside Countywide Summary Plan, the Source Reduction and Recycling Element (SRRE) for the County and each of its cities, the Nondisposal Facility Element (NDFE) for the County and each of its cities, the Household Hazardous Waste Element (HHWE) for the County and each of its cities, and the Riverside Countywide Siting Element.

City of Moreno Valley General Plan. The following are policies within the City's General Plan that pertain to solid waste and are applicable to the proposed project:

Conservation Element

Policy 7.8.1 Encourage recycling projects by individuals, non-profit organizations, or corporations and local businesses, as well as programs sponsored through government agencies.

Conservation Element Programs

Program 7-1 Support regional solid waste disposal efforts by the County of Riverside.

4.12.1.3 Methodology

The solid waste analysis is based on evaluating the existing capacity of nearby landfills that serve the City, future solid waste capacity that would be available to the City, and the identification of existing solid waste demand and future solid waste demand associated with the development of the proposed project. The analysis also identifies existing City goals, policies, and programs that the City implements to reduce generated waste.

4.12.1.4 Solid Waste Services Thresholds of Significance

Based on Appendix G of the *CEQA Guidelines,* a project is considered to have a significant impact on solid waste services if it results in either of the following:

- The project would be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs; and/or
- The project would fail to comply with applicable Federal, State, and local statutes and regulations related to solid waste.

4.12.1.5 No Impact/Less than Significant Impacts

The following solid waste impacts were determined to be less than significant. Adherence to established regulations, standards, and policies would reduce potential solid waste impacts to a less than significant level.

4.12.1.5.1 Solid Waste Facilities

Threshold	Would the proposed project be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?

Solid waste collection is a "demand-responsive" service and current service levels can be expanded and funded through user fees without difficulty. Based on a solid waste generation of 0.006 pound per square foot per day for industrial uses,[1] the proposed project is anticipated to generate approximately 6.73 tons of solid waste per day (2,456 tons/year).[2] Solid waste from the proposed project would be hauled by Waste Management of Inland Valley and transferred to the Badlands Sanitary Landfill, located in Moreno Valley. The Badlands Sanitary Landfill has a daily permitted throughput of 4,000 tons per day, a remaining capacity of 14,730,025 cubic yards, and an estimated closure date of 2024.[3] The average daily throughput at the Badlands Sanitary Landfill for 2011 is estimated at 1,683 tons/day[4] with a current surplus capacity totaling 2,317 tons/day.

1 *Estimated Solid Waste Generation Rates,* California Integrated Waste Management Board, http://www.ciwmb.ca.gov/WasteChar/WasteGenRates/Industrial.htm, website accessed on December 21, 2011.

2 0.006 pound per square foot per day × 2,244,638 square feet = 13,466.5 lbs per day; 1 ton/2000 lbs × 13,466.5 lbs = 6.73 tons per day.

3 *Badlands Sanitary Landfill Facility/Site Summary Details,* CalRecycle website, http://www.calrecycle.ca.gov/SWFacilities/Directory/33-AA-0006/Detail/, website accessed December 21, 2011.

4 Based on 2011 average; e-mail correspondence with John Farrar, Administrative Services Assistant, County of Riverside Waste Management Department, December 21, 2011.

The volume of solid waste generated by the proposed project per day represents 0.17 percent of the current permitted throughput and 0.29 percent of the current surplus capacity at the Badlands Sanitary Landfill. As adequate daily surplus capacity exists at the receiving landfill, development of the proposed project would not significantly affect current operations or the expected lifetime of the landfill serving the project area. No significant solid waste disposal impact would occur and no mitigation is required.

4.12.1.5.2 Solid Waste Reduction

Threshold	Would the proposed project fail to comply with applicable Federal, State, and local statutes and regulations related to solid waste?

Federal, State, and local governments have enacted a variety of laws and established programs to deal with the transport, use, storage, and disposal of hazardous materials to reduce the risks to public health and the environment. These laws and programs supplement existing regulations designed to control the contamination of air and water resources. There are no active landfills operating in Riverside County that accept hazardous wastes. Hazardous wastes generated within the County are disposed of at distant "Class I" landfills. The California Health Services Department regulates companies that haul hazardous waste. The California Highway Patrol (CHP) is responsible for the inspection of motor carriers that haul hazardous wastes. Inspections are made on roadways, at freeway truck scales and truck yards. The shipment of hazardous materials by truck or rail is regulated by Federal safety standards under the jurisdiction of the U.S. Department of Transportation. Federal safety standards are also included in the California Administrative Code, Environmental Health Division. The EPA ensures that containers of hazardous materials are properly labeled with instructions for use. The California Department of Industrial Relations, Cal-OSHA Division regulates the use of hazardous materials in the workplace. Regulations governing the storage and use of hazardous materials are also contained in the Uniform Building Code and the Uniform Fire Code. The Hazardous Materials Branch (HMB) of the Environmental Health Services Division of the Riverside County Health Department operates a hazardous waste program. The HMB inspects those involved in generating, hauling, storage, treating, and disposing of these wastes. The HMB also operates mobile household hazardous waste roundups and checks loads at local landfills for hazardous wastes.

The City of Moreno Valley is responsible for meeting the requirements of AB 939 and SB 1016, which includes a 50 percent reduction in disposal by the start of 2000 and preparation of a solid waste reduction plan to help reduce the amount of solid waste disposed of at the landfills. Programs implemented by the City of Moreno Valley to satisfy the mandated reduction in solid waste include, but are not limited to, the following:

- Public outreach via print and electronic media (public education);
- Municipal solid waste ordinances and product and landfill bans (policy incentives); and
- Operation of material recovery and composting facilities (facility recovery).

The proposed project would be required to coordinate with the waste hauler to develop collection of recyclable materials for the project on a common schedule as set forth in applicable local, regional, and State programs. Recyclable materials that would be recycled by the project include paper products, glass, aluminum, and plastic.

Additionally, the proposed project would be required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991) and other applicable local, State, and Federal solid waste disposal standards, thereby ensuring that the solid waste stream to the Badlands Sanitary Landfill is reduced in accordance with existing regulations. Impacts are considered less than significant and require no mitigation.

4.12.1.6 Significant Impacts

No impacts related to solid waste services or facilities have been identified as significant for the proposed project; therefore, no mitigation is required.

4.12.1.7 Cumulative Impacts to Solid Waste Services

AB 939 mandates the reduction of solid waste disposal in landfills. While the Badlands Sanitary Landfill has an estimated closure date of 2016, as previously identified, the City's waste hauler will also use other County landfills in the area (e.g., Lamb Canyon Landfill and El Sobrante Landfill). The estimated closure date of the Lamb Canyon Landfill is 2023 and the estimated closure date of the El Sobrante Landfill is 2030. With planned expansion activities of landfills in the project vicinity and projected growth rates contained within the City's General Plan EIR, sufficient landfill capacity would exist to accommodate future disposal needs through City build out in 2030. Therefore, build out of the City General Plan would not create demands for solid waste services that would exceed the capabilities of the County's waste management system. Consequently, cumulative impacts associated with solid waste within the City would be considered less than significant.

4.12.2 Water Supply

4.12.2.1 Existing Setting

The project site is located within the service area of the EMWD,[1] which owns, operates, and maintains the water system within the limits of the City and would be the purveyor of water to the proposed project site. As illustrated in Figure 4.12.1, the EMWD's service area encompasses approximately 555 square miles. The water supply available to the EMWD in 2010 totals approximately 154,700 acre-feet (AF).[2] Water sources for the EMWD include imported water purchased from the Metropolitan Water District of Southern California (Metropolitan), groundwater sources, desalted groundwater, and recycled water from the EMWD's five regional water reclamation facilities. Imported water from Metropolitan is either delivered directly as potable water, delivered to EMWD as raw water and treated at two local EMWD filtration plants, or delivered to EMWD as raw water for non-potable use.

Approximately 80 percent of the EMWD's water is imported from Metropolitan and the remaining 20 percent is supplied by groundwater wells. Approximately 33 percent of the water produced by EMWD is recycled water. Groundwater supplies are drawn from the EMWD wells located in the Hemet, San Jacinto, Moreno Valley, Perris Valley, and Murrieta areas.

In June of 2011, the EMWD adopted its *2010 Urban Water Management Plan* (UWMP), which details the reliability of the EMWD's current and future water supply. The document finds that with all of its existing and planned supplies, the EMWD can meet 100 percent of projected supplemental demand through 2035, even through a repeat of a severe drought. In addition, the UWMP addresses conservation, local supplies and reliability of imported supplies. Table 4.12.A identifies the EWMD's past, present, and projected water supplies and demand.

Water infrastructure in the vicinity of the proposed project site includes an existing 20-inch water line in Redlands Boulevard a half mile east of the proposed project site, and an existing 12-inch water line in Eucalyptus Avenue west of the proposed project site. In addition, the proposed project site is adjacent to an existing recycled water line (west of the project site underlying the existing Eucalyptus Avenue) that is currently not part of the recycled water system. Although currently active recycled

[1] *Eastern Municipal Water District Service Area,* Eastern Municipal Water District, https://id3446.securedata.net/emwd/water_service/water_districts.html, website accessed December 21, 2011.

[2] An acre-foot covers one acre to a depth of one foot. An acre-foot is approximately 326,000 gallons, which is enough to meet the needs of two average southern California households a year.

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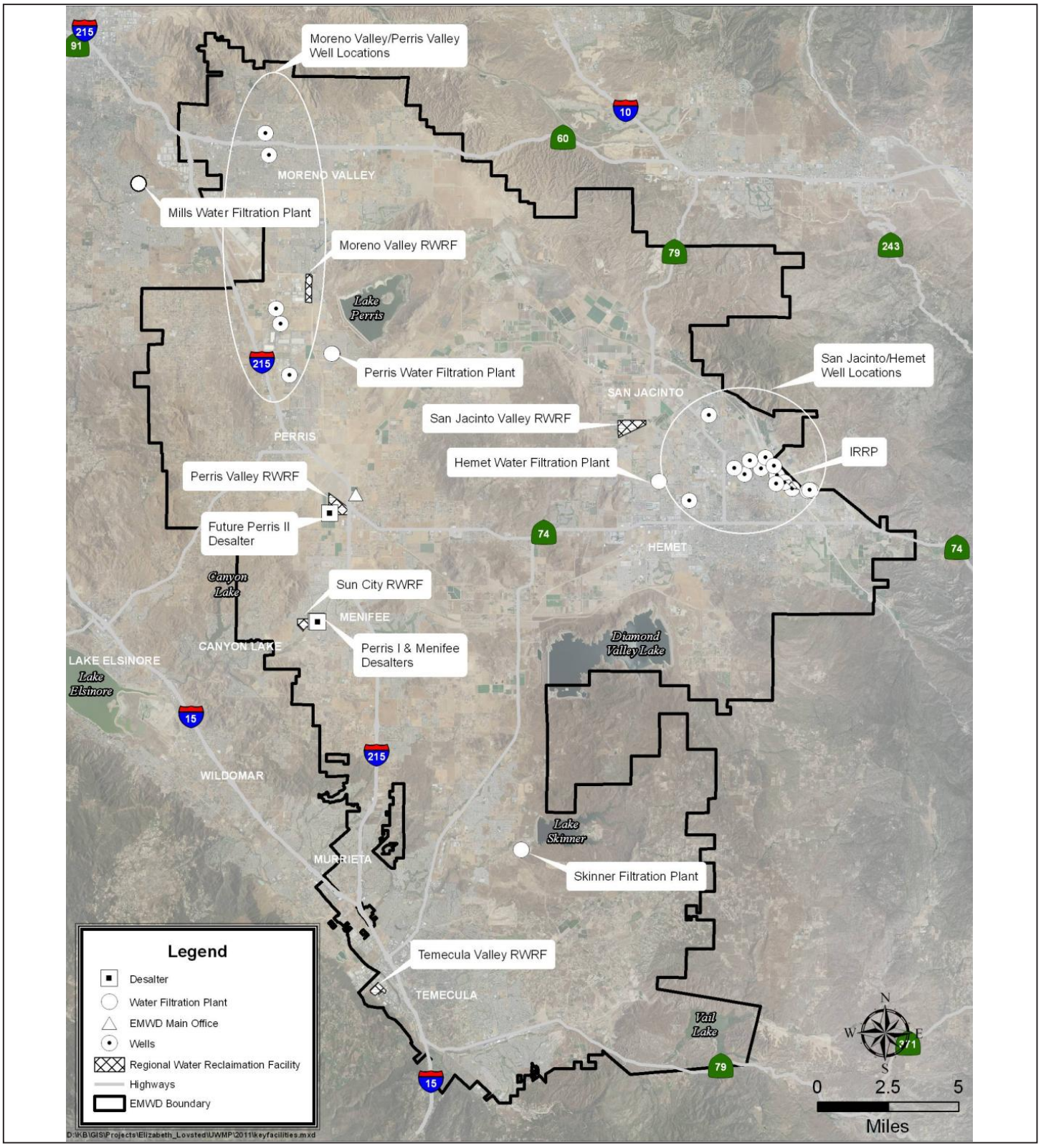

LSA

FIGURE 4.12.1

Eucalyptus Industrial Park
Environmental Impact Report

Location of Eastern Municipal Water District Supplies

SOURCE: Eastern Municipal Water District 2010 Urban Water Management Plan, 2011

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Table 4.12.A: EMWD Water Supplies and Demand for Average Year Hydrology

		2015	2020	2025	2030	2035
EMWD Water Supplies						
Supply Type	**Supply Source**	**acre-feet per year**				
Imported	Metropolitan Water District	149,300	170,700	190,700	210,000	226,200
Imported-Locally Treated	Metropolitan Water District					
Groundwater	West San Jacinto Management Area	13,200	13,200	13,200	13,200	13,200
Desalination	West San Jacinto Management Area	7,500	7,500	7,500	7,500	7,500
Recycled	EMWD Regional Water Reclamation Facilities	43,900	50,000	53,900	54,900	55,300
	Supply Total	**213,900**	**241,400**	**265,300**	**285,600**	**302,200**
EMWD Water Demands						
Demand Source		**acre-feet per year**				
Retail Potable Water Sales		113,800	120,700	136,100	150,300	162,200
Water Sales to Other Agencies		47,600	61,600	65,000	69,000	72,400
Other Water Uses/Losses		52,500	59,100	64,200	66,300	67,600
	Demand Total	**213,900**	**241,400**	**265,300**	**285,600**	**302,200**

Source: *EMWD 2010 Urban Water Management Plan*, Eastern Municipal Water District, June 2011 (Tables 3 and 9, WSA 2012).

water lines are not near this project, in the future, it may be possible to serve this project site with recycled water.

Water imported by the EMWD is treated at two facilities owned and operated by Metropolitan, the Mills and Skinner Filtration Plants, which serve the northwest and southern areas of the EMWD service area. Treated water is supplied north of the EMWD service area by the Mills MWD Water Treatment Facility and in the southeastern portion of the EMWD service area by the Lake Skinner Water Treatment Facility. The City is located within the area served by the Mills Filtration Plant, which has a treatment capacity of 326 million gallons per day (mgd). The EMWD also utilizes untreated water delivered by Metropolitan from the State Water Project (SWP) pipeline running through the EMWD's jurisdiction. The EMWD currently treats the raw water for potable use or uses it raw for agriculture and for recharge. Treatment of raw water occurs at water filtration plants in Perris and in Hemet. The Hemet microfiltration plant has a capacity to filter 8,800 acre-feet per year (AFY) and the Perris microfiltration plant has the capacity to filter 17,600 AFY.

The EMWD constructed the Menifee Desalter and Perris Desalter facilities to recover high total dissolved solids (TDS) groundwater for potable use. In addition to being a source of water, the desalter facilities play a part in managing the groundwater subbasins by addressing the migration of brackish groundwater into areas of good quality groundwater. Additionally, the EMWD is currently in the process of constructing a third desalter facility, the Perris II Desalter.[1] This additional facility will increase the production of desalinated water to approximately 12,000 AFY.

In May 2007, a Federal court invalidated the Biological Opinion issued by the USFWS for operations of the SWP and Central Valley Project (CVP) with regard to the Delta smelt (*Hypomesus transpacificus*), a Federal- and State-listed threatened fish species that inhabits the estuaries of the Bay-Delta region. Prior to this court ruling, the Federal wildlife agencies and State and Federal project operators, voluntarily reinitiated consultation under the Federal Endangered Species Act (FESA) to

[1] *Water Supply Desalination Infrastructure South Perris Project, Perris II Desalter,* http://www.emwd.org/modules/showdocument.aspx?documentid=90, website accessed December 29, 2011.

address impacts from SWP and CVP operations. On May 31, 2007, the California Department of Water Resources (DWR) voluntarily shut down SWP pumps for 17 days in an effort to protect the Delta smelt. On August 31, 2007, the courts curtailed water operations in the Delta.

Based on the Water Allocation analysis released by the DWR on March 22, 2010, export restriction could reduce MWD deliveries by 150 to 200 AF under mean hydrologic conditions, and operations could remain restricted until a long-term solution is found to improve the stability of the Bay-Delta region. SWP operations may also be restricted by the new biological opinions for listed species under the FESA or by the CDFG's issuance of incidental take authorizations under the California Endangered Species Act (CESA). Additional new litigation, listing of additional species or new regulatory requirements could also restrict operations and limit water supply.

To address potential constraints on the SWP, MWD has developed near-term and long-term action plans to increase water supply reliability. Part of the near-term action developed to protect fish species includes the Two Gate System. This would provide movable barriers to modify flows and prevent vulnerable fish from being drawn toward pumping plants. This system is expected to help protect fish and allow an estimated 150 AF of water to be exported from the Delta when SWP allocations exceed 35 percent. The Two Gate System is subject to operational studies, environmental documentation, acquisition of rights-of-way, completion of design, and construction. It is anticipated to be in place in 2013.

MWD is also working with stakeholders throughout the State to develop and implement long-term solutions to the problem in the Bay Delta. The Bay Delta Conservancy Plan (BDCP), developed by State and Federal resource agencies, aims to address ecosystem needs and secure long-term operating permits for the SWP. A working draft of the BDCP was released in November 2010 and reflects significant progress toward consensus on a plan to restore the Bay-Delta ecosystem and associated sensitive species and to provide for improved water supply and reliability.

In evaluating the supply reliability for the 2010 Regional Urban Water Management Plan (RUWMP), MWD assumed a new Delta conveyance would be fully operational by 2022, bringing supply reliability close to 2005 levels prior to supply restrictions imposed due to the Biological Opinions. This assumption is consistent with MWD's long-term Delta action plan approved in 2007, and supported by recently passed legislation that included a roadmap for establishing governance structures and financing approaches to implement and manage a Delta solution. In response to the recent developments in the Delta, Metropolitan is engaged in planning processes that will identify solutions that, when combined with the rest of its supply portfolio, it will ensure a reliable long-term water supply for its member agencies. In the near term, Metropolitan will continue to rely on the plans and policies outlined in its RUWMP and Integrated Resource Plan (IRP) to address water supply shortages and interruptions (including potential shut downs of SWP pumps) to meet water demands. An aggressive campaign for voluntary conservation and recycled water usage, curtailment of groundwater replenishment water and agricultural water delivery are some of the actions outlined in the RUWMP. Metropolitan is maximizing supplies from existing agreements for water supply from its Palo Verde Crop Management and Water Supply Program and working with the State of Arizona in withdrawing water previously stored in its groundwater basin.

Imported sources of water will be supplemented by an increase in desalination of brackish groundwater, recycled water use, and water use efficiency. Metropolitan has analyzed the reliability of water delivery through the SWP and the Colorado River Aqueduct. Metropolitan's IRP and 2010 RUWMP conclude that with the storage and transfer programs developed by Metropolitan, there will be a reliable source of water to serve its member agencies' needs through 2035.[1]

[1] *Eastern Municipal Water District 2010 Urban Water Management Plan,* Eastern Municipal Water District, June 2011.

4.12.2.2 Existing Policies and Regulations

Policies and regulations for water sources include the following:

- Federal Water Pollution Control Act;
- Water Conservation in Landscaping Act;
- Water Recycling in Landscaping Act;
- Sections 13550–13556 of the California Water Code (CWC);
- Urban Water Management Planning Act;
- Senate Bill 901;
- Senate Bill 610; and
- City of Moreno Valley General Plan.

Federal Water Pollution Control Act. The Federal Water Pollution Control Act requires discharges (from point and non-point sources) into navigable water to meet stringent National Pollutant Discharge Elimination System (NPDES) permit standards. The EPA has published regulations establishing requirements for application of storm water permits for specified categories of industries, municipalities, and certain construction activities. The regulations require that discharges of storm water from construction activity of 1.0 acre or more must be regulated and covered by an NPDES permit. When a construction area exceeds 1.0 acre in size, the applicant must develop and implement a Storm Water Pollution Prevention Plan (SWPPP). Additional analysis and information regarding NPDES requirements and regulations is provided in Section 4.7 (Hydrology and Water Quality) of this EIR.

Water Conservation in Landscaping Act. To ensure adequate supplies are available for future uses, and to promote the conservation and efficient use of water, local agencies are required to adopt a water-efficient landscape ordinance. When such an ordinance has not been adopted, a finding as to why (based on the climatic, geologic, or topographical conditions) such an ordinance is not necessary must be adopted. In the absence of such, an ordinance drafted by the State of California applies within the affected jurisdiction. The City of Moreno Valley implements landscape and irrigation design standards (Chapter 9.17 of the City's Municipal Code), which address the proper maintenance of landscaping or irrigation systems.[1]

Water Recycling in Landscaping Act. The Water Recycling in Landscaping Act requires that a water producer capable of providing recycled water that meets certain conditions notify local agencies eligible to receive the recycled water. It also requires necessary infrastructure be provided to support the delivery of recycled water. The EMWD enforces Ordinance No. 68.2 *Amended Rules and Regulations Governing the Provision of Recycled Water System Facilities and Service,* to promote the conservation and reuse of water resources and to ensure maximum public benefit from the use of the EMWD's recycled water supply by regulating its use in accordance with applicable Federal, State, and local regulations. Upon the determination that the EMWD is capable of providing recycled water services to the proposed site, the project applicant must submit an application form for the EMWD to review. The EMWD may prescribe requirements in writing to the applicant as to the off-site or on-site facilities necessary to be constructed, the manner of connection, the financial responsibility, and the use of the recycled water. Prior to receiving recycled water service, the proposed use shall be approved by the Department of Health Services. The EMWD will inspect on-site recycled water facilities to ensure initial and future continued compliance with the EMWD's regulations and other applicable requirements.

[1] *Landscape Requirements City of Moreno Valley, California,* City of Moreno Valley.

Sections 13550–13556 of the CWC. These sections of the CWC state that local, regional, or State agencies shall not use water from any quality source of potable water for non-potable uses if suitable recycled water is available as provided in Section 13550 of the CWC.

Urban Water Management Planning Act (CWC Section 10631). Since 1984, the Urban Water Management Planning Act, has required "urban water suppliers" to develop written "urban water management plans." While generally aimed at encouraging water suppliers to implement water conservation measures, it also created long-term planning obligations. In preparing urban water management plans, urban water suppliers must describe the following:

- Existing and planned water supply and demand;
- Water conservation measures and a schedule for implementing and evaluating such measures; and
- Water shortage contingency measures.

The Urban Water Management Planning Act requires that urban water suppliers use a 20-year planning horizon and update the data in the urban water plans every five years.

In preparing their 20-year management plans, water suppliers must directly address the subject of future population growth. The suppliers must also identify sources of supply to meet demand. The plan must "identify and quantify, to the extent practicable, the existing and planned sources of water available to the supplier." In identifying these future water sources, the suppliers need not conduct environmental review.

Senate Bill 901: Water Supply and Demand Reliability Assessment (CWC Section 10910). Signed into law on October 16, 1995, Senate Bill 901 (SB 901) requires every urban water supplier to identify as part of its UWMP the existing and planned sources of water available to the supplier over a prescribed five-year period. SB 901 requires additional information to be included as part of a UWMP if groundwater is identified as a source of water available to the supplier. Provisions of SB 901 would require an urban water supplier to include in the plan a description of all water supply projects and programs that may be undertaken to meet total project water use. A city or county shall request each public water system serving a project to assess the projected water demand associated with said project and an assessment of whether the projected water demand associated with selected projects was included as part of the most recent UWMP. As part of this assessment, the public water system is required to indicate whether its total projected water supplies available during normal, single-dry, and multiple-dry water years will meet the project demand associated with the proposed project, in addition to the public water system's existing and planned uses. Pursuant to Section 10912 of the CWC, a "project" is specifically defined as development meeting any of the following criteria:

- 500 or more dwelling units;
- Commercial center employing more than 1,000 persons or having more than 500,000 square feet;
- Office building employing more than 1,000 persons or having more than 250,000 square feet;
- A hotel/motel with 500 or more rooms;
- An industrial, manufacturing, processing plant, or industrial park employing more than 1,000 persons or occupying more than 40 acres, or having more than 650,000 square feet of floor area;
- A mixed-use project that would demand an amount of water equal to the amount of water required by a 500-dwelling unit project; or
- In areas where the public water system has fewer than 5,000 service connections, any development that would increase water demand by 10 percent or greater in the number of

existing service connections, or in the case of a mixed-use development, an increase in water required by residential development representing a 10 percent or greater increase in the number of existing service connections.

After receiving such information, cities and counties may agree or disagree with the conclusions of the water purveyors, but cannot approve projects in the face of documented water shortfalls without first making certain findings.

The proposed project is an industrial project that would meet the definition of a "project" and the water purveyor (EMWD) is therefore required to conduct a WSA (included as Appendix J) to indicate a reliable supply of water for the proposed project.

Senate Bill 610: Water Supply Planning (CWC Sections 10910 through 10915). Signed into law October 9, 2001, Senate Bill 610 (SB 610) resulted in amendments to Section 21151.9 of the Public Resources Code. Additionally, several sections of the CWC were amended, one was repealed, while portions of one section were added and/or repealed. Revising provisions established by SB 901 and SB 610 requires that any city or county having determined that a project is subject to CEQA identify public water systems that supply water for the project and request those public water systems to prepare a specified WSA if the project exceeds the specified threshold for a WSA. Such an assessment would include, among other information, the following:

- Identification of existing water entitlements, water rights, or water service contracts relevant to the water supply identified for a proposed project; and
- The amount of water received pursuant to such entitlements, rights, or contracts.

SB 610 requires the public water system, city, or county to submit plans for acquiring the required water supply for a proposed project if the WSA concludes that water supplies are or will become insufficient. Any such WSA and other information would be included in the environmental document prepared for the project pursuant to CEQA. A WSA[1] was prepared for the proposed project to identify existing water entitlements, water rights, and/or water service contracts relevant to the water supply as it relates to the operation of the proposed project.

More recently, water supply issues and the disclosure of these issues in environmental documents have come under litigation through *Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova*, 40 Cal 4th 412 (2007). The major standard articulated in *Vineyard Area Citizens* is that a CEQA water supply analysis must be supported by substantial evidence in the record demonstrating there is a "reasonable likelihood" that an identified water source will be available to serve the project. The court opinion also underscored the need to analyze the environmental impacts of supplying water to the project from the identified sources—a primary reason the Court held that it was insufficient merely to include a mitigation measure requiring that agreements and financing for water supplies be in place before issuance of development entitlements. An important caveat, however, is that single-phased projects that trigger the requirement for a WSA under SB 610, such as projects that include 500 or more dwelling units, must still demonstrate that water supply will be available for other planned future development. If a WSA is required, the CEQA water supply analysis should rely upon and be consistent with the WSA. SB 610 generally will require the WSA to demonstrate that there will be an available water supply to serve the project at issue plus all other existing and future water supply demands over a 20-year period. This appears to be a higher standard than articulated by the Court in *Vineyard Area Citizens*, and the Court's decision will not trump this requirement of SB 610.

[1] *Water Supply Assessment*, EMWD, February 23, 2012.

City of Moreno Valley General Plan. The following policies within the *Community Development Element* and *Conservation Element* of the *City of Moreno Valley General Plan* pertain to utilities and are applicable to the proposed project.

Community Development Element Policies

Policy 2.11.1 Permit new development only where and when adequate water services can be provided.

Policy 2.13.1 Limit the amount of development to that which can be adequately served by public services and facilities, based upon current information concerning the capability of public services and facilities.

Policy 2.13.2 Unless otherwise approved by the City, public water, sewer, drainage and other backbone facilities needed for a project phase shall be constructed prior to or concurrent with initial development within that phase.

Policy 2.13.3 It shall be the ultimate responsibility of the sponsor of a development project to assure that all necessary infrastructure improvements (including system wide improvements) needed to support project development are available at the time that they are needed.

Conservation Element Policies

Policy 7.3.1 Require water-conserving landscape and irrigation systems through development review. Minimize the use of lawn within private development, and within parkway areas. The use of mulch and native and drought-tolerant landscaping shall be encouraged.

Policy 7.3.2 Encourage the use of reclaimed wastewater, stored rainwater, or other legally acceptable non-potable water supply for irrigation.

4.12.2.3 Methodology

The WSA is based on evaluating the existing water supply available to the City, future water supply that is anticipated to be available to the City, and the identification of existing water demand and future demand with the development of the proposed project. The WSA also identifies water conservation measures that would be incorporated by the proposed project to reduce the project's total water demand, with special reference to outdoor water usage and associated landscaping systems.

4.12.2.4 Thresholds of Significance

The following thresholds of significance regarding impacts to utilities and service systems are based on the recommended questions contained in *Guidelines for California Environmental Quality Act* (as amended through January 1, 2011). A project would have a significant impact on the provision of utilities or service systems if it would result in any of the following:

- Require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
- 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; and/or
- Have insufficient water supplies available to serve the project from existing entitlements and resources, or need new or expanded entitlements.

For the purpose of this EIR, significant and unavoidable impacts would occur if the aforementioned conditions cannot be overcome by reasonable design, construction, and maintenance practices.

4.12.2.5 No Impact/Less than Significant Impacts

4.12.2.5.1 Construction or Expansion of Water Treatment Facilities

Threshold	Would the proposed project require the construction of new water treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?

As previously identified, Metropolitan currently does not have surplus water available, due in part to pumping restrictions imposed on the SWP in place to avoid and minimize impacts to Federal- and State-protected fish species in the Delta. Imported sources of water will be supplemented by an increase in desalination of brackish groundwater, recycled water use, and water use efficiency. Metropolitan and the EMWD have analyzed the reliability of water delivery through the SWP and the Colorado River Aqueduct. Metropolitan's IRP and 2010 RUWMP conclude that, with the storage and transfer programs developed by Metropolitan, there will be a reliable source of water to serve its member agencies' needs through 2035. Based on the WSA prepared for the proposed project, water demand for the proposed on-site uses would total approximately 73,256 gallons per day (gpd)[1] or 82 AFY.[2] As identified in previously referenced Table 4.12.A, anticipated water supplies for the EMWD total 213,900 and 302,200 AFY in 2015 and 2035. The water demand required for the proposed project totals 0.04 and 0.03 percent of the 2015 and 2035 projected EMWD supplies.

The EMWD's *2010 Urban Water Management Plan* and Metropolitan's *2010 Regional Urban Water Management Plan*[3] have stated that, with the addition of all existing and planned water supplies, it would have the ability to meet all of its member agencies' projected supplemental demand through 2035, despite the latest ruling regarding the allocation of SWP water. This is based on continued commitment to conservation programs, water recycling, and development of local water resources.

While the EMWD is capable of meeting all of its member agencies' projected demand through 2035, other efforts are taken to further reduce the retail demand due to demographics change and population growth. Passive conservation efforts already implemented by the EMWD include adherence to the plumbing code and installation of low-flow toilets and showerheads in all new construction. In addition to passive programs, active conservation programs/measures are also implemented. The EMWD has implemented all of the California Urban Water Conservation Council (CUWCC) and Best Management Practices (BMPs). The CUWCC was created to increase efficient water use throughout the State through partnership with urban water agencies (including the EMWD), public interest organizations, and private entities. In 1992, the EMWD signed the CUWCC's Memorandum of Understanding Regarding Water Conservation in California and committed to developing and implementing fourteen comprehensive BMPs for urban water management.

The BMPs correspond to the fourteen Demand Management Measures listed in CWC Section 10631 (f) and include the following:

- Water survey programs for single-family residential and multifamily customers;
- Plumbing retrofits;
- Distribution system water audits, leak detection, and repair;
- Metering with commodity rates;
- Large landscape water audits and incentives;
- High-efficiency washing machine rebates;
- Public information;

1 700 gallons per acre per day × 105 net acres = 73,256 gallons per day.
2 73,256 gallons per day = 0.23 acre-foot per day × 365 days per year = 82.02 acre-feet per year.
3 *The Metropolitan Water District of Southern California Regional Urban Water Management Plan,* Metropolitan Water District of Southern California, November 2010.

- School education;
- Commercial, industrial, and institutional water conservation;
- Wholesale agency programs;
- Conservation pricing;
- Conservation corridor;
- Water waste prohibition; and
- Ultra-low flush toilet replacements.

With implementation of passive and active conservation measures, the EMWD can significantly reduce its retail water demand and continue to do so in the future.

As previously identified, Metropolitan has analyzed the reliability of water delivery through the SWP and the Colorado River Aqueduct. Metropolitan's IRP and 2010 RUWMP conclude that, with the storage and transfer programs developed by Metropolitan, there will be a reliable source of water to serve its member agencies' needs through 2035.

The amount of water demand would be within the existing available supply even with a reduction in deliveries from the SWP. Imported sources of water will be supplemented by an increase in desalination of brackish groundwater, recycled water use, and water use efficiency, and implementation of aggressive conservation measures by the EMWD. The proposed project would not require the construction of new water treatment facilities or expansion of existing facilities, which could cause significant environmental effects. Impacts related to this issue would be less than significant and no mitigation is required.

4.12.2.6 Significant Impacts

4.12.2.6.1 Storm Water Drainage Requirements

Threshold	Would the proposed project result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

As identified in Section 4.7 (Hydrology and Water Quality), the proposed project would route storm water flows from the project site into Quincy Channel after flows are routed through a combination of water quality basins and sand filters. From Quincy Channel, flows would be routed to the 250-foot wide earthen Perris Valley Storm Channel (PVSC). The PVSC is the primary collector of storm water in the Moreno Valley area. The storm channel was built and is owned and maintained by the Riverside County Flood Control and Water Conservation District (RCFCWCD). Flows routed to the PVSC are transported through Perris Valley and ultimately to the San Jacinto River. Additional information as it relates to Quincy Channel and its biological resources is provided in Section 4.4 (Biological Resources) in this EIR.

Previously referenced Table 4.7.I (Section 4.7, Hydrology and Water Quality) identifies changes in the volume of storm water runoff that would result from the development of buildings and impermeable surfaces without the development of the on-site basins. Due to the installation of impervious surfaces on the project site, the post-development flows would be higher than the pre-development flows. To avoid a significant impact to the existing drainage capacity, the post-development flows coming from the proposed project site are required to be equal to or less than pre-development flows.[1] To reduce flows to below or equal to pre-development conditions, the on-site storm water flows would be routed

[1] As part of the MS4 Permit issuance requirements, projects must identify any Hydrologic Conditions of Concern and demonstrate that changes to hydrology are minimized to ensure that post-development runoff rates and velocities from a site do not adversely affect downstream erosion, sedimentation, or stream habitat.

to the on-site detention basins[1] before flows are routed off site. While the increase in impervious surfaces attributable to the proposed project would contribute to a greater volume and higher velocity of storm water flows, the proposed project's water quality basins would accept and accommodate runoff that would result from project construction at pre-project conditions (previously referenced Table 4.7.J).

As identified in the Preliminary Hydrology Calculations[2] prepared for the project, to adequately contain and store the greatest volume that would be generated during the 2-year, 5-year, 10-year, and 100-year storm events, the project site would require a minimum storage volume of 13.6 acre-feet as shown in previously referenced Table 4.7.H. The proposed project would allocate approximately 20.3 acre-feet of storage area on the project site (9.6 acre-feet of storage for Detention Basin 1 on the northern portion of the site and 10.7 acre-feet of storage area for Detention Basin 2 on the southern portion of the site). The proposed amount of storage area (20.3 acre-feet) is greater than the required amount of storage area identified in Table 4.7.H (13.6 acre-feet). Based on this, it appears there is excess capacity of 6.7 acre-feet (20.3 acre-feet – 13.6 acre-feet = 6.7 acre-feet) of storage area available from the on-site detention basins; therefore, the proposed project appears to have adequate drainage capacity that would result in post-development flows being reduced to pre-development flows before leaving the project site. However, to ensure that impacts associated with on-site drainage capacity are reduced to a less significant level, the following mitigation has been identified.

Mitigation Measure. As shown below, implementation of the previously referenced **Mitigation Measure 4.7.6.3A** would ensure that the proposed project would not result in storm water drainage flows that would require the construction of new storm water drainage facilities or expansion of existing storm water drainage facilities that would in turn cause significant environmental effects.

4.7.6.3A Prior to the approval of associated project rough grading plan, the project proponent shall receive approval on a project-specific Final Hydrology Study, with supporting engineering calculations, from the City Engineer. The Final Hydrology Study shall incorporate relevant requirements identified by the City, and/or site-specific geotechnical investigations.

Level of Significance after Mitigation. Adherence to **Mitigation Measure 4.7.6.3A** would result in the project's compliance with the City's existing storm water infrastructure requirements, reducing the potential impact associated with storm water drainage capacity to a less than significant level.

4.12.2.6.2 Adequate Water Supply

Threshold	Would the proposed project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

A project-specific WSA[3] was prepared for the proposed project to assess the water supply availability to the project site to satisfy the requirements under SB 610 and to make a determination that adequate water supplies are and will be available to meet the water demand associated with the proposed project. In accordance with CWC Section 10910(d) – (f), the WSA identifies:

[1] A detention basin is an area where excess storm water is stored or held temporarily and then slowly drains when water levels in the receiving channel recede. In essence, the water in a detention basin is temporarily detained until additional room becomes available in the receiving channel.

[2] *Preliminary Hydrology Calculations for ProLogis Park Moreno Valley-Eucalyptus TPM 35679*, Thienes Engineering, November 4, 2008.

[3] *Water Supply Assessment*, EMWD, February 23, 2012.

- Any existing water supply entitlements, water rights, or water service contracts relevant to the identified water supply for the proposed project, and provides a description of the quantities of water received in prior years by the public water system, under existing water supply entitlements, water rights, or water service contracts.
- If no water has been received in prior years by the public water system, identify other public water systems or water service contract holders that receive a water supply or have existing water supply entitlements, water rights, or water service contracts to the same source of water as the public water system.
- If groundwater is included in the proposed supply, identify the groundwater basin or basins from which the proposed project will be supplied, and include any applicable documentation of adjudicated rights to pump. If the basin is not adjudicated, regardless of whether the basin has been identified as over-drafted, provide a detailed description and analysis of the amount and location of groundwater pumped by the public water system for the past five years from any groundwater basin from which the proposed project will be supplied, and provide a detailed description and analysis of the amount and location of groundwater from the basin or basins from which the proposed project will be supplied to meet the projected water demand associated with the proposed project.

There has been a shift in the water demand patterns in the last 15 years, as the residential market has replaced the agricultural market. Metropolitan, based on the its 2010 RUWMP,[1] has stated that with the addition of all water supplies existing and planned, it would have the ability to meet all of its member agencies' projected supplemental demand through 2035 even under a repeat of a worst drought scenario. Based on this assertion, the EMWD has stated it is able to meet an increased demand for water over the next 20 years, even during drought conditions. This is based on continued commitment to conservation programs, additional water recycling, and continued development of local water resources.

The EMWD would continue to work closely with Metropolitan in the implementation of water management plans as a means of ensuring the reliability of the EMWD's imported water supplies. Efforts to ensure reliable water supplies include the preparation and/or implementation of groundwater management plans, desalination programs, seasonal storage, and conjunctive use water recycling. The EMWD's 2010 UWMP presents fifteen Demand Management Measures (DMMs) related to water conservation and water recycling programs split into two types (Foundational and Programmatic).

The potable water demand estimated for the proposed project is within the limit of retail growth projected by the EMWD. The EMWD's total water use is presented in Table 4.12.B. To develop the projections used in the WSA, the EMWD used a development-tracking database that assesses future water demands for specific projects. The EMWD uses this database to help plan for future water supply and infrastructure needs by monitoring new projects through various stages of development. Changes in density and land use are also tracked in this database for planning purposes.

Table 4.12.B: EMWD Average Water Demand (2010–2035)

Demand Sources (acre-feet/year)	Actual	Projected				
	2010	2015	2020	2025	2030	2035
Retail Potable Water Sales	77,700	113,800	120,700	136,100	150,300	162,200
Water Sales to Other Agencies	27,100	47,600	61,600	65,000	69,000	72,400
Other Water Uses/Losses	49,900	52,500	59,100	64,200	66,300	67,600
Total Average Demand	**154,700**	**213,900**	**241,400**	**265,300**	**285,600**	**302,200**

Source: *Water Supply Assessment, Table 9*, EMWD, February 23, 2012.

[1] IRPSIM is a sophisticated water supply and demand-balancing model that utilizes 77 sequential hydrologies to determine variations in supply and demand due to changes in weather conditions.

The EMWD's *2010 UWMP* also discusses the supply reliability for the EMWD during dry years. The supply for dry years is driven by demand. Demand increases slightly (less than 2%) during dry years, primarily due to the increased demand in winter for landscaping or agricultural water, and can be decreased up to 10 percent due to conservation as dry periods are extended. Tables 4.12.C, 4.12.D, and 4.12.E present estimates of demand from 2015 to 2035 in five-year increments for an average year, single dry year, and multiple dry years, respectively.

4.12.C: EMWD Water Resources, Average Year Hydrology (2015–2035)

Water Conditions[1]	2015	2020	2025	2030	2035
Metropolitan Water District	149,300	170,700	190,700	210,000	226,200
Recycled Water	43,900	50,000	53,900	54,900	55,300
Groundwater	13,200	23,200	13,200	13,200	13,200
Existing Desalter	7,500	7,500	7,500	7,500	7,500
Existing Total Supplies	213,900	241,400	265,300	285,600	302,200
Total Projected Demand	213,900	241,400	265,300	285,600	302,200

[1] based on a repeat of 2004-09 conditions
Source: *Water Supply Assessment, Table 11*, EMWD, February 23, 2012.

4.12.D: EMWD Water Resources, Single Dry Year Hydrology (2015–2035)

Water Conditions[1]	2015	2020	2025	2030	2035
Metropolitan Water District	155,300	177,600	198,300	218,300	235,100
Recycled Water	45,500	51,800	55,800	56,900	57,300
Groundwater	13,200	13,200	13,200	13,200	13,200
Existing Desalter	7,500	7,500	7,500	7,500	7,500
Existing Total Supplies	221,500	250,100	274,800	295,900	313,100
Total Projected Demand	221,500	250,100	274,800	295,900	313,100

[1] based on a repeat of 1977 conditions
Source: *Water Supply Assessment, Table 12*, EMWD, February 23, 2012.

4.12.E: EMWD Water Resources, Multiple Dry Years Hydrology (2015–2035)

Water Conditions[1]	2015	2020	2025	2030	2035
Metropolitan Water District	156,600	179,000	199,800	219,900	236,900
Recycled Water	45,800	52,200	56,200	57,300	57,700
Groundwater	13,200	13,200	13,200	13,200	13,200
Existing Desalter	7,500	7,500	7,500	7,500	7,500
Existing Total Supplies	223,100	251,900	276,700	297,900	315,300
Total Projected Demand	223,100	251,900	276,700	297,900	315,300

[1] based on a repeat of 1990–1992 conditions
Source: *Water Supply Assessment, Table 13*, EMWD, February 23, 2012.

Neither groundwater production nor recycled water deliveries are expected to increase or decrease significantly during dry years. The EMWD depends on Metropolitan to supply additional water during dry years. Based on Metropolitan's 2010 RUWMP, EMWD is confident of its ability to meet customer demands beyond the next 20 years in all reasonably predictable hydrological scenarios. For water shortages and interruptions, the plans and policies outlined in the RUWMP will be implemented.

It is anticipated that the majority of water for future development would be supplied by imported water from Metropolitan recognizing the following conditions:

- The ability of Metropolitan to meet the demands of member agencies as described in the 2010 RUWMP as the majority of EMWD's current and future supply rely on Metropolitan's supplies.

This assessment is based on representations by Metropolitan that it will provide the water requested by EMWD for the next 20 years under the conditions set forth in CWC Section 10910 as authorized by CWC Section 10631(k). This assessment is subject to review, modification, or rescission in the event that regulations, court decisions, or other events reduce or impair Metropolitan's ability to provide such water.

- The cost of new water supplies will continue to increase. The developer of this project is required to help fund the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding will be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.
- New customers may also be required to pay a higher commodity rate for water used than existing customers to offset the rising costs to the EMWD for new water supplies.
- The developer will install water-efficient devices such as low-flow toilets and landscaping according to the requirements of the EMWD's water use efficiency ordinance(s) at the time of construction to reduce the impact of the project on water supplies.

Metropolitan does not place imported water limits on a member agency, but predicts the future water demand based on regional growth information. Metropolitan stated in its 2010 RUWMP that, with the addition of all water supplies, existing and planned, Metropolitan would have the ability to meet all of its member agencies' projected supplemental demand through 2035 even under a repeat of historic drought scenarios. For any short-term water shortages and interruptions caused by disaster or unprecedented drought, the plans and policies outlined in the 2010 RUWMP will be implemented.

The proposed project would be conditioned by the City to construct off-site and on-site water facilities needed to distribute water throughout the project area. A plan of service for the proposed project would be approved by the EMWD that would identify specific on-site improvements. The proposed project site is adjacent to an existing recycled water line (west of the project site underlying the existing Eucalyptus Avenue) that is currently not part of the recycled water system. Although currently active recycled water lines are not near this project, in the future, it may be possible to serve this project site with recycled water. EMWD policy recognizes recycled water as the preferred source of supply for all non-potable water demands, including irrigation of recreation areas, green-belts, open space common areas, commercial landscaping, and supply for aesthetic impoundment or other water features. The majority of landscaped areas within the project site will be designed to use recycled water to the greatest extent possible when it becomes available.

Water Demand Based on the Existing Site Condition. Currently, the site is vacant although a portion was previously used for citrus agriculture. The water demand for the site when citrus was in cultivation was 212 acre-feet per year or 189,348 gallons per day. The remaining vacant portion of the project site used no water as there was no development, landscaping, or agriculture on site that would require the use of water.

Water Demand Based on the Existing General Plan Land Uses for the Project Site. The proposed project consists of construction of approximately 2,244,638 square feet of building area on approximately 122.8 acres. This represents development on approximately 42.5 percent of the project site (floor to area ratio). Using this same ratio for the existing BP-designated portion of the site, it can be reasonably assumed that development of approximately 629,442 square feet of BP uses could be developed on the project site.[1] Based on an employee generation factor of 1 employee for every 1,465 square feet of warehouse uses,[2] the proposed project would generate up to 1,532 job

[1] 42.5% of 34 acres (area designated for BP uses) = 629,442 square feet.

[2] *Table II-B Average Employees Per Acre – Average of Riverside and San Bernardino Counties,* Employment Density Study Summary Report, Southern California Association of Government, The Natelson Company, Inc., October 31, 2001.

opportunities.[1] Using the same employment factor, development of approximately 629,442 square feet of warehouse uses on the existing BP-designated portion of the site would generate approximately 430 jobs. Based on an industrial water consumption factor of 0.146 acre-feet per employee per year, development of approximately 629,442 square feet of business park/light industrial uses (which is consistent with the existing BP-designated portion of the site) would create a demand for water of approximately 56,072 gpd or 63 AFY.

Based on a high density residential development water consumption factor of 3,600 gallons per acre per day,[2] water demand for the existing R-15 uses would total approximately 133,200 gpd or 149 AFY.[3] Based on a low-density residential development water consumption factor of 2,100 gallons per day per acre,[4] water demand for the existing R-5 uses would total approximately 48,300 gpd or 54 AFY. The EMWD has identified that agricultural operations typically have a water demand of 4.0 AF of water per year per acre. Based on this usage factor, the existing agricultural usage of the 53-acre portion project site would have a water demand of approximately 212 AFY. The total water demand for the existing uses under the General Plan for the project site totals 314 AFY.

Based on the WSA prepared for the proposed project, water demand for the proposed on-site uses would total 73,256 gpd or 82 AFY[5]. The anticipated water demand for the proposed project is substantially less than what is identified above for the General Plan land uses and what was used in the formulation of the 2010 UWMP. As identified in previously referenced Table 4.12.A, anticipated water supplies in the EMWD total 213,900 and 302,200 AFY in 2015 and 2035, respectively. The water demand required for the proposed project would total 0.05 and 0.04 percent of the EMWD's 2015 and 2035 supplies. The demand estimated for this project is substantially less and therefore still within the limit of growth projected in the 2010 UWMP.

When compared to the existing conditions of the project site, there would be a decrease in water demand of 232 acre-feet per year with the development of the proposed project. The site's water usage would decrease under the current development plan for the proposed project and it would remain lower than what is anticipated in the General Plan and the 2010 UWMP. Additionally, the increased water demand for the site has been analyzed by the WSA, which determined that a suitable water supply exists for the proposed project well into the future.

Table 4.12.F presents a comparison of the anticipated water demand of the project site based on the existing site conditions, the existing General Plan land use designations for the project site, and the proposed warehouse uses. The project's water consumption represents substantially less than 1 percent of the consumption yearly capacity and because the EMWD indicates that water to service the project's proposed industrial uses is available, no significant water supply impacts would occur with implementation of the industrial use, and no mitigation would be necessary.

Table 4.12.F: Comparison of Water Demand

Land Use	Acreage	Demand (gpd)	Demand (AFY)
Existing/Historical Site Conditions[1]			
Agriculture	53	189,348	212
Vacant/Undeveloped	69.8	0	0
Total	**122.8**	**189,348**	**212**
Existing General Plan Land Use			
Business Park (BP)	34	56,072	63
High Density Residential (R-15)	36	133,200	149

1 1 employee/1,465 square feet of warehouse use × 2.244 million square feet of warehouse uses = 1,532 employees.
2 *Draft Environmental Impact Report, City of Perris, State Clearinghouse Number 2004031135*, Table 4.10.1-1. Hogle-Ireland Inc., October 2004, IV-233.
3 Water Resources Department, Eastern Municipal Water District, June 16, 2008.
4 Ibid.
5 *Water Supply Assessment,* Eastern Municipal Water District, February 23, 2012.

Table 4.12.F: Comparison of Water Demand

Land Use	Acreage	Demand (gpd)	Demand (AFY)
Low Density Residential (R-5)	35	48,300	54
Agriculture	12	42,871	48
Roads	5.8	0	0
Total	**122.8**	**280,443**	**314**
Proposed Project Land Use			
Industrial	117	73,256	82
Roads/Sidewalks/Parking Lots	5.8	0	0
Total	**122.8**	**73,256**	**82**

[1] The site supports citrus on approximately 53 acres

Based on the previously stated information and the assurance that Metropolitan is engaged in planning processes that will identify solutions that, when combined with the rest of its supply portfolio, will ensure a reliable long-term water supply for its member agencies, the EMWD has determined that it will be able to provide adequate water supply to meet the potable water demand for the project in addition to existing and future users.

4.12.2.7 Cumulative Impacts to Water Supply Services

The cumulative area for water supply-related issues is the EMWD service area (previously referenced Figure 4.12.1). Existing and future development within the EMWD's service area would demand additional quantities of water. The adopted UWMP (2010) projects population within the EMWD service area to increase to 1,111,729 persons by the year 2035. Increases in population, square footage, and intensity of uses would contribute to increases in the overall regional water demand. The anticipated conversion of water-intensive uses (i.e., agriculture) and the implementation of existing water conservation measures and recycling programs would reduce the need for increased water supply.

The projected demand for the EMWD service area for the year 2015 is 213,900 AFY. The cumulative projects including the proposed project would make up approximately 0.11 percent of the projected demand for 2015. For the year 2035, the EMWD service area projected demand is 302,200 AFY. The proposed project would make up 0.63 percent of the project water demand. As the cumulative projects including the proposed project make up less than one percent of the projected water demand in both 2015 and 2025, the cumulative impact of the proposed project would be less than significant.

As previously identified, Metropolitan will continue to rely on the plans and policies outlined in its RUWMP and IRP to address water supply shortages and interruptions (including potential shut downs of SWP pumps) to meet water demands. An aggressive campaign for voluntary conservation and recycled water usage, along with curtailment of groundwater replenishment water and agricultural water delivery are some of the actions outlined in the RUWMP. As previously stated, Metropolitan currently does not have surplus water available, due in part to pumping restrictions imposed on the SWP in place to avoid and minimize impacts to Federal- and State-protected fish species in the Delta. However, Metropolitan has analyzed the reliability of water delivery through the SWP and the Colorado River Aqueduct. Metropolitan's IRP and RUWMP conclude that, with the storage and transfer programs developed by Metropolitan, there will be a reliable source of water to serve its member agencies' needs through 2035. The EWMD would have water supplies for projected growth through 2035 in wet, dry, and multiple-dry years, so cumulative impacts to water supply would be less than significant. The proposed project would connect to existing conveyance infrastructure and adequate treatment capacity is available, so the proposed project would not make a significant contribution to any cumulatively considerable impacts on water supply or infrastructure.

4.12.3 Wastewater Services

4.12.3.1 Existing Setting

The EMWD and the Edgemont Community Services District (ECSD) provides wastewater (sewer) service in the City of Moreno Valley. The EMWD provides wastewater treatment, collection, and disposal service to most of the City and surrounding area and the ECSD provides sewer service to a small area in the southwestern portion of the City limits. The EMWD owns, operates, and maintains four regional water reclamation facilities including the Moreno Valley Regional Water Reclamation Facility (MVRWRF). The MVRWRF facility is located south of the City limits, east of Perris Boulevard, south of and adjacent to Mariposa Avenue. The MVRWRF treats domestic, commercial, and industrial wastewater, and currently accepts an average daily flow of approximately 11.2[1] million gallons per day (mgd), with an existing capacity of approximately 16 mgd.[2] Reclaimed water from the MVRWRF is primarily used to irrigate agriculture lands, greenbelts, and median strip areas. The EMWD has one existing dry sewer along Eucalyptus Avenue, west of Redlands Boulevard, which is currently not in operation. The EMWD expects this sewer to be in service once it is necessary for demand expected from the proposed project. The project site does not have any sewer infrastructure on site as it is currently fallow agricultural land. Existing businesses and residents in the vicinity of the project site currently utilize septic tanks.

4.12.3.2 Existing Policies and Regulations for Wastewater Services

Federal Water Pollution Control Act The major piece of Federal legislation dealing with wastewater is the Federal Water Pollution Control Act, which is designed to restore and preserve the integrity of the nation's waters. In addition to the Federal Water Pollution Control Act, other Federal environmental laws have a bearing on the location, type, planning, and funding of wastewater treatment facilities.

State Regional Water Quality Control Board. Operation of the MVRWRF is subject to regulations set forth by the California Department of Health Services (DHS) and State Water Resources Control Board (SWRCB). NPDES permits are required for operators of municipal separate storm sewer systems (MS4s), construction, projects, and industrial facilities that discharge to surface waters within the City.

City of Moreno Valley General Plan. The following are policies within the City's General Plan that pertain to wastewater services and are applicable to the proposed project:

Community Development Element

Policy 2.12.1 Prior to the approval of any new development application, ensure that adequate septic or sewer service capacity exists or will be available in a timely manner.

Policy 2.13.1 Limit the amount of development to that which can be adequately served by public services and facilities, based upon current information concerning the capability of public services and facilities.

Policy 2.13.2 Unless otherwise approved by the City, public water, sewer, drainage and other backbone facilities needed for a project phase shall be constructed prior to or concurrent with initial development within that phase.

Policy 2.13.3 It shall be the ultimate responsibility of the sponsor of a development project to assure that all necessary infrastructure improvements (including system wide

[1] Plus 0.4 mgd diverted to the Perris Valley Regional Water Reclamation Facility.
[2] Eastern Municipal Water District Moreno Valley Regional Water Reclamation Facility, http://www.emwd.org/modules/showdocument.aspx?documentid=1423, website accessed December 21, 2011.

improvements) needed to support project development are available at the time that they are needed.

4.12.3.3 Methodology

The methodology of determining wastewater service impacts is based on evaluating the existing wastewater infrastructure and capacity available to the City, future wastewater demand and capacity that is anticipated to be available to the City, and the identification of existing wastewater demands and future wastewater demands with the development of the proposed project.

4.12.3.4 Wastewater Services Thresholds of Significance

The proposed project is considered to have a significant impact on wastewater services if any of the following occurs:

- The project would exceed wastewater treatment requirements of the Santa Ana Regional Water Quality Control Board;
- The project would result in a determination by the wastewater treatment provider, which serves or may serve the project, that it lacks adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; and/or
- The project would require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

4.12.3.5 No Impact/Less than Significant Impacts

4.12.3.5.1 Wastewater Treatment Requirements

Threshold	Would the proposed project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Local governments and water districts are responsible for complying with Federal regulations, both for wastewater plant operation and for the collection systems (e.g., sanitary sewers) that convey wastewater to the wastewater treatment facility. Proper operation and maintenance is critical for sewage collection and treatment as impacts from these processes can degrade water resources and affect human health. For these reasons, publicly owned treatment works (POTW) receive Waste Discharge Requirements (WDRs) to ensure that such wastewater facilities operate in compliance with water quality regulations set forth by the State. WDRs, issued by the State, establish effluent limits on the kinds and quantities of pollutants that POTW can discharge. These permits also contain pollutant monitoring, recordkeeping, and reporting requirements. Each POTW that intends to discharge into the nation's waters must obtain a WDR prior to initiating its discharge.

The proposed project would result in a connection to the sewer line underlying the future Eucalyptus Avenue. As previously identified, the EMWD expects this sewer to be in service once it is necessary for demand expected from the proposed project. It is anticipated that all wastewater generated by the proposed project would be routed to and treated by the MVRWRF. The MVRWRF is a POTW, so operational discharge flows treated at the MVRWRF would be required to comply with the WDRs for that facility. Compliance with condition or permit requirements established by the City and WDRs at the MVRWRF would ensure that discharges into the wastewater treatment facility system from the operation of the proposed project would not exceed applicable Santa Ana Regional Water Quality Control Board wastewater treatment requirements. Expected wastewater flows from the proposed project will not exceed the capabilities of the serving treatment plant, so no significant impact related to this issue would occur and no mitigation would be required.

4.12.3.5.2 Wastewater Treatment Capacity and/or New or Expanded Wastewater Treatment Facilities

Threshold	Would the proposed project result in a determination by the wastewater treatment provider, which serves or may serve the project, that it lacks adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
Threshold	Would the proposed project require the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The proposed project would connect to the sewer line in Eucalyptus Avenue west of the site through an 8-inch on-site sewer line. As previously identified, the EMWD expects this sewer to be in service once it is necessary for demand expected from the proposed project. Wastewater flows from the proposed project site would be handled by the EMWD and would be conveyed to the MVRWRF located in the southwestern portion of the City. Current capacity at this facility is 16 million mgd[1] with an existing average inflow of approximately 11.2 mgd.[2] Under current conditions, the average daily surplus treatment capacity is approximately 4.5 mgd. Generally, water use and wastewater flows are related in that wastewater is generated from indoor water uses. Based on EMWD wastewater generation calculations and as identified Table 4.12.G, the proposed project is anticipated to generate 68.3 equivalent dwelling units (EDUs) of wastewater. An EDU factor of 1 is based on a single-family home generating 235 gpd of wastewater.

Table 4.12.G: Anticipated Wastewater Generation Calculations

Total Base Unit (Open Storage Facilities/Warehouses)		÷	Base Unit	×	EDU Factor	=	Total EDUs to be Assessed
First 100,000 square feet	100,000 sq ft	÷	1,000	×	0.13	=	13
Additional square feet between 100,000 and 1,000,000	900,000 sq ft	÷	1,000	×	0.02	=	18
Remaining square feet over 1,000,000	1,244,638 sq ft	÷	1,000	×	0.03	=	37.3
Total	**2,244,638 sq ft**	**—**		**—**			**68.3**

Source: *Eastern Municipal Water District Sewer Financial Participation Charges Calculations,* https://id3446.securedata.net/emwd/new_biz/construction_charges-sewer.html, website accessed December 29, 2011. Calculations done by LSA Associates, Inc.

Based on this generation factor, the proposed project is anticipated to generate 16,051 gpd (0.016 mgd) of wastewater.[3] The additional wastewater treatment demand of 0.016 mgd resulting from development of the proposed project totals approximately 0.3 percent of current surplus treatment capacity. Improvements planned for the MVRWRF facility would increase capacity at this facility from 16 mgd to 21 mgd with an ultimate expansion of this facility of 41 mgd. The planned expansion of the MVRWRF to increase capacity from 16 mgd to 21 mgd is anticipated to be completed by June 2013.[4] Impacts associated with wastewater facilities would be less than significant because the amount of wastewater generated by the project would be within the existing surplus treatment capacity at the MVRWRF. The proposed project would not require the construction of new wastewater treatment facilities or expansion of existing facilities, which could cause significant environmental effects. Therefore, impacts associated with wastewater facilities would be less than significant and no mitigation is required.

1 *5.13 Public Services and Utilities*, City of Moreno Valley General Plan Final EIR, July 2006.
2 Eastern Municipal Water District Moreno Valley Regional Water Reclamation Facility, http://www.emwd.org/modules/showdocument.aspx?documentid=1423, website accessed December 21, 2011.
3 68.3 EDUs × 235 gallons of wastewater per day/1 EDU = 16050.5 gallons of wastewater per day.
4 *3.10.b Regional Water Reclamation Facilities*, West San Jacinto Groundwater Basin Management Plan 2010 Annual Report, Eastern Municipal Water District, June 2011.

4.12.3.6 Significant Impacts

No impacts related to wastewater services or facilities have been identified as significant for the proposed project. However, Section 3 of this EIR indicates that, if the proposed project is constructed prior to the West Ridge project, ProLogis will install the infrastructure necessary to serve its project (e.g., roads, water, and sewer) and will be reimbursed by the City from the West Ridge developer at the time that project is constructed. If the West Ridge project is constructed first, ProLogis will contribute an appropriate amount to the City for a reimbursement account to help off-site improvement costs installed by the West Ridge project that serve the ProLogis project. The timing of improvements shall be coordinated by the City in cooperation with ProLogis and the West Ridge developer. If this is implemented as indicated, there will be no potential significant impacts regarding utility improvements for the proposed project.

4.12.3.7 Cumulative Impacts to Wastewater Facilities

The cumulative area for wastewater-related issues is the MVRWRF service area (Figure 4.12.1). Cumulative population increases and development within the area serviced by the MVRWRF would increase the overall regional demand for wastewater treatment service. The current treatment capacity at the MVRWRF is 16 mgd. Improvements planned for this facility would increase capacity at this facility from 16 mgd to 21 mgd by June 2013. Ultimate expansion of this facility is expected to be 41 mgd. The MVRWRF is expected to have adequate capacity to service the City's wastewater needs through 2030. Any proposed changes to capacity of the MVRWRF or any facility maintained by EMWD are reviewed throughout the year. EMWD has a funding and construction mechanism in place that ensures improvements to EMWD facilities occur in a timely manner. This funding mechanism is referred to as EMWD's Sewer Financial Participation Charge Program. For all new development within the EMWD service area, the Sewer Financial Participation Charge is allocated to assist in the financing of any future collection and disposal facilities and any future sewer treatment plant facilities. Cumulative development would not exceed the capacity of the wastewater treatment system because the MVRWRF would expand as growth occurred.

The proposed project would not have a cumulatively significant impact on wastewater infrastructure because the proposed project would not require the expansion of existing infrastructure; only connections to existing infrastructure would be required by the project. By adhering to the wastewater treatment requirements established by the Santa Ana RWQCB through the NPDES permit, wastewater from the project site that is processed through the MVRWRF would meet established standards. As the wastewater from all development within the service area of the MVRWRF would be similarly treated under the NPDES, no cumulatively significant exceedance of Santa Ana RWQCB wastewater treatment requirements would occur. The proposed project would not result in significant impacts to wastewater treatment or wastewater treatment facilities. The cumulative wastewater generation of the projects listed in Table 3.B is 1,026,488 gallons per day. The MVRWRF planned expansion will increase its capacity from 16 mgd to 21 mgd. The ultimate expansion of the MVRWRF will allow it to process 41 mgd of wastewater. The wastewater generation of the listed cumulative projects represents 4.8 percent of the future capacity of the 2013 expansion and 2.5 percent of the ultimate expansion of the MVRWRF. The projected wastewater generation of the cumulative projects represents a small percentage of the average wastewater capacity and, because there are no projects that would, in combination with the proposed industrial uses, result in any significant impact related to wastewater treatment or cause significant environmental effects, the project will not make a significant contribution to any cumulatively considerable impacts associated with wastewater.

4.13 GLOBAL CLIMATE CHANGE

This section provides a discussion of global climate change, existing regulations pertaining to global climate change, and an analysis of greenhouse gas (GHG) emissions associated with the proposed project located in the City of Moreno Valley, Riverside County. This analysis is based on the *Greenhouse Gas Emissions and Global Climate Change Study* (LSA Associates, Inc., November 2011) prepared for the project and included in Appendix B of this EIR. This section examines the short-term construction and long-term operational impacts and evaluates the effectiveness of measures incorporated as part of the project design.

4.13.1 Existing Setting

Global climate change refers to alterations in weather features which occur across the Earth as a whole, including temperature, wind patterns, precipitation, and storms. Global temperatures are moderated by naturally occurring atmospheric gases, including water vapor, carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). These gases allow solar radiation (sunlight) into the Earth's atmosphere, but prevent radiative heat from escaping, thus warming the Earth's atmosphere. Global climate change attributable to anthropogenic (human) emissions of greenhouse gases (primarily CO_2, CH_4, and N_2O) is currently one of the most important and widely debated scientific, economic, and political issues in the United States.

Gases that trap heat in the atmosphere are often referred to as greenhouse gases, analogous to a greenhouse effect. Greenhouse gases are emitted by both natural processes and human activities. The accumulation of greenhouse gases in the atmosphere regulates the Earth's temperature. Without these natural greenhouse gases, the Earth's temperature would be about 61 degrees Fahrenheit cooler. Emissions from human activities, such as vehicle, natural gas, electricity usage, and water usage have elevated the concentration of these gases in the atmosphere.

Greenhouse gases have varying global warming potential (GWP), which is a measure of how much a given mass of greenhouse gas is estimated to contribute to global warming. It is a relative scale that compares the gas in question (e.g., N_2O and CH_4) to that of the same mass of carbon dioxide. CO_2 is the reference gas with a GWP of 1 and is the baseline unit with which all other greenhouse gases are compared. The carbon dioxide equivalent is most appropriate method of assessing emissions because it gives weight to the GWP of the gas. Table 4.13.A presents a summary of the atmospheric lifetime and GWP of selected gases. The other main greenhouse gases that have been attributed to human activity—methane and nitrous oxides—have GWPs of 21 and 310 teragrams[1] of carbon dioxide equivalent (Tg CO_2 Eq.), respectively.

Table 4.13.A: Global Warming Potential of Selected Gases

Gas	Atmospheric Lifetime (years)	Global Warming Potential (100-year time horizon)
Carbon Dioxide	50-200	1
Methane	12 ± 3	21
Nitrous Oxide	120	310
HFC-23	264	11700
HFC-134a	14.6	1300
HFC-152a	1.5	140
PFC: Tetrafluoromethane (CF_4)	50000	6500
PFC: Hexafluoromethane (C_2F_6)	10000	9200
Sulfur Hexafluoride (SF_6)	3200	23900

Source: Environmental Protection Agency, 2008.

[1] One teragram is equal to one million metric tons.

4.13.1.1 Inventory

This section summarizes the latest information on global, United States, California, and local GHG emission inventories.

Global Emissions. The International Energy Agency (IEA)[1] reports that worldwide emissions of CO_2e totaled 30.6 billion metric tons in 2010, a 5 percent increase over 2009. Global estimates are based on country inventories developed as part of programs of the United Nations Framework Convention on Climate Change (UNFCCC).

United States Emissions. In 2009, the United States emitted approximately 6.6 billion metric tons of CO_2e or approximately 24 tons per year (tpy) per person. Of the six economic sectors nationwide—electric power industry, transportation, industry, agriculture, commercial, and residential—the electric power industry and transportation sectors combined account for approximately 60 percent of the GHG emissions; the majority of the electrical power industry and all of the transportation emissions are generated from direct fossil fuel combustion. Between 1990 and 2009, total United States GHG emissions rose approximately 7.3 percent.[2]

State of California Emissions. According to California Air Resources Board (CARB) emission inventory estimates, California released approximately 474 million metric tons (MMT)[3] of CO_2e emissions in 2008.[4] This large number is due primarily to the sheer size of California compared to other states. By contrast, California has the fourth lowest per-capita CO_2 emission rate from fossil fuel combustion in the country, due to the success of its energy efficiency and renewable energy programs and commitments that have lowered the State's GHG emissions rate of growth by more than half of what it would have been otherwise.[5]

The CalEPA Climate Action Team stated in its December 2010 report that the composition of gross climate change pollutant emissions in California in 2002 (expressed in terms of CO_2e) was as follows:

- CO_2 accounted for 83.3 percent;
- CH_4 accounted for 6.4 percent;
- N_2O accounted for 6.8 percent; and
- Hydrofluorocarbon (HFC), perfluorocarbon (PFC), and sulfur hexafluoride (SF_6) accounted for 3.5 percent.[6]

The CARB estimates that transportation is the source of approximately 38 percent of the State's GHG emissions in 2004, followed by electricity generation (both in-State and out-of-State) at 23 percent, and industrial sources at 20 percent. The remaining sources of GHG emissions are residential and commercial activities at 9 percent, agriculture at 6 percent, high global warming potential gases at 3 percent, and recycling and waste at 1 percent.[7]

1 International Energy Agency, http://www.iea.org, website accessed December 30, 2011.
2 *The 2011 U.S. Greenhouse Gas Inventory Report,* U.S. Environmental Protection Agency, http://www.epa.gov/climatechange/emissions/usinventoryreport.html, accessed August 2011.
3 A metric ton is equivalent to approximately 1.1 tons.
4 *Greenhouse Gas Inventory Data - 1990 to 2004*, California Air Resources Board, http://www.arb.ca.gov/cc/inventory/data/data.htm. website accessed August 2011.
5 *Inventory of California Greenhouse Gas Emissions and Sinks: 1990 to 2004 - Final Staff Report*, publication # CEC-600-2006-013-SF, Sacramento, CA, December 22, 2006; and January 23, 2007, update to that report, California Energy Commission, 2007.
6 *Climate Action Team Report to Governor Schwarzenegger and the California Legislature,* CalEPA. December 2010.
7 California Air Resources Board. http://www.climatechange.ca.gov/inventory/index.html. September 2008.

The CARB is responsible for developing the California Greenhouse Gas Emission Inventory. This inventory estimates the amount of GHGs emitted to and removed from the atmosphere by human activities within the State of California and supports the AB 32 Climate Change Program. The CARB's current GHG emission inventory covers the years 2000 through 2008[2] and is based on fuel use, equipment activity, industrial processes, and other relevant data (e.g., housing, landfill activity, and agricultural lands). The emission inventory estimates are based on the amount of all fuels combusted in the State, which accounts for over 85 percent of the GHG emissions within California.

4.13.1.2 Global Warming

Global warming is the observed increase in the average temperature of the earth's atmosphere and oceans in recent decades. The earth's average near-surface atmospheric temperature rose 0.6 ± 0.2° Celsius (°C) (1.1 ± 0.4° Fahrenheit [°F]) in the 20th century. The prevailing scientific opinion on climate change is that "most of the warming observed over the last 50 years is attributable to human activities."[1] The increased amounts of CO_2 and other GHGs are the primary causes of the human-induced component of warming. They are released by the burning of fossil fuels, land clearing, and agriculture, etc., and lead to an increase in the GHG effect.

4.13.1.3 Effects of Global Warming

Effects from global climate change may arise from temperature increases, climate-sensitive diseases, extreme events, and air quality. There may be direct temperature effects through increases in average temperature leading to more extreme heat waves and less extreme cold spells. Those living in warmer climates are likely to experience more stress and heat-related problems. Heat-related problems include heat rash and heat stroke. In addition, climate-sensitive diseases may increase, such as those spread by mosquitoes and other disease-carrying insects. Such diseases include malaria, dengue fever, yellow fever, and encephalitis. Extreme events such as flooding and hurricanes can displace people and agriculture, which would have negative consequences. Global warming may also contribute to air quality problems from increased frequency of smog and particulate air pollution. Table 4.13.B lists greenhouse gases, the effects of each greenhouse gas, and sources for each of the greenhouse gases.

Additionally, according to the 2006 California Climate Action Team (CAT) Report,[2] the following climate change effects, which are based on trends established by the United Nations Intergovernmental Panel on Climate Change (IPCC), can be expected in California over the course of the next century:

- A diminishing Sierra snowpack declining by 70 percent to 90 percent, threatening the state's water supply;
- Increasing temperatures from 8 to 10.4° F under the higher emission scenarios, leading to a 25 percent to 35 percent increase in the number of days ozone pollution levels are exceeded in most urban areas;
- Increased vulnerability of forests due to pest infestation and increased temperatures;
- Increased electricity demand, particularly in the hot summer months; and
- Increased ground-level ozone formation due to higher reaction rates of ozone-precursors.

Changes in climate have the potential to affect fire regimes, especially in areas where climate, and not fuel, tends to be the limiting factor. A number of studies have been conducted on the likely effects of climate change on present-day fire regimes. In temperate regions, including the western United

1 Intergovernmental Panel on Climate Change, *Climate Change 2001: The Scientific Basis*, http://www.grida.no/climate/ipcc_tar/wg1/index.htm.

2 California Environmental Protection Agency, *Climate Action Team Report to Governor Schwarzenegger and the Legislature*, March 2006.

Table 4.13.B: Greenhouse Gas Properties, Effects, and Sources

Constituent	Description and Physical Properties	Health Effects	Sources
Water Vapor	Water vapor (H_2O) 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.	There are no health effects from water vapor. When some pollutants come in contact with water vapor, they can dissolve and then the water vapor can be a transport mechanism to enter the human body.	The main source of water vapor is evaporation from the oceans (approximately 85%). Other sources include evaporation from other water bodies, sublimation (change from solid to gas) from sea ice and snow, and transpiration from plant leaves.
Carbon Dioxide	Carbon dioxide (CO_2) is an odorless, colorless natural greenhouse gas.	Outdoor levels of carbon dioxide are not high enough to result in negative health effects.	Carbon dioxide is emitted from natural and anthropocentric (human) sources. Natural sources include the following: decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic out gassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood.
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 greenhouse gases.	There are no health effects from 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 combustion and biomass burning.
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 harmless. 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 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, e.g., 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.

Table 4.13.B: Greenhouse Gas Properties, Effects, and Sources

Constituent	Description and Physical Properties	Health Effects	Sources
Chloro-fluorocarbons	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).	In confirmed indoor locations, working with CFC-113 or other CFCs is thought to have resulted 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 level or declining. However, their long atmospheric lifetimes mean that some of the CECs will remain in the atmosphere for over 100 years.
Hydro-fluorocarbons	Hydrofluorocarbons (HFCs) are synthetic man-made chemicals that are used as a substitute for CFCs. Out of all the greenhouse gases, they are one of three groups with the highest global warming potential. Prior to 1990, the only significant emissions were HFC-23. HFC-134a use is increasing due to its use as a refrigerant.	None.	HFCs are man-made for applications such as automobile air conditioners and refrigerants.
Per-fluorocarbons	Perfluorocarbons (PFCs) have stable molecular structures and do not break down through the chemical processes in the lower atmosphere. 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).	None.	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. Concentrations in the 1990's 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.
Aerosols	Aerosols are particles emitted into the air through burning biomass (plant material) and fossil fuels. Aerosols can warm the atmosphere by absorbing and emitting heat and can cool the atmosphere by reflecting light. Cloud formation can also be affected by aerosols.	Similar health effects associated with particulate matter.	Sulfate aerosols are emitted when fuel containing sulfur is burned. Another source of aerosols (in the form of black carbon or soot) is the result of incomplete combustion or the incomplete burning of fossil fuels. Although particulate matter regulation has been lowering aerosol concentrations in the United States, global concentrations are likely increasing as a result of other sources around the world.

Source: LSA Associates, Inc. November 2011

States, there is a possibility that increased temperature would extend typical fire seasons, with more fires occurring earlier and later in a given year. There is also a possibility that global warming would foster the creation of faster, hotter fires that would be more difficult to contain and therefore affect larger areas potentially leading to increases in both the annual area burned and the number of potential catastrophic fires. Although the effects will vary considerably among different ecosystem types, the total area burned will likely increase in some regions. Other factors such as levels of carbon dioxide in the atmosphere may do more than change regimes through weather effects. Greater carbon dioxide availability may also lead to changes in plant growth and decomposition. However, it is important to realize that a single major fire event can have far greater consequences than small changes in temperature or rainfall over a period of decades. Similarly, the year-to-year and seasonal variations can be far greater than the small gradual changes of long-term climate change. The process of climate change is also thought to lead to a rise in average global temperature, changes in frequency and distribution of precipitation, and variations in the pattern and occurrence of droughts, floods, and sea level rise. Specifically, it is thought that global climate change impacts to the southwest region of the U.S. would result in an increased frequency of intense precipitation events and the increased risk of flash floods. However, no aspect of the current hydrologic practices or modeling is designed to specifically detect climate change or its effects on water resources or flooding.[1] In addition, many of the existing hydrologic modeling systems have significant data gaps or are designed to achieve specific accounting goals. As a result, many of the modeling procedures and modeling data is fragmented, poorly integrated, and unable to meet the predictive challenges of a rapidly changing climate.

Without reliable data to assess impacts of flooding associated with global climate change to any degree of specificity, it is not possible to discern the extent to which the flooding area would change or the frequency at which flooding would occur. Regardless of the potential for an increase in flood events, development in the existing flood areas are already designed to limit impacts to flood-related events. These design features include the use of materials resistant to flood damage, the placement of drainage paths around structures to guide floodwaters around and away from proposed structures, and the placement of the lowest floor of any structure at or above the base flood elevation.

4.13.2 Regulatory Setting

4.13.2.1 Federal Regulations/Standards

Federal Regulation of Climate Change. Climate change and GHG reduction are also concerns at the Federal level; however, at this time, no Federal legislation or regulations have been enacted specifically addressing GHG emissions reductions and climate change. On December 7, 2009, the EPA Administrator signed two distinct findings regarding greenhouse gases under Section 202(a) of the Clean Air Act:

- *Endangerment Finding:* The Administrator finds that the current and projected concentrations of the six key well-mixed greenhouse gases—CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6—in the atmosphere threaten the public health and welfare of current and future generations.
- *Cause or Contribute Finding:* The Administrator finds that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution, which threatens public health and welfare.

These findings do not themselves impose any requirements on industry or other entities. However, this action is a prerequisite to finalizing the EPA's proposed greenhouse gas emission standards for light-duty vehicles, which were jointly proposed by EPA and the USDOT's National Highway Safety Administration on September 15, 2009.[2]

[1] *Scientific Assessment of the Effects of Global Change on the United States,* Committee on Environment and Natural Resources, National Science and Technology Council, May 2008.

[2] http://www.epa.gov/climatechange/endangerment.html.

4.13.2.2 State Regulations/Standards

Assembly Bill 1493 (AB 1493). In 2002, Governor Grey Davis signed AB 1493, which required the CARB to develop and adopt, by January 1, 2005, regulations that achieve "the maximum feasible reduction of greenhouse gases emitted by passenger vehicles and light-duty truck and other vehicles determined by the CARB to be vehicles whose primary use is noncommercial personal transportation in the State."

Executive Order S-3-05. Executive Order S-3-05 was signed by Governor Schwarzenegger in 2005 proclaiming California is vulnerable to the impacts of climate change. It states that increased temperatures could reduce the Sierra Nevada's snowpack, worsen California's air quality problems, and potentially cause a rise in sea levels. The Executive Order establishes total GHG emission targets including emissions reductions to the 2000 level by 2010, and the 1990 level by 2020, and to 80 percent below the 1990 level by 2050.

Assembly Bill 32 (AB 32). In September 2006, Governor Schwarzenegger signed Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006. AB 32 directs the CARB to implement regulations for a cap on sources or categories of sources of GHG emissions. The bill requires that the CARB develop regulations to reduce emissions with an enforcement mechanism to ensure that the reductions are achieved, and to disclose how it arrives at the cap. It also includes conditions to ensure businesses and consumers are not unfairly affected by reductions.

AB 32 requires the CARB to:

- Adopt a list of discrete early action measures by July 1, 2007, that can be implemented before January 1, 2010;
- Establish a statewide GHG emissions cap for 2020 based on 1990 emissions and adopt mandatory reporting rules for significant sources of GHG by January 1, 2008;
- Indicate how emission reductions will be achieved from significant GHG sources via regulations, market mechanisms and other actions by January 1, 2009; and
- Adopt regulations by January 1, 2011, to achieve the maximum technologically feasible and cost-effective reductions in GHG, including provisions for using both market mechanisms and alternative compliance mechanisms.

AB 32 codifies Executive Order S-3-05's[1] year 2020 goal by requiring 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 implemented no later than January 1, 2012. To effectively implement the cap, AB 32 directs the CARB to develop appropriate regulations and establish a mandatory reporting system to track and monitor global warming emissions levels.

Senate Bill 97 (SB 97). As directed by SB 97, the Natural Resources Agency adopted Amendments to the *CEQA Guidelines* for greenhouse gas emissions on December 30, 2009. On February 16, 2010, the Office of Administrative Law approved the Amendments, and filed them with the Secretary of State for inclusion in the California Code of Regulations. The Amendments became effective on March 18, 2010. Changes to the guidelines include new questions in Appendix G regarding Greenhouse Gas Emissions and major changes to the Transportation/Traffic checklist questions (Appendix A-3, *CEQA Guidelines* changes).

[1] Executive Order S-3-05 establishes greenhouse gas emission reduction targets for California.

Senate Bill 375. SB 375 was signed into law on October 1, 2008. SB 375 provides emissions-reduction goals around which regions can plan, integrating disjointed planning activities, and provides incentives for local governments and developers to follow new conscientiously planned growth patterns.

4.13.2.3 City of Moreno Valley General Plan Policies

Although the City of Moreno Valley General Plan does not include any specific GHG or climate change policies or goals, a number of the goals, objectives, policies, and programs identified in the air quality (Chapter 6 – Safety) and energy (Chapter 7 – Conservation) elements will result in an indirect reduction in GHG emissions through reductions in vehicle trips, vehicle miles traveled, and energy use. The specific policies of the General Plan that are relevant to the proposed project are as follows:

Air Quality Chapter:

Objective 6.6 Promote land use patterns that reduce daily automotive trips and reduce trip distance for work, shopping, school, and recreation.

Policy 6.6.1 Provide sites for new neighborhood commercial facilities within close proximity to the residential areas they serve.

Policy 6.6.2 Provide multi-family residential development sites in close proximity to neighborhood commercial centers in order to encourage pedestrian instead of vehicular travel.

Policy 6.6.3 Locate neighborhood parks in close proximity to the appropriate concentration of residents in order to encourage pedestrian and bicycle travel to local recreation areas.

Objective 6.7 Reduce mobile and stationary source air pollution emissions.

Policy 6.7.1 Cooperate with regional efforts to establish and implement regional air quality strategies and tactics.

Policy 6.7.2 Encourage the financing and construction of park-and-ride facilities.

Policy 6.7.3 Encourage express transit service from Moreno Valley to the greater metropolitan areas of Riverside, San Bernardino, Orange, and Los Angeles Counties.

Policy 6.7.4 Locate heavy industrial and extraction facilities away from residential areas and sensitive receptors.

Policy 6.7.5 Require grading activities to comply with the South Coast Air Quality Management District's (SCAQMD) Rule 403 regarding the control of fugitive dust.

Policy 6.7.6 Require building construction to comply with the energy conservation requirements of Title 24 of the California Administrative Code.

Conservation Chapter:

Energy Objective 7.5 Encourage efficient use of energy resources.

Policy 7.5.1 Encourage building, site design, and landscaping techniques that provide passive heating and cooling to reduce energy demand.

Policy 7.5.2 Encourage energy efficient modes of transportation and fixed facilities, including transit, bicycle, equestrian, and pedestrian transportation. Emphasize fuel efficiency in the acquisition and use of City-owned vehicles.

Policy 7.5.3 Locate areas planned for commercial, industrial and multiple family density residential development within areas of high transit potential and access.

Policy 7.5.4 Encourage efficient energy usage in all city public buildings.

Policy 7.5.5 Encourage the use of solar power and other renewable energy systems.

4.13.3 Methodology

The recommended approach for GHG analysis included in Office of Planning and Research (OPR) June 2008 release is to: (1) identify and quantify GHG emissions, (2) assess the significance of the impact on climate change, and (3) if significant, identify alternatives and/or mitigation measures to reduce the impact below a level of significance.[1] The June 2008 OPR guidance provides some additional direction regarding planning documents as follows:

> "CEQA can be a more effective tool for GHG emissions analysis and mitigation if it is supported and supplemented by sound development policies and practices that will reduce GHG emissions on a broad planning scale and that can provide the basis for a programmatic approach to project-specific CEQA analysis and mitigation…. For local government lead agencies, adoption of general plan policies and certification of general plan EIRs that analyze broad jurisdiction-wide impacts of GHG emissions can be part of an effective strategy for addressing cumulative impacts and for streamlining later project-specific CEQA reviews."

Revisions to Appendix G of the *CEQA Guidelines* suggest that the project be evaluated for the following impacts:

- Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?
- Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?

However, despite this, currently neither the CEQA statutes, OPR guidelines, nor the draft proposed changes to the *CEQA Guidelines* prescribes thresholds of significance or a particular methodology for performing an impact analysis; as with most environmental topics, significance criteria are left to the judgment and discretion of the Lead Agency.

4.13.4 Thresholds of Significance

On September 28, 2010, the SCAQMD proposed the following draft-tiered interim GHG significance threshold for development projects:

- **Tier 1** consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA. If the project qualifies for an exemption, no further action is required. If the project does not qualify for an exemption, then it would move to the next tier.
- **Tier 2** consists of determining whether or not the project is consistent with a GHG reduction plan that may be part of a local general plan, for example. The concept embodied in this tier is equivalent to the existing consistency determination requirements in *CEQA Guidelines* Sections 15064(h)(3), 15125(d), or 15152(a). The GHG reduction plan must, at a minimum, comply with AB 32 GHG reduction goals; include an emissions inventory agreed upon by either the CARB or the SCAQMD, have been analyzed under CEQA and have a certified Final CEQA document, and have monitoring and enforcement components. If the proposed project is consistent with the qualifying local GHG reduction plan, it is not significant for GHG emissions. If the project is not consistent with a local GHG reduction plan, there is no approved plan, or the GHG reduction plan does not include all of the components described above, the project would move to Tier 3.
- **Tier 3** establishes a screening significance threshold level to determine significance using a 90 percent GHG emission capture rate. The 90 percent capture rate GHG significance screening level in Tier 3 for stationary sources was derived using the following methodology. Using the SCAQMD's Annual Emission Reporting (AER) Program, the reported annual natural gas

[1] State of California, 2008. Governor's Office of Planning and Research. *CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act Review*. June 19.

consumption for 1,297 permitted facilities for 2006 through 2007 was compiled and the facilities were rank-ordered to estimate the 90th percentile of the cumulative natural gas usage for all permitted facilities. Approximately 10 percent of facilities evaluated comprise more than 90 percent of the total natural gas consumption, which corresponds to 10,000 $MTCO_2e/yr$ (the majority of combustion emissions comprise CO_2). The SCAQMD suggested the following GHG screening thresholds: Industrial (when SCAQMD is the Lead Agency): 10,000 tpy CO_2e; Residential: 3,500 tpy CO_2e; Commercial: 1,400 tpy CO_2e; Mixed-use: 3,000 tpy CO_2e. If a project's GHG emissions exceed the GHG screening threshold, the project would move to Tier 4.

- **Tier 4** establishes a decision tree approach that includes compliance options for projects that have incorporated design features into the project and/or implement GHG mitigation measures.
  - Efficiency Target (2020 Targets)
    - 4.8 metric tons (mt) CO_2e per SP for project level threshold (land use emissions only) and total residual emissions not to exceed 25,000 metric tons per year (mty) CO_2e.
    - 6.6 mt CO_2e per SP for plan level threshold (all sectors).
  - Efficiency Target (2035 Targets)
    - 3.0 mt CO_2e per SP for project level threshold.
    - 4.1 mt CO_2e per SP for plan level threshold.

  If a project fails to meet any of these emissions efficiency targets, the project would move to Tier 5.
- **Tier 5** would require projects that implement off-site GHG mitigation that includes purchasing offsets to reduce GHG emission impacts to purchase sufficient offsets for the life of the project (30 years) to reduce GHG emissions to less than the applicable GHG screening threshold level.

4.13.5 Less than Significant Impacts

The following impacts were identified as less than significant with the implementation of the proposed project.

4.3.5.1 Greenhouse Gas Plan, Policy, Regulation Consistency

Threshold	Would the proposed project conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

The CAT and the CARB have developed several reports to achieve the Governor's GHG targets that rely on voluntary actions of California businesses, local government and community groups, and State incentive and regulatory programs. These include the CAT's 2006 "Report to Governor Schwarzenegger and the Legislature," the CARB's 2007 "Expanded List of Early Action Measures to Reduce Greenhouse Gas Emissions in California," and the CARB's "Climate Change Proposed Scoping Plan: a Framework for Change."

The reports identify strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05 and AB 32 (i.e., 29 percent below existing "business as usual" emissions) that are applicable to proposed project. Table 4.3.C presents the applicable Recommended Actions (qualitative measures) identified to date by CARB in its Climate Change Proposed Scoping Plan and whether or not the proposed project is consistent with the applicable Recommended Actions.

Table 4.3.C: Proposed Scoping Plan Recommended Actions for Climate Change

ID No.	Sector	Strategy Name	Applicable to Project?	Will Project Conflict with Implementation?
T-1	Transportation	Pavley I and II – Light-Duty Vehicle GHG Standards	Yes	No
T-2	Transportation	Low Carbon Fuel Standard (Discrete Early Action)	Yes	No
T-3	Transportation	Regional Transportation-Related GHG Targets	No	No
T-4	Transportation	Vehicle Efficiency Measures	Yes	No
T-5	Transportation	Ship Electrification at Ports (Discrete Early Action)	No	No
T-6	Transportation	Goods-movement Efficiency Measures	Yes	No
T-7	Transportation	Heavy Duty Vehicle Greenhouse Gas Emission Reduction Measure: Aerodynamic Efficiency (Discrete Early Action)	Yes	No
T-8	Transportation	Medium and Heavy-Duty Vehicle Hybridization	Yes	No
T-9	Transportation	High Speed Rail	No	No
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	Increased Combined Heat and Power Use by 30,000 GWh	No	No
E-3	Electricity and Natural Gas	Renewable Portfolio Standard	Yes	No
E-4	Electricity and Natural Gas	Million Solar Roofs	No	No
CR-1	Electricity and Natural Gas	Energy Efficiency	Yes	No
CR-2	Electricity and Natural Gas	Solar Water Heating	Yes	No
GB-1	Green Buildings	Green Buildings	Yes	No
W-1	Water	Water Use Efficiency	Yes	No
W-2	Water	Water Recycling	No	No
W-3	Water	Water System Energy Efficiency	No	No
W-4	Water	Reuse Urban Runoff	No	No
W-5	Water	Increase Renewable Energy Production	No	No
W-6	Water	Public Goods Charge (Water)	No	No
I-1	Industry	Energy Efficiency and Co-Benefits Audits for Large Industrial Sources	No	No
I-2	Industry	Oil and Gas Extraction GHG Emission Reduction	No	No
I-3	Industry	GHG Leak Reduction from Oil and Gas Transmission	No	No
I-4	Industry	Refinery Flare Recovery Process Improvements	No	No
I-5	Industry	Removal of Methane Exemption from Existing Refinery Regulations	No	No

Table 4.3.C: Proposed Scoping Plan Recommended Actions for Climate Change

ID No.	Sector	Strategy Name	Applicable to Project?	Will Project Conflict with Implementation?
RW-1	Recycling and Waste Management	Landfill Methane Control (Discrete Early Action)	No	No
RW-2	Recycling and Waste Management	Additional Reduction in Landfill Methane – Capture Improvements	No	No
RW-3	Recycling and Waste Management	High Recycling/Zero Waste	Yes	No
F-1	Forestry	Sustainable Forest Target	No	No
H-1	High Global Warming Potential Gases	Motor Vehicle Air Conditioning Systems (Discrete Early Action)	No	No
H-2	High Global Warming Potential Gases	SF_6 Limits in Non-Utility and Non-Semiconductor Manufacturing (Discrete Early Action)	No	No
H-3	High Global Warming Potential Gases	Reduction in Perfluorocarbons in Semiconductor Manufacturing (Discrete Early Action)	No	No
H-4	High Global Warming Potential Gases	Limit High GWP Use in Consumer Products (Discrete Early Action, Adopted June 2008)	No	No
H-5	High Global Warming Potential Gases	High GWP Reduction from Mobile Sources	No	No
H-6	High Global Warming Potential Gases	High GWP Reductions from Stationary Sources	No	No
H-7	High Global Warming Potential Gases	Mitigation Fee on High GWP Gases	No	No
A-1	Agriculture	Methane Capture at Large Dairies	No	No

Source: LSA Associates, Inc. November 2011.

As identified in Table 4.3.C, of the 39 Recommended Actions, the applicable Recommended Actions are those that are within the Transportation, Electricity and Natural Gas, Green Buildings, and Water sectors.

Applicable Recommended Actions in the Transportation sector include Actions T-1, T-2, and T-4. Action T-1 involves improvements to light-duty vehicle technology for the purposes of reducing GHG emissions through focusing on legislating improved controls for vehicle manufacturers. This action would not generally be considered applicable to the proposed project; however, vehicles utilized by the proposed project would be subject to these standards, as applicable, and would be consistent with this action. Action T-2 involves implementation of a low carbon fuel standard. In order to reduce the carbon intensity of transportation fuels, the CARB is developing a Low Carbon Fuel Standard (LCFS), which would reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020 as called for by Governor Schwarzenegger in Executive Order S-01-07. While implementation of this standard is not within the purview of a development project, a land use such as that proposed under the proposed project would be a substantial consumer of fuels for its vehicle fleet. Vehicles utilized by the proposed project would be subject to these standards, as applicable, and would be consistent with this action.

Action T-4 concerns vehicle efficiency measures such as the promotion of sustainable tire practices. The CARB is pursuing a regulation to ensure that tires are properly inflated when vehicles are serviced. In addition, the California Energy Commission (CEC) in consultation with the California Integrated Waste Management Board (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 on the development of consumer information requirements for replacing tires. While implementation of this standard is not within the purview of a development project, a land use such as that proposed under the proposed project would be a contributor of vehicle miles traveled (VMT). Vehicles utilized by the proposed project would be subject to these standards, as applicable, and would be consistent with this action.

Applicable Recommended Actions in the Energy and Natural Gas sector includes Action E-1. Action E-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. Elements of this action include encouraging construction of zero net energy (ZNE) buildings and implementation of passive solar design. In addition to employing on-site electricity generation, a ZNE building must either replace natural gas with renewable energy for space and water heating, or compensate for natural gas use by generating surplus electricity for sale on the State's electricity grid. The proposed project is required to comply with the 2010 Title 24 Energy Efficiency Standards and applicable Green Building Standards; therefore, the proposed project would not conflict with these actions.

The City encourages residents and businesses to utilize solar power to increase use of renewable energy sources. Through a variety of programs and incentives, such as the 2008 Solar Special Program,[1] customers served by Moreno Valley Utility (MVU), MVU customers are encouraged to utilize solar power while helping the City meet its renewable energy goals. For similar projects in the region, the energy purveyor to the project, Southern California Edison (SCE), has rented out the rooftops to harness solar power, which would directly hook into the energy grid. There currently are no plans to install solar panels on the roofs of the proposed project; however, roofs would be designed to support the future installation of solar panels to facilitate the use such rooftops by energy purveyors.

The Leadership in Energy and Environmental Design (LEED) Green Building Rating System is the nationally accepted benchmark for the design, construction, and operation of high-performance green buildings. The LEED rating system encourages and accelerates global adoption of sustainable green building and development practice through the creation and implementation of universally understood and accepted tools and performance criteria. In the United States, buildings use one-third of total energy produced, two-thirds of electricity generated, and one-eighth of the water extracted. The LEED rating system is a voluntary, consensus-based, market-driven building rating system based on existing proven technology. It evaluates environmental performance from a whole building perspective over a building's life cycle. The rating system is organized into five environmental categories: Sustainable Sites, Water Efficiency, Energy and Atmosphere, Materials and Resources, and Indoor Environmental Quality. The rating system is a performance-oriented system where credits are earned for satisfying each criterion. Different levels of green building certification are awarded based on the total credits earned. To earn an LEED certification, the project must satisfy all of the prerequisites and a minimum number of points to attain the established LEED rating.

Based on preliminary LEED certified building design and construction guidelines project data, the proposed project will be a LEED Core and Shell Certified building. LEED for Core and Shell (LEED CS) is a rating system written and administered by the United States Green Building Council. The LEED CS Rating System was developed to serve the speculatively driven development market where project teams routinely do not control all aspects of a building's design and construction. The scope of

[1] The 2008 Solar Special Program gives customers of Moreno Valley Utility a rebate of $4 for every watt of solar that is installed on the roof of a home or business. The maximum rebated for a commercial, industrial, or governmental installation of solar panels is $100,000 (system size of 25 kW). The actual amount of the rebate will take into consideration solar panel output, inverter efficiency, and design factors.

LEED CS is limited to those elements of the project under the direct control of the Owner/Developer. As indicated in Table 4.13.D, the proposed project would incorporate various project design features and operational processes that would result in an LEED score of 20 out of a possible 69.

Table 4.13.D: LEED Scoring

Credits and Prerequisites	Feasible or Available?		
	Yes	No	Maybe
Sustainable Sites			
Prerequisite 1: Construction Activity Pollution Prevention	Required		
Credit 1: Site Selection	0	0	1
Credit 2: Development Density and Community Connectivity	0	1	0
Credit 3: Brownfield Redevelopment	0	0	1
Credit 4.1: Alternative Transportation: Public Transportation Access	0	0	1
Credit 4.2: Alternative Transportation: Bicycle Storage & Changing Rooms	0	0	1
Credit 4.3: Alternative Transportation: Low-Emission and Fuel-Efficient Vehicles	1	0	0
Credit 4.4: Alternative Transportation: Parking Capacity	1	0	0
Credit 5.1: Site Development: Protect or Restore Habitat	0	1	0
Credit 5.2: Site Development: Maximize Open Space	0	1	0
Credit 6.1: Storm Water Design: Quantity Control	0	0	1
Credit 6.2: Storm Water Design: Quality Control	0	0	1
Credit 7.1: Heat Island Effect, Non-Roof	0	0	1
Credit 7.2: Heat Island Effect, Roof	1	0	0
Credit 8: Light Pollution Reduction	0	0	1
Credit 9: Tenant Design & Construction Guidelines	1	0	0
Water Efficiency			
Credit 1.1: Water Efficient Landscaping: Reduce by 50%	1	0	0
Credit 1.2: Water Efficient Landscaping: No Potable Use or No Irrigation	0	0	1
Credit 2: Innovative Wastewater Technologies	0	0	1
Credit 3.1: Water Use Reduction: 20% Reduction	1	0	0
Credit 3.2: Water Use Reduction: 30% Reduction	0	0	1
Energy and Atmosphere			
Prerequisite 1: Fundamental Commissioning of the Building Energy Systems.	Required		
Prerequisite 2: Minimum Energy Performance	Required		
Prerequisite 3: Fundamental Refrigerant Management	Required		
Credit 1: Optimize Energy Performance	3	2	3
Credit 2: On-site Renewable Energy	0	0	3
Credit 3: Enhanced Commission	0	0	1
Credit 4: Enhanced Refrigeration Management	1	0	0
Credit 5.1: Measurement & Verification – Base Building	0	0	1
Credit 5.2: Measurement & Verification – Tenant Sub-meeting	0	0	1
Credit 6: Green Power	0	0	1
Mineral Resources			
Prerequisite 1: Storage & Collection of Recyclables	Required		
Credit 1.1: Building Reuse: Maintain 25% of Existing walls, Floor & Roof	0	1	0
Credit 1.2: Building Reuse: Maintain 50% of Existing walls, Floors & Roof	0	1	0
Credit 1.3: Building Reuse: Maintain 75% of Interior Non-Structural Elements	0	1	0

Table 4.13.D: LEED Scoring

Credits and Prerequisites	Feasible or Available?		
	Yes	No	Maybe
Credit 2.1: Construction Waste Management: Divert 50% from Disposal	1	0	0
Credit 2.2: Construction Waste Management: Divert 75% from Disposal	1	0	0
Credit 3: Material Reuse: 1%	0	1	0
Credit 4.1: Recycled Content: 10% (post-consumer + ½ pre-consumer)	1	0	0
Credit 4.2: Recycled Content: 20% (post-consumer + ½ pre-consumer)	0	0	1
Credit 5.1: Regional Materials: 10% Extracted, Processed & Manufactured Region	1	0	0
Credit 5.2: Regional Materials: 20% Extracted, processed & Manufactured Region	0	0	1
Credit 6: Certified Wood	0	0	1
Indoor Environmental Quality			
Prerequisite 1: Minimum Indoor Air Quality (IAQ) Performance	Required		
Prerequisite 2: Environmental Tobacco Smoke (ETS) Control	Required		
Credit 1: Outdoor Air Delivery Monitoring	0	0	1
Credit 2: Increased Ventilation	0	0	1
Credit 3: Construction IAQ Management Plan: During Construction	1	0	0
Credit 4.1: Low-Emitting Materials: Adhesives & Sealants	1	0	0
Credit 4.2: Low-Emitting Materials: Paints & Coatings	1	0	0
Credit 4.3: Low-Emitting Materials: Carpet System	1	0	0
Credit 4.4: Low-Emitting Materials: Composite Wood & Agrifiber Products	0	0	1
Credit 5: Indoor Chemical & Pollutant Source Control	0	0	1
Credit 6: Controllability of Systems: Thermal Comfort	0	0	1
Credit 7: Thermal Comfort: Design	0	0	1
Credit 8.1: Daylight & Views: Daylight 75% of Spaces	0	0	1
Credit 8.2: Daylight & Views for 90% of Spaces	0	0	1
Innovation & Design Process			
Credit 1.1: Innovation in Design: Provide Specific Title	1	0	0
Credit 1.2: Innovation in Design: Provide Specific Title	0	0	1
Credit 1.3: Innovation in Design: Provide Specific Title	0	0	1
Credit 1.4: Innovation in Design: Provide Specific Title	0	0	1
Credit 2: LEED Accredited Professional	1	0	0
Totals:	**20**	**9**	**35**

Source: ProLogis, 2010

Applicable Recommended Actions in the Water sector includes Action W-1. Action W-1, Water Use Efficiency, involves the reduction in the energy consumption used to convey, treat, distribute, and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions. The proposed project would install water-efficient fixtures and appliances and would not conflict with this action.

GHG emissions reduction strategies were also set forth in the 2006 CAT Report, and the strategies included in the CAT Report that apply to the project are contained in Table 4.13.E, which also summarizes the extent to which the project would comply with the strategies to help California reach the emission reduction targets. The strategies listed in Table 4.13.E are addressed as either part of the project, required mitigation measures, or requirements under local or State ordinances.

Table 4.13.E: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
Mandatory Code	
California Green Building Code. The Cal Green Code prescribes a wide array of measures that would result directly and indirectly in reduction of GHG emissions from the Business as Usual Scenario (CBC). The mandatory measures that are applicable to nonresidential projects include site selection, energy efficiency, water efficiency, materials conservation and resource efficiency, and environmental quality measures.	**Compliant.** The project would be required to adhere to the nonresidential mandatory measures as required by the Cal Green Code.
Energy Efficiency Measures	
Energy Efficiency. Maximize energy efficiency building and appliance standards, and pursue additional efficiency efforts including new technologies, and new policy and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California (including both investor-owned and publicly owned utilities).	**Compliant with Mitigation Incorporated.** The proposed project will comply with the updated Title 24 standards, including the new 2010 CBC, for building construction if any building interior improvements are required. In addition, the project would be required to comply with the requirements of **Mitigation Measure 4.13.6.1**, identified later, including measures to incorporate energy efficient building design features.
Renewables Portfolio Standard. Achieve a 33% renewable energy mix statewide.	
Green Building Strategy. Expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings.	
Water Conservation and Efficiency Measures	
Water Use Efficiency. Continue efficiency programs and use cleaner energy sources to move and treat water. Approximately 19% of all electricity, 30% 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 with Mitigation Incorporated.** The project would be required to comply with the requirements of **Mitigation Measure 4.13.6.1**, identified later, including measures to increase water use efficiency.
Solid Waste Reduction Measures	
Increase Waste Diversion, Composting, and Commercial Recycling, and Move Toward Zero-Waste. Increase waste diversion from landfills beyond the 50 percent mandate to provide for additional recovery of recyclable materials. Composting and commercial recycling could have substantial GHG reduction benefits. In the long term, zero waste policies that would require manufacturers to design products to be fully recyclable may be necessary.	**Compliant with Mitigation Incorporated.** Data available from the California Integrated Waste Management Board indicates that the City of Moreno Valley has not achieved the 50 percent diversion rate. The proposed project would be required to comply with **Mitigation Measure 4.13.6.1**, identified later, including measures to increase solid waste diversion and recycling.
Transportation and Motor Vehicle Measures	
Regional Transportation-Related Greenhouse Gas Targets. Develop regional GHG emissions reduction targets for passenger vehicles. Local governments will play a significant role in the regional planning process to reach passenger vehicle GHG emissions reduction targets. Local governments have the ability to directly influence both the siting and design of new residential and commercial developments in a way that reduces GHGs associated with vehicle travel.	**Compliant.** Specific regional emission targets for transportation emissions do not directly apply to this project; regional GHG reduction target development is outside the scope of this project. The project will comply with any plans developed by the City.

Table 4.13.E: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
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 GHG emissions from passenger vehicles and light-duty trucks. Regulations were adopted by the CARB in September 2004.	**Compliant.** The project does not involve the manufacture of vehicles. However, vehicles that are purchased and used within the project site would comply with any vehicle and fuel standards that the CARB adopts.
Light-Duty Vehicle Efficiency Measures. Implement additional measures that could reduce light-duty GHG emissions. For example, measures to ensure that tires are properly inflated can both reduce GHG emissions and improve fuel efficiency.	
Adopt Heavy- and Medium-Duty Fuel and Engine Efficiency Measures. Regulations to require retrofits to improve the fuel efficiency of heavy-duty trucks that could include devices that reduce aerodynamic drag and rolling resistance. This measure could also include hybridization of and increased engine efficiency of vehicles.	
Low Carbon Fuel Standard. The CARB identified this measure as a Discrete Early Action Measure. This measure would reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020.	
Measures to Reduce High Global Warming Potential Gases. The CARB has identified Discrete Early Action measures to reduce GHG emissions from the refrigerants used in car air conditioners, semiconductor manufacturing, and consumer products. The CARB has also identified potential reduction opportunities for future commercial and industrial refrigeration, changing the refrigerants used in auto air conditioning systems, and ensuring that existing car air conditioning systems do not leak.	**Compliant.** New products used or serviced on the project site (after implementation of the reduction of GHG gases) would comply with future CARB rules and regulations.

AB = Assembly Bill CARB = California Air Resources Board CBC = California Building Code
GHG = Greenhouse Gas
Source: LSA Associates, Inc., November 2011.

As previously identified, implementation of the proposed project could result in the development of approximately 2,244,638 square feet of distribution warehouse uses. The proposed project includes a variety of physical attributes and operational programs that would generally contribute to a reduction in operational-source pollutant emissions including GHG emissions. As identified in Table 4.3.E, future development that would occur under the proposed project would be consistent with greenhouse gas emission reduction strategies and policies. The project would implement appropriate GHG reduction strategies and would ensure that it does not conflict with or impede implementation of reduction goals identified in AB 32, Governor's Executive Order S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor. In addition, the project would also be subject to all applicable regulatory requirements, which would also reduce the GHG emissions of the project. Therefore, the proposed project would not conflict with any applicable plan, program, policy, or regulation related to the reduction of GHG emissions. Impacts are considered less than significant.

4.13.6 Significant Impacts

4.13.6.1 Greenhouse Gas Emissions

Threshold	Would the proposed project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Future development that could occur within the proposed project site could generate GHG emissions during construction and operation activities. It is anticipated that the majority of energy consumption (and associated generation of GHG emissions) would occur during the project's operation (as opposed to its construction). Typically, more than 80 percent of the total energy consumption takes place during the use of buildings and less than 20 percent is consumed during construction.[1] As of yet, there is no study that quantitatively assesses all of the GHG emissions associated with each phase of the construction and use of an individual development.

The following activities are associated with the proposed project and could contribute directly or indirectly to the generation of GHG emissions:

- **Removal of Vegetation:** The net removal of vegetation for construction results in a loss of the carbon sequestration in plants. However, planting of additional vegetation would result in additional carbon sequestration and would lower the carbon footprint of the project.
- **Construction Activities:** During construction of the project, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically uses fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO_2, CH_4, and N_2O.
- **Gas, Electric, and Water Use:** Natural gas use results in the emissions of two GHGs: CH_4 (the major component of natural gas) and CO_2 from the combustion of natural gas. Electricity use can result in GHG production if the electricity is generated by combusting fossil fuel. California's water conveyance system is energy-intensive. Preliminary estimates indicate that the total energy used to pump and treat this water exceeds 6.5 percent of the total electricity used in the State per year.[2]
- **Solid Waste Disposal:** Solid waste generated by the project could contribute to GHG emissions in a variety of ways. Landfilling and other methods of disposal use energy for transporting and managing the waste, and they produce additional GHGs to varying degrees. Landfilling, the most common waste management practice, results in the release of CH_4 from the anaerobic decomposition of organic materials. CH_4 is 25 times more potent than CO_2. However, landfill CH_4 can also be a source of energy. In addition, many materials in landfills do not decompose fully, and the carbon that remains is sequestered in the landfill and not released into the atmosphere.
- **Motor Vehicle Use:** Transportation associated with the proposed project would result in GHG emissions from the combustion of fossil fuels in daily automobile and truck trips.

The proposed project was analyzed using the SCAQMD CalEEMod model for the potential construction of the project's proposed land uses, water, sewer, and drainage infrastructure, and roadways. Implementation of the proposed project would result in the development of approximately 2,244,638 square feet of distribution warehouse uses. Table 4.3.F provides the GHG emissions that could be generated during construction activities on the project site. The total GHG emissions over the entire construction process are expected to be 2,700 metric tons.

[1] United Nations Environment Programme (UNEP), 2007. *Buildings and Climate Change: Status, Challenges and Opportunities*, Paris, France.

[2] *Water-Energy Sector Summary AB 32 Scoping Plan GHG Emission Reduction Strategies,* http://climatechange.ca.gov/climate_action_team/reports/CAT_subgroup_reports/Water_Sector_Summary_and_Analyses.pdf, Climate Change Action Team, website accessed December 30, 2011.

Table 4.3.F: Short-Term Regional Greenhouse Gas Construction Emissions

Construction Phase	Total Regional Pollutant Emissions, metric tons/year					
	Bio-CO_2	NBio-CO_2	Total-CO_2	CH_4	N_2O	CO_2e
Site Preparation	0	67	67	0.01	0	67
Grading	0	221	221	0.02	0	222
Building Construction	0	1,884	1,884	0.1	0	1,886
Architectural Coating	0	174	174	0.01	0	174
Paving	0	77	77	0.01	0	77

Bio-CO_2 = biologically generated CO_2
NBio-CO_2 = non-biologically generated CO_2
CH_4 = methane
CO_2e = carbon dioxide equivalent
CO_2 = carbon dioxide
N_2O = nitrous oxide
Source: Table E, LSA Associates, Inc., November 2011.

GHG emissions that could be generated on the proposed project site would occur over the short term from construction activities, consisting primarily of emissions from equipment exhaust. There would also be long-term regional emissions associated with project-related vehicular trips and stationary source emissions, such as natural gas used for heating. The results presented below in Table 4.3.G, include operational emissions in terms of CO_2 (both biologically and non-biologically generated), CH_4, N_2O, and annual carbon dioxide equivalent (CO_2e) GHG emissions from increased energy consumption, water usage, solid waste disposal, and estimated GHG emissions from vehicular traffic that could result from the development of the project site. Calculations and CalEEMod run sheets for GHG emissions are provided in Appendix B of this EIR.

Table 4.3.G: Long-Term Regional Greenhouse Gas Operational Emissions

Emissions	Total Regional Pollutant Emissions, metric tons/year					
	Bio-CO_2	NBio-CO_2	Total-CO_2	CH_4	N_2O	CO_2e
Construction emissions amortized over 30 years	0	90	90	0.006	0	90
Area	0	0	0	0	0	0
Energy	0	2,200	2,200	0.09	0.04	2,200
Mobile	0	66,000	66,000	2.6	0	66,000
Waste	4,900	0	4,900	290	0	11,000
Water	0	110	110	0.91	0.02	140
Total Project Emissions	**4,900**	**68,000**	**73,000**	**290**	**0.06**	**79,000**

Bio-CO_2 = biologically generated CO_2
NBio-CO_2 = non-biologically generated CO_2
CH_4 = methane
CO_2e = carbon dioxide equivalent
CO_2 = carbon dioxide
N_2O = nitrous oxide
Source: Table E, LSA Associates, Inc., November 2011.

Based on a comparison of the proposed project to the SCAQMD tiered interim GHG significance criteria, it is not exempt as described in Tier 1. Considering the Tier 2 criteria, there is not a GHG reduction plan in the Moreno Valley General Plan, nor any other GHG reduction plan applicable to the project. Considering the Tier 3 screening significance threshold level, the most applicable screening threshold listed is the Industrial (even though SCAQMD is not the Lead Agency) at 10,000 tpy CO_2e. The long-term project operational GHG emissions shown in Table 4.3.G exceed this threshold; thus, the project operational GHG emissions are significant.

Previously referenced Table 4.13.E lists strategies that are either part of the project design or are requirements under local or State ordinances. With implementation of these strategies/measures, the project's contribution to cumulative GHG emissions would be reduced. In order to ensure that the proposed project complies with and would not conflict with or impede the implementation of reduction goals identified in AB 32, the Governor's EO S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor, **Mitigation Measure 4.13.6.1** shall be implemented. Many of the

individual elements of this measure are already included as part of the proposed project or are required as part of project-specific mitigation measures.

Mitigation Measures. Previously referenced **Mitigation Measures 4.3.6.3A** through **4.3.6.3C** were introduced to reduce project air pollution emissions. These measures will also reduce the project's greenhouse gas emissions. To ensure that the proposed project's emissions of GHG are reduced to a less than significant level, and to ensure reductions below the expected "Business As Usual" (BAU) scenario, the following additional mitigation measures shall be implemented.

4.13.6.1A Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that building features have been incorporated in building plans as required by Title 24 of the California Code of Regulations. These features include but are not limited to the following:

- Exterior windows shall utilize window treatments for efficient energy conservation.
- Per CALGreen Code requirements, water-efficient fixtures and appliances, including but not limited to low-flow faucets, dual-flush toilets minimizing water consumption by 20 percent from the Building Standards Code baseline water consumption shall be used.
- Per CALGreen Code requirements, a Commissioning Plan shall be prepared and all building systems (e.g., heating, ventilation, and air-conditioning [HVAC], irrigation systems, lighting, and water heating) shall be commissioned by the Commissioning Authority.
- Per CALGreen Code, restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.

4.13.6.1B Prior to the issuance of building permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the design and construction of the project:

- Use locally produced and/or manufactured building materials for at least 10 percent of the construction materials used for the project.
- Use "Green Building Materials," such as those materials that are resource efficient, and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the project.
- Limit unnecessary idling of construction equipment. A reduction in equipment idling would reduce fuel consumption, and therefore, GHG emissions.
- Maximize the use of electricity from the power grid by replacing diesel- or gasoline-powered equipment. This would reduce GHG emissions because electricity can be produced more efficiently at centralized power plants.
- Design the project building to exceed the California Building Code (CBC) Title 24 energy standard, including, but not limited to, any combination of the following:
    - Increase 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 ENERGY STAR or better rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.
- Provide a landscape and development plan for the project that takes advantage of shade, prevailing winds, and landscaping.

- Install efficient lighting and lighting control systems. Use daylight as an integral part of the lighting systems in buildings.
- Install light-colored "cool" roof and cool pavements.
- Install energy-efficient heating and cooling systems, appliances and equipment, and control systems.
- Install solar or light-emitting diodes (LEDs) for outdoor lighting.

4.13.6.1C Prior to the issuance of occupancy permits, the project applicant shall provide evidence to the City of Moreno Valley that the following measures have been be incorporated into the operation of the project:

- The project applicant shall use less than 3,900 Global Warming Potential (GWP) hydrofluorocarbon (HCF) refrigerants or natural refrigerants (ammonia, propane, carbon dioxide [CO_2]) for refrigeration and fire suppression equipment.
- Provide vegetative or man-made exterior wall shading devices for east-, south-, and west facing walls with windows.
- Devise a comprehensive water conservation strategy appropriate for the project and its location. The strategy may include the following, plus other innovative measures that may be appropriate:
  - Install drought-tolerant plants for landscaping.
  - Use reclaimed water for landscape irrigation within the project. Install the infrastructure to deliver and use reclaimed water.
  - Install water-efficient irrigations systems, such as weather-based and soil-moisture-based irrigation controllers and sensors for landscaping according to the California Department of Water Resources Model Efficient Landscape Ordinance.
- Provide employee education about reducing waste and available recycling services.

Level of Significance After Mitigation. The mitigation measures identified above would contribute to a reduction in GHG emissions from energy, mobile, and water usage sources. With implementation of the identified mitigation measures, the proposed project's GHG emissions are reduced. As described above, project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Consequently, it is speculative to determine how project-related GHG emissions would contribute to global climate change and how global climate change may affect the State. Therefore, project-related GHG emissions are not project-specific impacts to global warming but are instead the project's contribution to this cumulative impact. As stated previously, project-related GHG emissions and their contribution to global climate change impacts in the State are less than significant and less than cumulatively considerable because: (1) the project's impacts alone would not cause or significantly contribute to global climate change, and (2) the project has no substantial effect on consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed.

4.13.7 Cumulative Impacts

While it is not possible to determine whether the project individually will have a significant impact on global warming or climate change, it will contribute to cumulative greenhouse gas emissions. However, without the necessary science and analytical tools, it is not possible to determine with certainty, whether the project's emissions of greenhouse gases will be cumulatively considerable, within the meaning of *CEQA Guidelines* Sections 15065(a)(3) and 15130. The CARB is currently in the process of designing regulations to monitor, limit, and ultimately reduce California GHG emissions

but there are as yet no clear standards for assessing the significance of cumulative impacts from projects.

Given the findings of AB 32 and the requirements of CEQA, the Lead Agency must determine whether a project will or will not have a cumulatively considerable contribution. Due to the lack of guidance for determining the significance of cumulative impacts to climate change from projects, and out of an overabundance of caution, the project has been evaluated to determine whether emissions of GHGs have been minimized to the extent feasible with current technology and measures. With implementation of the strategies and programs described in previously referenced Table 4.13.E, the project is consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05. Based on the threshold of the project's consistency with these measures contained in Executive Order S-3-05, the project has a less than significant impact as complies with these measures. Additionally, since climate change is a global issue, it is unlikely that the proposed project would generate enough GHG emissions to influence global climate change on its own. Because the project's impacts alone would not cause or significantly contribute to global climate change, project-related CO_2e emissions and their contribution to global climate change impacts in the State of California would not make a significant contribution to cumulatively considerable GHG emission impacts.

5.0 ADDITIONAL TOPICS REQUIRED BY CEQA

Section 15126 of the *CEQA Guidelines* requires that all aspects of a project must be considered when evaluating its impacts on the environment, including planning, acquisition, development, and operation. As part of this analysis, the EIR must also identify (1) significant environmental effects of the proposed project; (2) significant environmental effects that cannot be avoided if the proposed project is implemented; and (3) growth-inducing impacts.

5.1 SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED IF THE PROPOSED PROJECT IS IMPLEMENTED

Table 5.A illustrates the significant unavoidable impacts anticipated to result from the proposed project, even with implementation of the project-specific mitigation measures identified in the Chapter 4.0 analysis.

Table 5.A: Significant Environmental Effects Which Cannot Be Avoided

Topic	Type of Impact	Impact
Aesthetics	Scenic Vistas	No feasible mitigation is available to mitigate for the direct impacts associated with the loss of existing viewsheds in the area. Therefore, impacts associated with this issue remain significant and unavoidable.
Aesthetics	Scenic Resources and Scenic Highways	No feasible mitigation is available to mitigate for the direct impacts associated with the loss of existing viewsheds from SR-60, which is considered a local scenic road by the City. Therefore, impacts associated with this issue remain significant and unavoidable.
Aesthetics	Substantial degradation of the existing visual character or quality of the site and its surroundings	No feasible mitigation is available to mitigate for the direct impacts associated with the substantial change in visual character from planned residential to industrial uses. Therefore, impacts associated with this issue remain significant and unavoidable.
Aesthetics	Cumulative Aesthetic Impacts	The cumulative effect of development in the region will continue to result in the modification of existing viewsheds especially along SR-60. Construction of the proposed project, in conjunction with other planned developments within the cumulative study area, would contribute to the obstruction of existing views. There are no available mitigation measures to reduce this cumulative impact to a less than significant level. Therefore, cumulative impacts would remain significant and unavoidable.
Agricultural Resources	Loss of State Designated Farmland	No mechanism for the mitigation of impacts to Prime Farmland and/or existing agricultural operations has been enacted by either the City of Moreno Valley or the County of Riverside. Therefore, impacts associated with the conversion of Prime Farmland remain significant and unavoidable.
Agricultural Resources	Conversion to a Non-agricultural Use	No feasible mitigation is available to mitigate for the direct impacts associated with the conversion of an existing agricultural operation. Therefore, impacts associated with the conversion of farmland to a non-agricultural use remain significant and unavoidable.

Table 5.A: Significant Environmental Effects Which Cannot Be Avoided

Topic	Type of Impact	Impact
Agricultural Resources	Cumulative Loss of Agricultural Resources	The cumulative effect of development in the region will continue to result in the conversion of agricultural lands to non-agricultural uses. Construction of the proposed project, in conjunction with other planned developments within the cumulative study area, would contribute to the conversion of agricultural lands to non-agricultural uses. Therefore, cumulative impacts to agricultural resources would remain significant and unavoidable.
Air Quality	Construction Air Pollutant Emissions	Construction activities would result in exceedance of the SCAQMD threshold for ROG and NO_X. Even after application of mitigation measures, estimated air pollutant emissions during construction activities would remain significant and unavoidable for ROG and NO_X.
Air Quality	Construction Air Pollutant Emissions	Localized emissions associated construction activities would result in exceedance of localized thresholds for PM_{10} and $PM_{2.5}$. Even after application of mitigation measures, estimated localized air emissions during construction activities would remain significant and unavoidable for PM_{10} and $PM_{2.5}$.
Air Quality	Architectural Coating Emissions	The amount of VOC generated per day during the application of architectural coatings would exceed the SCAQMD VOC threshold. Although the identified mitigation measures would reduce the amount of VOC generated, the SCAQMD threshold would still be exceeded. Impacts would remain significant and unavoidable.
Air Quality	Operational Air Pollutant Emissions	No feasible mitigation is available. Estimated air pollutant emissions during operation of the project will remain significant and unavoidable for ROG, NO_X, PM_{10}, and $PM_{2.5}$.
Air Quality	Consistency with Air Quality Management Plan (AQMP)	The project will produce significant amounts of air pollutants on a daily and cumulative basis, both during construction and occupancy. Even with implementation of proposed mitigation, emissions will result in exceedances that are not consistent with implementation of the current AQMP. Impacts are significant and unavoidable until the proposed project is included in the next SCAG and SCAQMD AQMP projections.
Air Quality	Cumulative Pollutant Air Emissions	The Basin is in nonattainment for PM_{10} and ozone at the present time. Construction of the proposed project, in conjunction with other planned developments within the cumulative study area, would contribute to the existing nonattainment status. Therefore, the proposed project would exacerbate nonattainment of air quality standards within the SCAQMD and contribute to adverse cumulative air quality impacts.
Land Use and Planning	Conflict with applicable land use plans, policies or regulations	The project is not consistent with SCAG growth projections, some related Compass Plan policies, and the AQMP since it proposed industrial uses in place of planned residential uses. However, the project will help improve the City's jobs/housing ratio; the City has been housing "rich" and jobs "poor" for many years which is consistent with regional goals. The project is not consistent with existing General Plan land use and zoning designations. Approval of the GPA and ZC will resolve this inconsistency.
Land Use and Planning	Cumulative impact on consistency with land use plans, policies, or regulations	The proposed project will make a substantial contribution to additional industrial/warehouse uses in an area planned for a mixture of residential and non-residential uses. However, the project is consistent with the minimum buffer requirements of the City Municipal Code Section 9.05.

Table 5.A: Significant Environmental Effects Which Cannot Be Avoided

Topic	Type of Impact	Impact
Transportation	Opening Year (2016) with Project Level of Service	If the improvements defined in **Mitigation Measures 4.11.6.1A** are constructed, then minimum level of service standards would be maintained for the opening year (2016) with-project scenario and study area intersections and impacts would be reduced to a less than significant level. Because improvements to the freeway roadways and infrastructure are under the authority of Caltrans, it is uncertain if improvements to these roadways would be constructed prior to project opening and impacts to these intersections would be significant and unavoidable.
Transportation	Opening Year (2016) Cumulative with Project Level of Service	If the improvements defined in **Mitigation Measures 4.11.6.2A** are constructed, then minimum level of service standards would be maintained for the opening year (2016) cumulative with-project scenario and study area intersections and impacts would be reduced to a less than significant level. Because improvements to the freeway roadways and infrastructure are under the authority of Caltrans, it is uncertain if improvements to these roadways would be constructed prior to project opening and impacts to these intersections would be significant and unavoidable.
Transportation	Cumulative Traffic Impacts	Construction of the proposed project, in conjunction with other planned developments within the cumulative study area, would contribute to the existing deficient levels of service on the existing roadway network. The improvements identified in **Mitigation Measures 4.11.6.1A** through **4.11.6.3C** would reduce these cumulative impacts at deficient intersections to a less than significant level. However, since the affected freeway ramps and intersections are under the jurisdiction of Caltrans, neither the project proponent nor the City has control over the specific timing of when the improvements would be constructed. It is anticipated that such improvements would not be fully constructed by the opening year (2016) so these cumulative impacts remain significant and unavoidable until such time as the improvements are constructed by Caltrans, WRCOG, and the City of Moreno Valley through the TUMF process. However, it is anticipated that these improvements would be fully constructed by future year (2035) as these improvements are currently programmed into the TUMF program. Therefore, cumulative traffic impacts in future year (2035) are anticipated to be less than significant.

5.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES WHICH WOULD BE CAUSED BY THE PROPOSED PROJECT SHOULD IT BE IMPLEMENTED

Section 15126(c) of the *CEQA Guidelines* mandates that the EIR must address any significant irreversible environmental changes that would be involved in the proposed action should it be implemented. An impact would fall into this category if it resulted in any of the following:

- The project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of the project would generally commit future generations of people to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; and/or
- The proposed consumption of resources is not justified (e.g., the project could waste energy).

Determining whether the proposed project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. The project site is generally fallow agricultural land with citrus groves occupying the northwestern, northeastern, and eastern portions of the site. However, as identified within the City's General Plan, the City anticipates the eventual conversion of agricultural uses to urban uses and the proposed project would permanently alter the site by converting predominantly agricultural uses to urban uses. This is a significant irreversible environmental change that would occur as a result of project implementation. Because no significant mineral resources were identified within the project limits, no significant impacts related to these issues would result from development of the project site. Natural resources in the form of construction materials would be utilized in the construction of the proposed project and energy resources in the form of electricity and natural gas would be used during the long-term operation of the project; however, their use is not expected have a negative impact on the availability of these resources. Existing scenic vistas were identified as being visible from the project limits. Implementation of the proposed project would result in the obstruction of the Russell Mountains and Box Springs Mountains from the nearest sensitive visual receptors and those traveling along SR-60. This is a significant and irreversible environmental change that would occur as a result of project implementation. Cumulatively, future development along SR-60 would also result in the obstruction of the existing views of surrounding mountains and visual features.

In addition, this industrial warehouse project, in concert with the other built or approved industrial warehouse projects to the east, will fundamentally change the character and land use pattern of this portion of the City. Many of the project-specific impacts are addressed, as outlined above, but the land use change represented by this and other industrial projects represents a substantial irreversible change in community character or quality of life for this area.

5.3 GROWTH-INDUCING IMPACTS

The proposed project site is currently utilized for citrus production on the northwestern, northeastern, and southwestern boundaries; the northern side abuts SR-60. Additionally, the southeastern portion of the project site is located approximately 50 feet from existing single-family residential uses, approximately 50 feet from active agricultural on the east, and approximately 60 feet from the Moreno Valley Auto Mall on the west. Existing single-family residential uses are located directly southeast of the project site. The Moreno Valley Auto Mall Specific Plan, approximately 151.89 acres located south of SR-60 at the Moreno Beach Drive off-ramp, provides for the development of commercial, residential (R-15), and open space (OS) and is located west of the project site. With implementation of the General Plan Amendment and Zone Change designation, the project may induce or create conditions that would accelerate development of the vacant parcels immediately east and southwest of the site. However, current economic conditions would likely inhibit development of these parcels in the near future.

The project proposes to eliminate the potential for 681 units of multifamily residential housing, some of which may contribute to meeting the City's affordable housing goals. This change would incrementally reduce the population and housing growth potential for this property. However, the project would add 2.2 million square feet of industrial space in the eastern portion of the City. Since the City currently has a low jobs-to-housing ratio, it is possible that the employment could be generated by this project can be accommodated by the City's existing workforce. In that way, the project is growth inducing in terms of employment. Due to relatively high vacancy rates in the City, it is also possible that the housing needs of new employees that do not already live in the City (i.e., own or rent) could largely be accommodated by the City's existing housing stock. Therefore, the proposed project would only produce modest growth inducement within Moreno Valley.

Water infrastructure in the vicinity of the proposed project site includes an existing 20-inch water line along Redlands Boulevard east of the site and a 12-inch water line located along Eucalyptus Avenue west of the proposed project site. The project proposes a 12-inch water line along future Eucalyptus

Avenue join the existing water lines identified above. Together, the proposed project and the West Ridge project will construct the identified infrastructure for this area. As public utilities and roadways are already available to the project area and, and because the proposed project does not warrant the expansion of existing or new water and wastewater treatment facilities, the development of the proposed project would not induce growth in an area currently devoid of public improvements or promote the extension of infrastructure in a manner facilitating an uneven pattern (e.g., leapfrog development) of development in the City. As the type and intensity of use proposed for the project site would be consistent once implementation of General Plan Amendment and Zone Change take place, and because the improvements necessary for development of the site would not facilitate growth that has not been anticipated in the project area, no significant growth-inducing effect would occur, and no mitigation is required.

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6.0 ALTERNATIVES

6.1 INTRODUCTION

An EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment. In compliance with *CEQA Guidelines* Section 15126.6(a), this Draft 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 objectives of the project but would avoid or substantially lessen any of the significant effects of the project." The EIR need not consider every conceivable alternative; rather it must consider a reasonable range of potentially feasible alternatives to the project, or to the location of the project, which would avoid or substantially lessen significant effects of the project, even if "these alternatives would impede to some degree the attainment of the project objectives, or would be more costly" (*CEQA Guidelines* Section 15126.6(b)). The discussion of project alternatives must "include sufficient information about each (to) allow meaningful evaluation, analysis, and comparison with the proposed project." An EIR must evaluate a "No Project" alternative in order to allow decision-makers to compare the effect of approving the project to the effect of not approving the project.

The City, acting as the CEQA Lead Agency, is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. The range of alternatives addressed in an EIR is governed by a "rule of reason," which requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. Of the alternatives considered, the EIR need examine in detail only those the Lead Agency determines could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. Per *CEQA Guidelines* Section 15364, "feasible" has been defined as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors."

6.1.1 Summary of the Proposed Project

The proposed project consists of the development of approximately 2,244,638 square feet of warehouse distribution uses, necessary parking, and associated site improvements on an approximately 122.8-acre site. The proposed project would consist of six buildings and would include a General Plan Amendment to change the General Plan Land Use designations for 71.3 acres of the southern portion of the site from "Residential" to "Light Industrial." Implementation of the proposed project would require a zone change from Business Park-Mixed Use (BPX), Business Park (BP), Multi-Family Residential (R-15), Suburban Residential (R-5), and Residential Agriculture (RA-2) to Light Industrial for the entire 122.8 acres. Implementation of the proposed project would also remove Primary Animal Keeping Overlay (PAKO) designation from the 12 acres that are currently zoned RA-2. The project also proposes an amendment to the Circulation Element of the General Plan that would eliminate the undeveloped Quincy Street south of SR-60 and realign the undeveloped future Encelia Avenue roadway segment to connect at the existing terminus of Eucalyptus Avenue at the southeast corner of the site west across the Quincy Channel to Moreno Beach Drive.

6.1.2 Project Objectives

The purpose of the proposed project is to provide a new facility that specializes in warehouse distribution services. Upon development, the proposed project will achieve the following:

- Provide industrial warehouse facilities that meet the substantial and unmet demands of businesses located in the City and County;
- Provide new industrial development that is attractive and minimizes conflicts with the surrounding existing uses;

- Provide a variety of new employment opportunities for the citizens of Moreno Valley and surrounding communities;
- Encourage warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors;
- Encourage new development consistent with the capacity and municipal service capabilities;
- Provide infrastructure improvements to meet phased project needs in an efficient and cost-effective manner;
- Cluster industrial warehouse uses near access points to the State highway system to reduce traffic congestion on surface streets and to reduce air pollutant emissions from vehicle sources;
- Develop land uses that provide the City with a positive revenue/cost ratio and provide needed infrastructure in a timely fashion;
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair-share improvements to various future-year deficient intersection or road segments; and
- Reduce peak hour vehicle trips and energy and water consumption compared to existing General Plan land uses.

6.1.3 Summary of Proposed Project Significant Impacts

The analysis provided in Chapter 4.0 determined that, despite the implementation of mitigation measures, significant environmental impacts would result from the construction and operation of the proposed on-site uses. To satisfactorily provide the CEQA-mandated alternatives analysis, the alternatives considered must reduce the following project-related significant impact(s):

- Loss of existing visual resources and viewsheds for the nearest sensitive visual receptors and visual corridor impacts from SR-60.
- Conversion of agricultural land and agricultural uses to urban land and urban uses;
- Emissions of NO_X, PM_{10}, and $PM_{2.5}$ during construction operations and LST thresholds;
- VOC emissions from architectural coatings;
- Long-term emissions of ROC and NO_X resulting from increased vehicular trips and operation of the proposed on-site uses, including AQMP consistency;
- Project-level and cumulative inconsistencies with regional and local land use plans and policies;
- Inconsistency with SCAG growth projections and related SCAG growth policies, and AQMP;
- Cumulative land use changes with shift from residential to industrial land uses;
- Traffic levels of service at intersections in the opening year (2016); and
- Traffic levels of service at intersections in the future year (2035) and cumulatively.

6.2 ALTERNATIVES CONSIDERED BUT NOT CARRIED FORWARD FOR ANALYSIS

In determining an appropriate range of alternatives to be evaluated in the EIR, five possible alternatives were considered and rejected because they could not accomplish the basic objectives of the project as listed above or they were considered infeasible. Per the *CEQA Guidelines* (Section 15126.6(c)), factors that may be considered when addressing the feasibility of alternatives include failure to meet most of the stated project objectives, infeasibility, or inability to avoid significant environmental effects. As outlined in the Project Objectives, the proposed project would provide

expand employment within and revenue for the City of Moreno Valley. The following five development scenarios were considered and rejected as potential alternatives to implementation of the proposed project:

- Continued Agriculture;
- Commercial Center Alternative;
- Residential Alternative;
- Public Sports Facility/Community Alternative; and
- Golf Course Alternative.

Based on Section 15126.6 of the *CEQA Guidelines*, the following alternatives were rejected based on the criteria of not feasibly attaining most of the basic objectives of the project while reducing or avoiding any of the significant effects of the proposed project. The reason or reasons for not selecting each of the rejected alternatives are discussed below.

6.2.1 Continued Agriculture Alternative

A Continued Agriculture Alternative would be very similar if not the same as the No Project – No Build Alternative, which is evaluated in Section 6.3.1. Therefore, this potential alternative was not looked at in any greater detail.

6.2.2 Commercial Center Alternative

A Commercial Center Alternative would consist of the development of the project site with 1,317,690[1] square feet of all commercial uses (assuming approximately 25% coverage), such as major retail outlets, restaurants, and boutique type uses. Similar to the proposed project, a zone change and General Plan Amendment would be required to change the existing business park and residential land uses to a commercial land use. Commercial uses may have a more aesthetic appearance than the proposed industrial project, but views would still be of commercial buildings from existing and proposed residential uses nearby, so it would not reduce potential aesthetic impacts. It would require a General Plan Amendment and Zone Change so it would not reduce land use impacts of the project. This amount of commercial space would generate over 54,000 vehicle trips per day (assuming 42.94 trips per 1,000 square feet) which would put significantly more (7×) daily and peak hour trips onto local streets and SR-60 than the proposed project. The large increase in vehicle trips would also substantially increase air pollutant emissions and noise levels, so these significant impacts of the project would not be eliminated. Utilizing an average employment factor of one employee for every 638 square feet of regional retail use,[2] this alternative would generate up to 2,066 retail jobs. The Commercial Center Alternative would provide additional retail options to residents of the City and would generate approximately 74 percent more employment opportunities than the proposed project. However, the development of the project site with all commercial uses would be situated near a newly developed existing commercial center on Moreno Beach Drive. Because of the close proximity of commercial uses to the west, development of the 122.8-acre project site with all commercial uses could compete with other existing commercial uses in the area, even the Moreno Valley Mall. It is possible that development of a Commercial Center Alternative would create retail uses above the current demand of such retail services and may contribute to a saturated commercial demand in that portion of Moreno Valley. Since this alternative would not reduce any of the anticipated impacts of the proposed project, it was eliminated from further evaluation of alternatives for the project site.

[1] Based on a FAR of 0.25.

[2] *Table II-B Derivation of Square Feet per Employee Based on Average Employees Per Acre, Employment Density Study Summary Report for Southern California Association of Governments*, The Natelson Company, Inc., October 2001.

6.2.3 Residential Alternative

The Residential Alternative consists of the development of the 122.8-acre project site with all residential uses, including approximately 644 single-family units and 548 multiple-family units.[1] A Zone Change and General Plan Amendment would be required for this alternative to change the northern portion of the project site from its existing industrial/business park designation to a residential designation. Since the Residential Alternative consists only of residential uses, employment-generating opportunities would not occur aside from temporary construction work, which would be filled by those already residing in the area. The project's full potential to utilize the area's close proximity to various freeways and transportation corridors would not be realized as only residential uses would occur under an all Residential Alternative. Based on average trip generation rates of 10 trips per single-family unit and 8 trips per multifamily unit, this alternative would generate approximately 10,824 average daily vehicle trips compared to the 7,527 trips of the proposed project (a 44% increase), and more of these trips would be expected to occur during peak periods. Additionally, the development of the entire 122.8-acre project site would result in the placement of the residential uses adjacent to a major transportation corridor and an approved industrial project immediately east of the site, which could potentially result in additional adverse impacts such as exposure to truck traffic, air pollutants, and noise. This alternative was rejected for further analysis because it would not reduce most of the project-related significant impacts, would result in some greater impacts, and would not satisfy the project objectives to the same degree as the proposed project. A discussion of existing zoning for the entire project has been analyzed under Alternative 1: No Project.

6.2.4 Regional Park/Public Sports Facility Alternative

The Regional Park/Public Sports Facility Alternative would include the development of recreational facilities on the entire 122.8-acre site and would include features such as community basketball, softball, and soccer fields, and associated picnic and restroom facilities. Although development under this alternative would produce some revenue through park usage fees, it would not produce the municipal revenues expected under the proposed project. A General Plan Amendment and Zone Change might be required, but the aesthetic and land use impacts of the proposed project would be largely eliminated by this alternative, except the inclusion of lighted sports fields would significantly increase aesthetic impacts related to night lighting. It is also reasonable to assume that employment opportunities associated with this alternative would be less than the jobs that would be generated by the proposed project. Although this alternative would be consistent with surrounding land uses, there are specific plans in the area that include approximately 120 acres of parkland. In addition, the placement of a public sports facility adjacent to a major transportation corridor such as SR-60 may result in air pollutant and noise impacts from the prolonged exposure of children and adults utilizing a sports facility in this location. It is also not clear if the City and/or even the County has or could raise sufficient funds to plan, construct, and operate such a facility. Because employment opportunities and revenue generation would be limited with this alternative, it was not carried forward for further analysis.

6.2.5 Golf Course Alternative

The Golf Course Alternative would include the development of an 18-hole golf course with associated clubhouse and golfing facilities on the entire 122.8-acre site. Although golf course uses are conditionally permitted in residential zoning areas, this alternative would require a Zone Change and General Plan Amendment to change the business park zoned area on the northern portion of the project. Although a Golf Course Alternative would utilize the project site's close proximity to the SR-60 and other transportation corridors, the development of the entire site with such uses would not provide the varied employment and service uses associated with the proposed project. There is an

[1] Based on assumption that the northern 33.75-acre portion of the site is rezoned Suburban Residential, which allows up to 15 dwelling units per acre; 33.75 acres × 15 dwelling units per acre = 506 dwelling units.

existing golf course just east of the City (Quail Ranch) that is underutilized, and three City-owned golf courses within the City boundaries. In addition, a future 125-acre golf course is planned at the Poorman Reservoir.[1] Although a golf course would produce some revenue through golf course usage fees, it would not produce the municipal revenues and employment expected from the proposed project. Therefore, this alternative would not meet the project objectives of providing new employment and revenue generation options in close proximity to local consumers. The employment opportunities and economic benefits derived from the proposed project are superior to a Golf Course Alternative, and employment opportunities would be limited with this alternative. In addition, development of a golf course in this area is speculative. For these reasons, this alternative was not carried forward for further analysis.

6.3 ALTERNATIVES ANALYSIS

The following alternatives have been identified and evaluated to provide decision-makers with a reasonable range of alternatives that would eliminate or reduce the impacts of the project. Factors considered in selecting the alternatives include site suitability, availability of infrastructure, other plans or regulatory limitations, economic viability, and whether the project proponent can reasonably acquire, control, or otherwise have access to the alternative site. An EIR need not consider an alternative whose impact cannot be reasonably ascertained and whose implementation is remote or speculative. In accordance with *CEQA Guidelines*, the alternatives considered in this EIR include those that 1) could accomplish most of the basic objectives of the project, 2) are reasonably feasible given the nature of the project and surrounding land uses, and 3) could avoid or substantially lessen one or more of the significant impacts of the project. The following have been identified as potential alternatives to implementation of the proposed project and are illustrated in Figure 6.1:

- Alternative 1: No Project – No Build Alternative;
- Alternative 2: No Project Alternative (TTM 32255);
- Alternative 3: Reduced Intensity Alternative;
- Alternative 4: Mixed Commercial/Office/Residential Alternative; and
- Alternative 5: Off-Site Location Alternative.

Alternative 1 is required under CEQA, but Alternative 2 was selected because there was already an approved Tentative Tract Map on the project site. Alternative 3 was developed to reduce air quality impacts and proximity to the residential uses to the southeast. Alternative 4 was developed to reduce traffic and air quality impacts, and resulted from discussions with City staff as to the appropriate mix of land uses if the currently approved uses were to be changed. Alternative 5 is required if there are other sites in the area onto which the project could be moved that would lessen one or more significant environmental impacts. The development characteristics of the various alternatives are shown in Table 6.A, while Table 6.B compares their peak hour and average daily trip generation. Similarly, Tables 6.C, 6.D., 6.E, and 6.F compare the water, wastewater, solid waste, and greenhouse gas emissions, respectively, of the various alternatives. These estimates are based on the methodologies established in the appropriate sections of Chapter 4.0.

[1] *Moreno Valley Parks and Facilities,* City of Moreno Valley, http://www.moreno-valley.ca.us/resident_services/park_rec/pdfs/prks_map-1111.pdf, website accessed April 26, 2012.

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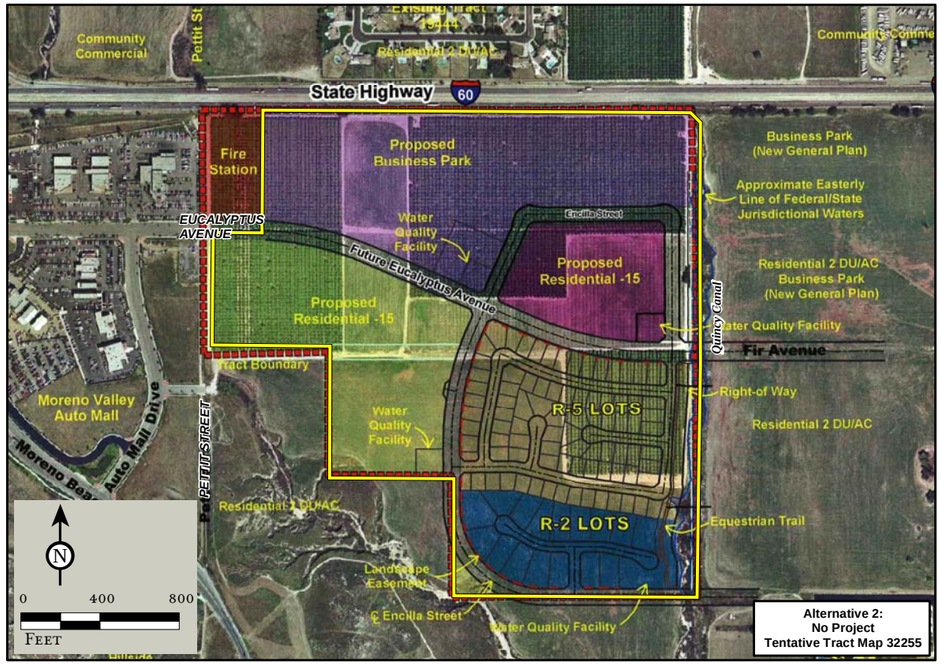

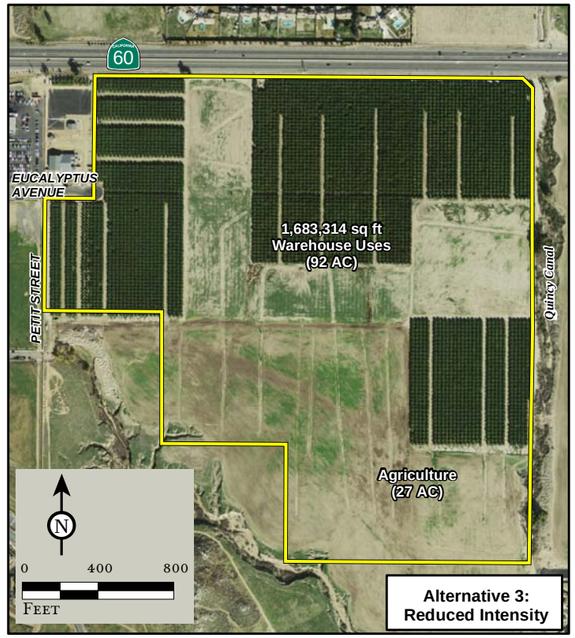

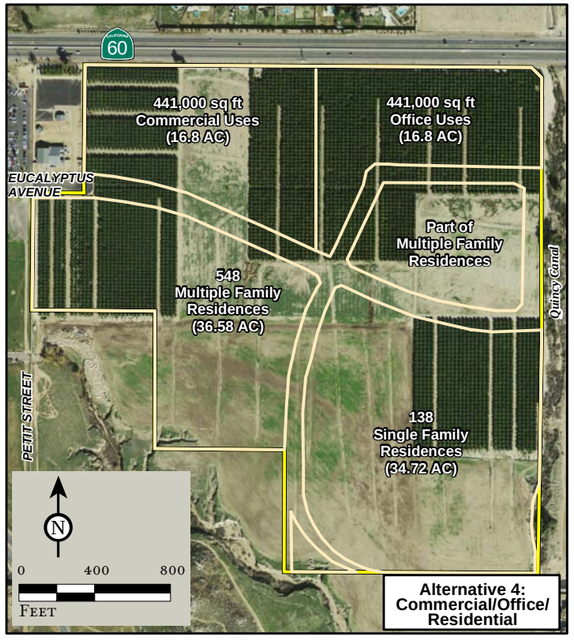

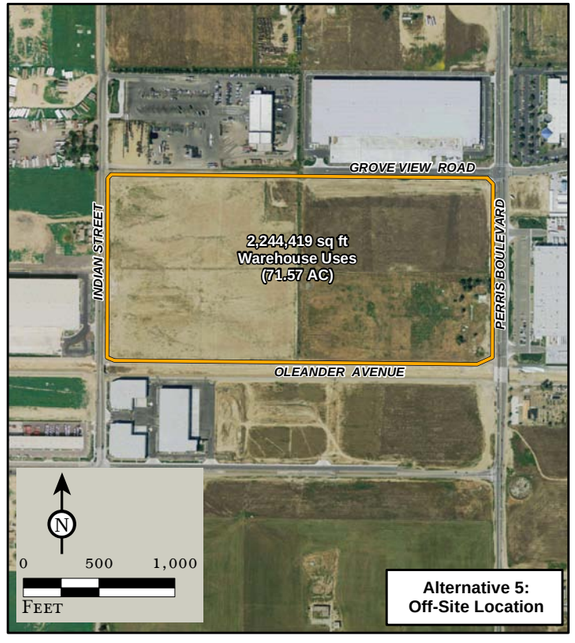

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FIGURE 6.1

Project Boundary

Alternative 6 Off-site Boundary

Note: No project, no build is Alternative 1

SOURCE: AirPhotoUSA, 2008

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Table 6.A: Summary of Analyzed Alternatives

Project Alternative	Alternative Description
Alternative 1 (No Project – No Build)	Under this alternative, no development would occur on the site and all of the potential impacts of developing the site would be avoided.
Alternative 2 (No Project) (Previously Approved Tentative Tract Map 32255)	Approximately 101 single-family and 548 multiple-family residential units on 88.3 acres and up to 574,000 square feet of business park uses on 33 acres would be developed. A Zone Change would be needed to allow buildings greater than 50,000 square feet.
Alternative 3 (Reduced Intensity)	Total warehouse uses would be reduced to 1,683,314 square feet on 92.1 acres with 30.7 acres remaining in agricultural. Zone Change and General Plan Amendment would still be required.
Alternative 4 (Mixed Commercial/Office/ Residential)	Residential zoning would be retained on 71.3 acres and would be developed with 548 multiple-family residences and 138 single-family residences. The remaining 50 acres would be divided between office and commercial uses. Commercial uses would total 441,000 square feet and office uses would total 441,000 square feet. Zone Change and General Plan Amendment would be required for commercial portion of the project site.
Alternative 5 (Off-Site)	Warehouse uses consisting of 2.2 million square feet on 123 acres bounded by Grove View Road on the north, Perris Boulevard to the east, the Perris Storm Channel to the south, and Indian Avenue on the west. The off-site location is far to the southwest of the project site, near the southwest corner of the City. No Zone Change or General Plan Amendment would be required. The applicant does not have control of this property.

Source: LSA Associates, Inc. 2011

Table 6.B: Comparison of Average Daily and P.M. Peak Hour Trips

Type of Development	P.M. Peak Hour	Average Daily Trips
Proposed Project	522	7,527
Alternative 1 (No Project – No Build)	0	0
Alternative 2 (Previously Approved Tentative Tract Map 32255)	1,182	11,935
Alternative 3 (Reduced Intensity)	480	4,787
Alternative 4 (Mixed Commercial/Office/Residential)	2,790	28,795
Alternative 5 (Off-Site Location)	522	7,527

Source: *ITE Trip Generation Handbook, 7th Edition*, LSA Associates, Inc., January 2012.

Table 6.C: Comparison of Average Water Use

Type of Development	Gallons per day (gpd)
Proposed Project	81,900
Alternative 1 (No Project – No Build)	5,000[1]
Alternative 2 (Previously Approved Tentative Tract Map 32255)	277,660
Alternative 3 (Reduced Intensity)	61,272
Alternative 4 (Mixed Commercial/Office/Residential)	297,319
Alternative 5 (Off-Site Location)	81,900

[1] Assumption based on current consumption of agriculture (citrus) on site.
Water Use Factor Source: *Water System Planning and Design Principle Guidelines Criteria*, Eastern Municipal Water District, July 2, 2007.

Table 6.D: Comparison of Average Wastewater Generation

Type of Development	Gallons per day (gpd)
Proposed Project	44,888
Alternative 1 (No Project – No Build)	0
Alternative 2 (Previously Approved Tentative Tract Map 32255)	226,718
Alternative 3 (Reduced Intensity)	33,666
Alternative 4 (Mixed Commercial/Office/Residential)	242,770
Alternative 5 (Off-Site Location)	44,888

Wastewater Factor Source: *Sewage Generation Rates,* Draft CEQA Thresholds Guide, 2006.

Table 6.E: Comparison of Average Solid Waste Generation

Type of Development	Tons per year (tons/yr)
Proposed Project	2,456
Alternative 1 (No Project – No Build)	0
Alternative 2 (Previously Approved Tentative Tract Map 32255)	5,158
Alternative 3 (Reduced Intensity)	1,843
Alternative 4 (Mixed Commercial/Office/Residential)	5,499
Alternative 5 (Off-Site Location)	2,456

Solid Waste Factor Source: *Estimated Solid Waste Generation Rates,* California Integrated Waste Management Board, http://www.ciwmb.ca.gov/WASTECHAR/WasteGenRates/Commercial.htm, website accessed April 26, 2012.

Table 6.F: Comparison of Greenhouse Gas Emissions

Alternatives	Greenhouse Gas Emissions (tons/yr)			Total CO_2 equivalent (Tg/yr CO_2 Eq.)*
	CO_2	CH_4	N_2O	
Proposed Project	13,000	0.49	0.95	0.012
Alternative 1 (No Project – No Build)	0	0	0	0
Alternative 2 (Previously Approved Tentative Tract Map 32255)	20,800	1.6	0.20	0.021
Alternative 3 (Reduced Intensity)	10,000	0.36	0.71	0.0094
Alternative 4 (Mixed Commercial/Office/Residential)	45,000	2.0	4.2	0.046
Alternative 5 (Off-Site Location)	13,000	0.49	0.95	0.012

* Tg/yr CO_2 Eq. = teragrams or one million metric tons per year; this denotation is the standard metric unit utilized worldwide.
Source: LSA Associates, Inc. June 2012.

The following discussion compares the impacts of each alternative with the impacts of the proposed project, as detailed in Section 4.0 of this EIR. A conclusion is provided as to whether each alternative (i.e., Alternatives 2 through 5) would result in one of the following:

- Reduction or elimination of the impact;
- A greater impact than the project;
- The same impact as the project; or
- A new impact in addition to the impacts of the proposed project impacts.

6.3.1 No Project – No Build Alternative

Under the No Project – No Build Alternative, no development would take place within the project limits. No new ground-disturbing activities would take place, nor would any form of structure or facility be erected. Low intensity agriculture would likely continue on the site, although it is possible that more

intense agriculture might be pursued if development did not occur. Under either of these conditions, local residents may be subject to dust from agricultural activities at various times of the year. None of the impacts associated with the proposed project would occur, so this alternative would be considered the environmentally superior alternative. However, the *CEQA Guidelines* indicate that, if the No Project Alternative is determined to be the environmentally superior alternative, another alternative must also be identified. In addition, CEQA requires an evaluation of a reasonable range of alternatives that will reduce or eliminate at least one of the significant impacts identified for the proposed project.

6.3.2 Alternative 2: No Project (previously approved TTM 32255)

Given the goals and objectives of the City of Moreno Valley, it is highly reasonable in the event the proposed project were not approved, the site would be developed with some type of business park and residential uses. For analysis purposes, Alternative 2 assumes that the project site would be developed as outlined in a previously approved Tentative Tract Map for business park and single-family residential uses. The City Planning Commission approved Tentative Tract Map No. 32255 on February 13, 2007, which consisted of a subdivision of the project site into 83 single-family lots in the R5 zone, 16 single-family lots in the RA-2 zone, two R15 zoned lots, a BP zoned lot, and a BPX zone lot. Under this alternative, it is anticipated that approximately 101 single-family residential units, 548 multi-family residential units, and up to 574,000 square feet of business park uses[1] would be developed.

6.3.2.1 Aesthetics

Development of this alternative would result in the alteration of the existing visual character of the site; however, it would be similar to that outlined in the existing General Plan and zoning, and was previously approved by the City for development. It would be required to comply with design standards, such as setbacks, building height, lot dimensions, and maximum lot coverage contained in the City Municipal Code. Adherence to these design standards would ensure that on-site aesthetic impacts remain less than significant. The installation of on-site lighting to accommodate nighttime activities and for safety purposes would be required for this alternative, but to a lesser degree than the proposed project. Residential uses would be adjacent to the existing residential neighborhood to the southeast, and the multi-family residential uses and smaller business park uses would be visible further north, but would likely not block surrounding views to nearly the degree of the proposed project. Aesthetic impacts of this alternative would therefore be less than significant.

6.3.2.2 Agricultural Resources

As identified in Section 4.2 of the EIR, the development of the project site with urban uses would result in the conversion of Prime Farmland. Because no feasible mitigation is available to fully mitigate for the loss of Prime Farmland, impacts associated with development of this alternative would be significant and unavoidable, similar to the proposed project.

6.3.2.3 Air Quality

Since the amount of land to be developed under this alternative would about the same as that developed under the proposed project, it is reasonable that a similar mix of equipment would operate during earthmoving and construction activities. As with the proposed project, peak daily construction emissions would be below SCAQMD thresholds of significance for CO, ROC, and SO_X. Peak localized daily construction emissions would also be similar for this alternative as the same amount of land would be disturbed during the construction phase. Although SCAQMD regulations and project-

[1] Based on a 30.94 acre BP zoned lot, a 2.02 acre BPX zoned lot, and 40% coverage of site.

specific mitigation measures would reduce the amount of construction emissions, impacts associated with construction emissions for NO_X remain significant and unavoidable.

As previously identified in Table 6.B, Alternative 2 would generate approximately 11,935 daily vehicle trips, which is more than the 7,527 trips associated with the proposed project. Although the total number of trips is increased, the volume of each operational pollutant emitted during operation of this alternative would be less since there would be no diesel trucks involved. As indicated in Table 6.G below, operational emissions would continue to exceed SCAQMD significance thresholds for NO_x, CO, and ROG (similar to the proposed project), but would not exceed operational thresholds for PM_{10} and $PM_{2.5}$. These emissions were calculated using similar methodologies and pollutant generation rates as outlined in the project air quality study.

Table 6.G: Alternative 2 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	**ROC**	**NO_X**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Proposed Project	1,801	289	2,001	3.1	370	85
Alternative 2	850	114	230	1.2	130	11
Net Change	-951	-175	-1,771	-1.9	-240	-74
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Exceeds thresholds?	**Yes**	**Yes**	**Yes**	**No**	**No**	**No**

Source: data from TTM 32255 staff report and extrapolated from LSA Associates, Inc., June 2012

When this alternative is compared to the proposed project, impacts to air quality would be decreased, but the long-term air quality impacts resulting from this alternative, as with the proposed project, would continue to be significant and unavoidable.

6.3.2.4 Biological Resources

This alternative would require site development resulting in the grading of the entire project site. No plant species listed by the State and/or Federal government as endangered or threatened was identified on site during the field reconnaissance. Additionally, the project site is not located within any USFWS designated critical habitat. Based on the *Jurisdictional Delineation Report* prepared for the proposed project site, all three drainages (western, southern, and eastern) located on or adjacent to the project site are determined to be jurisdictional waters of the United States. Similar to the proposed project, adherence to **Mitigation Measures 4.4.6.2A** and **4.4.6.2B** would reduce impacts to less than significant levels.

While the project site is located within the MSHCP, the project site is not within any MSHCP criteria cell or habitat linkage.[1] Furthermore, the project site is not located within an MSHCP mammal or amphibian survey area; a Narrow Endemic Plant Species Survey Area or Criteria Area Plant Species Survey Area; or a riparian, wetland, or vernal pool habitat/species survey area.[2] The project site is within the Stephen's Kangaroo Rat Habitat Conservation Plan (SKR HCP) Fee Area, but is not within a Stephen's Kangaroo Rat Core Area. Focused surveys for SKR are not required for this project because the project lies within the SKR Fee Area; therefore, under the SKR HCP, only payment of a local mitigation fee is required.

Section 4.4 indicated the proposed project has the potential to affect one non-listed sensitive species, the burrowing owl. Approximately 72 acres of the project site are considered to support suitable burrowing owl habitat (eroded channel banks, suitable burrows, and abundant foraging habitat). A *Focused Burrowing Owl Survey* was conducted in accordance to the burrowing owl survey

[1] *Western Riverside County Multiple Species Habitat Conservation Plan, Volume I, Part I*, Dudek & Associates, June 17, 2003.
[2] Ibid.

instructions set forth in the California Burrowing Owl Consortium's *Burrowing Owl Survey Protocol and Mitigation Guidelines.*[1] The species was not detected on the site during the field survey. Although no burrowing owls were identified during the field study, the burrowing owl is a highly mobile species and a potential exists that, prior to project development, this species may occupy the site. Adherence to identified **Mitigation Measure 4.4.6.1C** would reduce impacts to a less than significant level. Similar to the proposed project, this alternative would produce less than significant impacts to biological resources with the adherence to identified mitigation measures.

6.3.2.5 Cultural Resources

Development of this alternative would result in extensive ground-disturbing activities affecting the entire project site, and similar archaeological and paleontological impacts would be anticipated when compared to the proposed project. While no such resources have previously been detected within the project limits, activities undertaken for this alternative (as with the proposed project) could encounter previously undetected cultural or paleontological resources. Adherence to the archaeological and paleontological mitigation measures identified for the proposed project in Section 4.5 of this EIR would reduce impacts to less than significant. Compared with the proposed project, no greater impact would occur with this alternative.

6.3.2.6 Forest Resources

The City of Moreno Valley's General Plan does not identify any forest resources on the project site or surrounding area. The project site is vacant with no trees at present, although it did support citrus trees in the past. There are no significant impacts under the proposed project or any other development scenario for the project site.

6.3.2.7 Geology and Soils

Development of this alternative would have similar geologic and soil-related impacts to those of the proposed project. Like all of southern California, the project site is located in a seismically active area and is subject to ground shaking resulting from activity on local and regional faults. However, the maximum credible earthquake event on the San Jacinto Fault zone affecting the project site would measure magnitude 7.2. This earthquake event is less than or equal to design levels as defined by the Uniform Building Code (UBC). The California Building Code (California Code of Regulations, Title 24) established engineering standards appropriate for the seismic zone in which development may occur. Development of the proposed project site would be required to adhere to UBC, the California Building Code, and City design and engineering standards. Impacts associated with this issue would be considered less than significant. Compared with the proposed project, no greater impact would occur with this alternative.

6.3.2.8 Global Climate Change

GHG emissions are correspondingly increased as Alternative 2 would increase the number of daily trips made to the site. As previously identified in the previous Table 6.F, this alternative would generate 18,450 tons of carbon (CO_2), 0.82 ton of methane (CH_4), and 1.7 tons of nitrous oxide (N_2O) per year, but implementation of the mitigation recommended for the proposed project or similar measures for residential projects would help keep these emissions at less than significant levels.

[1] *Burrowing Owl Survey Protocol and Mitigation Guidelines,* California Burrowing Owl Consortium, 1993.

6.3.2.9 Hazards and Hazardous Materials

Development of this alternative would result in the on-site handling of hazardous substances, both during project construction and operation. The development of business park and residential uses would be introduced in the area. Unlike commercial development, business parks and residences do not typically store, use, sell, or transport large amounts of household hazardous materials. Because all development in the City is required to adhere to existing local, State, and Federal regulations pertaining to hazardous materials, impacts associated with hazards and hazardous materials under this alternative would be reduced in magnitude and would remain less than significant, as identified for the proposed project.

6.3.2.10 Hydrology and Water Quality

As with the proposed project, the development of this alternative would require the modification of the existing on-site pattern of drainage and would require the installation of drainage improvements that may include detention/retention basins, connection to existing in-street drainage features, on-site storm drains, and other features. While the extent of the impermeable surfaces (parking area) required under each alternative is reduced from that required for the proposed project, the environmental impact of these improvements would be similar. All local, State, and Federal policies and regulations pertaining to surface water and groundwater resources would remain in effect under this alternative. Sedimentation and erosion from any on-site development has the potential to affect water quality. Similar to the proposed project, the construction of any on-site use would be required to follow applicable NPDES requirements, including the preparation of and adherence to an SWPPP and BMPs. As with the proposed project, runoff from paved surfaces, especially during a “first-flush” event, may be contaminated by a mixture of sediment, debris, and other contaminants. A standard condition with any such development would be preparation and implementation of a WQMP, which would effectively mitigate post-construction water quality impacts from the developed area. Similar to the proposed project, potential impacts related to hydrology and water quality would be less than significant.

6.3.2.11 Land Use and Planning

Development of this alternative would not require a General Plan Amendment for the residential uses or business park uses as these uses are allowed under the existing land use designations. However, the business park component of this alternative, which includes approximately 574,000 square feet, would require a change of zone to allow the construction of buildings greater than 50,000 square feet. Like the proposed project, this alternative would comply with applicable provisions of local and regional plans (e.g., Water Quality Control Plan and Air Quality Management Plan). Compliance with applicable City policies related to development within the project site would ensure that on-site alternative uses would be compatible with existing development in the project area. However, since the development envisioned under this alternative has already been tentatively approved by the City, this alternative would not need a General Plan Amendment. Therefore, land use impacts associated with this alternative would be reduced to less than significant levels when compared with the proposed project. This alternative would also be fully consistent with the City’s Housing Element regarding future sites for affordable housing (i.e., R-15 parcels).

6.3.2.12 Mineral Resources

The City of Moreno Valley General Plan does not identify the project site as a locally important mineral resource recovery site as there are no identified Mineral Resource Zones located with the City of Moreno Valley. Development of the project site with any build alternatives would not result in the loss of or reduce the availability of mineral resources or the resource base from which they would be derived. Compared with the proposed project, no greater impact would occur for any of the project build alternatives.

6.3.2.13 Noise

The extent and duration of construction activities for this alternative are anticipated to be similar to those of the proposed project. Therefore, construction noise resulting from the construction of this mix of uses would be generally similar to the proposed project. Development of this alternative would require the implementation of mitigation measures to reduce construction noise impacts to a less than significant level. Compared with the proposed project, the short-term noise impacts resulting from project construction and stationary noise impacts associated with the operation of the shopping center would be similar and remain less than significant with mitigation incorporated.

The increase in project-related traffic for this alternative would result in an incremental increase in traffic noise. This alternative's contribution to future traffic noise would result in more trips on the area roadways, which increases the overall mobile source noise impact as compared to the proposed project. Parking lot noise and mechanical ventilation noise would still occur under this alternative and noise from the loading docks would still be present as the alternative includes a business park component. However, the uses envisioned under this alternative would increase the number (i.e., more commercial buildings) and extent of noise sources but would still have noise approaching levels identified for the proposed project. When compared to the proposed project, operational noise impacts would be similar.

6.3.2.14 Population and Housing

This alternative would result in the development of 574,000 square feet of business park uses, 101 single-family residential units, and 548 multi-family residential units. Utilizing an employment factor of one employee for every 629 square feet of service space,[1] this alternative is anticipated to generate approximately 913 jobs.[2] Unlike warehouse jobs, which can often be filled by most working adults, business park jobs under this alternative may require the employment of persons in specialized fields; however, it is speculative to conclude if or how many persons from outside of the area may be required to relocate to Moreno Valley to fill positions in the business park, so it is not possible to determine if this alternative would result in a population increase in the City.

The development of 101 single-family and 548 multi-family residential units would result in a direct increase to the existing population. Utilizing the Department of Finance factor of 3.72 people per household,[3] and assuming every resident was a new citizen of the City, the residential component of this alternative could result in a population increase of up to 2,414 people.[4] This alternative would generate new residents from the housing and possibly from the new employment, but as previously stated, it is not possible to tell exactly what proportion of business park residents would be City residents. It appears that this alternative would generate less population and employment than the proposed project, but its impacts related to population and housing would be less than significant.

6.3.2.15 Public Services

As discussed above, this alternative could result in population increase of at least 2,414 people within the City due to new housing. Because of the amount of residential development that would occur within the project limits, demands on schools, parks, other public facilities, law enforcement, and fire protection services would be greater in magnitude than what was identified for the proposed project. However, similar to the proposed project, development under this alternative would require payment of development impact fees for schools, police services, and fire services. The payment of

1 *Table IIB Average Number Employee per Square Foot, Employment Density Report*, Southern California Association of Governments, Natelson Company, Inc, October 2001.

2 1 employee/629 square feet of service space × 574,000 square feet of business park use = 913 jobs.

3 *State of California, Department of Finance, E-5 Population and Housing Estimates for Cities, Counties and the State, 2001-2010, with 2000 Benchmark. Sacramento, California, May 2010.*, http://www.dof.ca.gov/Research/Research.php, website accessed April 26, 2012.

4 3.72 people/household × 649 households = 2,414 people.

development impact fees would offset any impacts to these public services that may result from the development of this alternative. Therefore, when compared to the proposed project, impacts associated with public services would remain less than significant with the payment of development impact fees.

6.3.2.16 Recreation

Alternative 2 includes the construction of up to 574,000 square feet of business park uses and 101 single-family and 548 multi-family residential units. As previously stated, the increase in residential uses and business park uses would directly contribute to an increase of at least 2,414 people to the existing population from new housing. This increase in population would increase the demand for park and recreation facilities. The City has adopted a standard of 3 acres per thousand people as the parkland ratio standard. To meet this standard, this alternative would be required to dedicate or provide in-lieu fees for 7.24 acres of land for park uses. Because this alternative would directly contribute people to the existing population, recreation and park demands would be greater in magnitude than the proposed project. However, like the proposed project, the dedication of land or the payment of parkland fees would reduce these recreation impacts to a less than significant level.

6.3.2.17 Traffic

As identified in Table 6.B, this alternative would generate approximately 11,935 daily vehicle trips. In comparison to the proposed project, this alternative would result in a 59 percent increase in daily traffic (7,527 trips). With an increase in daily traffic, an increase in volumes on nearby roads and intersections would occur and be greater in magnitude when compared to the proposed project. With the increase in traffic under this alternative, impacts to LOS levels at nearby intersections and roadway segments would still occur and would require mitigation. The addition of traffic volumes associated with this alternative could result in a deficient LOS level at one or more of the intersections in the project vicinity during the lifetime of the development. While significant traffic impacts may occur under this alternative, these impacts would be mitigated in a manner similar to those of the proposed project. However, despite the identification of mitigation measures, certain roadway improvements would not be under the jurisdiction of the City and cannot be guaranteed to be in place when development under this alternative would become operational. Therefore, as identified for the proposed project, traffic-related impacts would remain significant and unavoidable under this alternative.

6.3.2.18 Utilities and Service Systems

Similar to the proposed project, development under this alternative would connect to existing utility infrastructure subject to the terms and conditions of the City and EMWD. As indicated in previously referenced Table 6.D, this alternative would generate approximately 226,718 gallons of wastewater per day, which is a five fold increase over what the proposed project would generate. When compared to the proposed project, wastewater treatment demand would be increased in magnitude as more wastewater would be generated under this alternative. However, like the proposed project, adherence to existing requirements identified by the City and EMWD would result in impacts remaining at a less than significant level.

The development of the business park and residential uses associated with this alternative would also require the installation of water supply infrastructure to serve the project site. As previously indicated in Table 6.C, Alternative 2 would consume approximately 277,660 gallons of water per day, which is over three times more than what would be consumed by the proposed project. When compared to the proposed project, water usage demands would be considerably greater. However, similar to the proposed project, development under this alternative would be required to obtain verification from the water purveyor (EMWD) that water is available to serve the development. In the event that the amount of water required for this alternative is available, impacts associated with this issue would be

less than significant. However, in the event that water is not available for the alternative, a new and significant impact associated with this issue would occur.

Like the proposed project, Alternative 2 would also generate solid waste. As previously identified in Table 6.E, this alternative would generate 5,158 tons of solid waste per year, which is over twice what the proposed project would generate. Therefore, demands on solid waste services and landfill capacity would be increased in magnitude. However, similar to the proposed project, development under Alternative 2 would be required to adhere to the provisions of the solid waste provider that would service the project site. When compared to the proposed project, solid waste impacts under this alternative would remain less than significant.

6.3.2.19 Cumulative Impacts

Similar to the proposed project, this alternative would contribute toward the permanent conversion of farmland, long-term operational air pollutant emissions, and increased traffic operations on local roadways and at local intersections. The amount of operational air pollutant emissions and traffic levels would be greater when compared to the proposed project. In addition, there are no mitigation measures that would reduce long-term air quality operational impacts to below the SCAQMD threshold standard and no mitigation measures that would reduce impacts associated with increased traffic in the area. Therefore, cumulative impacts associated with long-term air quality and long-term traffic would remain significant and unavoidable. This alternative would also require the development of the project site. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of Prime Farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable like the proposed project.

6.3.2.20 Conclusion

Under Alternative 2, impacts related to short-term construction-related air quality would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality emissions would be increased in magnitude when compared to the project and would remain significant and unavoidable. Because of the increase in vehicle trips under this alternative, impacts to the operation of local roadways and intersections would be proportionally greater than what was identified for the proposed project. Long-term traffic impacts would remain significant and unavoidable. Traffic-related noise would be increased in magnitude but would be similarly mitigated like the proposed project and would remain less than significant.

This alternative would result in the development of business park uses that would generate permanent jobs, which may require workers who are not current residents of the City. Combined with the residential component, the office use would increase the total number of people that would be added to the City's population. Due to the increase in population, this alternative would have greater demands on public services and recreation. However, the payment of fees and dedication of parkland would reduce these impacts to a less than significant level. This alternative would increase the amount of water utilized and increase the amount of wastewater that would be generated on site. Similar to the proposed project, adherence to wastewater and water provision requirements would reduce these impacts to a less than significant level. In the event that water is not available for development envisioned under this alternative, impacts to water resources would be significant and avoidable. Under this alternative, some of the proposed project objectives would not be met as warehouse uses would not be built. However, development of this alternative would provide new employment opportunities for residents of Moreno Valley.

6.3.3 Alternative 3: Reduced Intensity

With the intent of avoiding or substantially reducing significant agricultural, traffic, air quality, and noise impacts created by the project, the City has considered a Reduced Intensity Warehouse Alternative. This alternative includes four warehouse buildings covering approximately 1,683,314 square feet on 92.1 acres with agricultural activities on the remaining 30.7 acres as a buffer between the warehouses and the existing residential uses. Under this alternative, the proposed warehouse uses would represent a net decrease of approximately 25 percent compared to the proposed project.

6.3.3.1 Aesthetics

This alternative proposes the construction of warehouse uses on the northern portion of the property, adjacent to SR-60, with agricultural uses to remain on the southern portion of the property adjacent to existing residential uses to the southeast. The agricultural buffer would provide sufficient setback for the residences to the southeast so that their views to the northeast would no longer be blocked. However, they would still block views of residences north of the freeway similar to that anticipated for the proposed project (if they remained at the same height as the proposed project buildings).

The installation of on-site lighting to accommodate nighttime activities and for safety purposes would be required for this alternative, but at some distance away from the existing residential uses. Development of the warehouse uses under this alternative would be required to comply with design standards, such as setbacks, building height, lot dimensions, and maximum lot coverage contained in the City of Moreno Valley Municipal Code. While impacts associated with aesthetics for the Reduced Intensity Alternative would be less than those of the proposed project, the overall change in planned land uses and introduction of new lighting will still result in aesthetic impacts that are significant and unavoidable.

6.3.3.2 Agriculture

This alternative would leave approximately 30.7 acres of agricultural land as a buffer between the proposed warehouses and existing residential uses to the southeast. An agricultural parcel of this size may not be economically viable over the long-term, especially if or when the property immediately east of the project site (i.e., north of the existing residential neighborhood) develops with Residential Agriculture uses (2 units/acre). At that time, the on-site agricultural property would be essentially surrounded by development and would likely have to convert to some another use (most likely residential). However, until that time, impacts on agricultural resources would be reduced to less than significant levels (i.e., loss of prime agricultural land) according to the LESA methodology outlined in Section 4.2, *Agricultural Resources*.

6.3.3.3 Air Quality

The amount of land to be graded with Alternative 3 would be less than that of the proposed project, but a similar mix of equipment as the proposed project would still be used during earthmoving activities. Construction emissions from the development of Alternative 3 would be incrementally less than the proposed project, but would still be significant and unavoidable for NO_X, PM_{10}, and $PM_{2.5}$. Under this alternative, average daily traffic volumes would be reduced by 25 percent in comparison with the proposed project. As indicated in Table 6.H, the volume of each operational pollutant emitted during operation of this alternative would be correspondingly reduced. However, like the proposed project, operational emissions would still exceed daily SCAQMD thresholds, using the same methodologies and generation rates outlined in the project air quality study. Application of Leadership in Energy and Environmental Design (LEED) standards and green building design principles could reduce emissions from building operations such as heating and cooling; however, such standards and principles would not reduce operational emissions to below SCAQMD thresholds. For more information on the project relative to LEED, see Chapter 3.0, *Project Description*.

Table 6.H: Alternative 3 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	ROC	NO_X	SO_X	PM_{10}	$PM_{2.5}$
Proposed Project	1,801	289	2,001	3.1	370	85
Alternative 3	1,351	217	1,501	2.3	278	64
Net Change	-450	-72	-500	-0.8	-92	-21
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Exceeds thresholds?	**Yes**	**Yes**	**Yes**	**No**	**Yes**	**Yes**

Source: LSA Associates, Inc., August 2011 (pro-rated based on traffic generation differences).

Although operational air pollutant emissions would be reduced when compared to the proposed project during operations only, impacts would remain significant and unavoidable as there are no feasible mitigation measures identified that would reduce emissions to below the SCAQMD thresholds.

6.3.3.4 Biological Resources

This alternative would require site development resulting in the grading of all but 30 acres of the project site. No plant species listed by the State and/or Federal government as endangered or threatened was identified on-site during the field reconnaissance. Additionally, the project site is not located within any USFWS designated critical habitat. Based on the *Jurisdictional Delineation Report* prepared for the proposed project site, all three drainages (western, southern, and eastern) located on or adjacent to the project site are determined to be jurisdictional waters of the United States. Similar to the proposed project, adherence to **Mitigation Measures 4.4.6.2A and 4.4.6.2B** would reduce impacts to less than significant levels.

While the project site is located within the MSHCP, the project site is not within any MSHCP criteria cell or habitat linkage.[1] Furthermore, the project site is not located within an MSHCP mammal or amphibian survey area; a Narrow Endemic Plant Species Survey Area or Criteria Area Plant Species Survey Area; or a riparian, wetland, or vernal pool habitat/species survey area.[2] The project site is within the SKR HCP Fee Area, but is not within a Stephen's Kangaroo Rat Core Area. Focused surveys for SKR are not required for this project because the project lies within the SKR Fee Area; therefore, under the SKR HCP, only payment of a local mitigation fee is required.

Section 4.4 indicated the proposed project has the potential to affect one non-listed sensitive species, the burrowing owl. Approximately 72 acres of the project site is considered to support suitable burrowing owl habitat (eroded channel banks, suitable burrows, and abundant foraging habitat). A *Focused Burrowing Owl Survey* was conducted in accordance to the burrowing owl survey instructions set forth in the California Burrowing Owl Consortium's *Burrowing Owl Survey Protocol and Mitigation Guidelines.*[3] The species was not detected on the site during the field survey. Although no burrowing owls were identified during the field study, the burrowing owl is a highly mobile species and a potential exists that, prior to project development, this species may occupy the site. Adherence to identified **Mitigation Measure 4.4.6.1C** would reduce impacts to a less than significant level. Similar to the proposed project, this alternative would produce less than significant impacts to biological resources with the adherence to identified mitigation measures.

1 *Western Riverside County Multiple Species Habitat Conservation Plan, Volume I, Part I*, Dudek & Associates, June 17, 2003.
2 Ibid.
3 *Burrowing Owl Survey Protocol and Mitigation Guidelines,* California Burrowing Owl Consortium, 1993.

6.3.3.5 Cultural Resources

Development of this alternative would result in extensive ground-disturbing activities affecting the entire project site, and similar archaeological and paleontological impacts would be anticipated when compared to the proposed project. While no such resources have previously been detected within the project limits, activities undertaken for this alternative (as with the proposed project) could encounter previously undetected cultural or paleontological resources. Adherence to the archaeological and paleontological mitigation measures identified for the proposed project in Section 4.5 of this EIR would reduce impacts to less than significant. Compared with the proposed project, no greater impact would occur with this alternative.

6.3.3.6 Forest Resources

The City of Moreno Valley's General Plan does not identify any forest resources on the project site or surrounding area, and the project site is vacant with no trees at present, although it did support citrus trees in the past. There are no significant impacts under the proposed project or any other development scenario for the project site.

6.3.3.7 Geology and Soils

Development of any of the build alternatives would have similar geologic and soil-related impacts. Like all of southern California, the project site is located in a seismically active area and is subject to ground shaking resulting from activity on local and regional faults. However, the maximum credible earthquake event on the San Jacinto Fault zone affecting the project site would measure magnitude 7.2. This earthquake event is less than or equal to design levels as defined by the UBC. The California Building Code (California Code of Regulations, Title 24) established engineering standards appropriate for the seismic zone in which development may occur. Development of the proposed project site would be required to adhere to UBC, the California Building Code, and City design and engineering standards. Impacts associated with this issue would be considered less than significant. Compared with the proposed project, no greater impact would occur with any of the on-site build alternatives.

6.3.3.8 Global Climate Change

GHG emissions under this alternative are correspondingly reduced as traffic trips are reduced. As previously identified in Table 6.F, this alternative would generate 10,000 tons of carbon (CO_2), 0.36 ton of methane (CH_4), and 0.71 ton of nitrous oxide (N_2O) per year. The total CO_2 equivalent for this alternative would be 0.0094 Tg/yr CO_2 Eq., which is 21.7 percent less than the 0.012 Tg/yr CO_2 Eq. that would result from the operation of the proposed project. However, implementation of the mitigation recommended for the proposed project would help keep these emissions at less than significant levels.

6.3.3.9 Hazards and Hazardous Materials

Development of the project site under Alternative 3 would still result in the on-site handling of hazardous substances, both during project construction and operation. Compared to the proposed project, warehouse uses would be reduced by 25 percent. Because Alternative 3 would comprise fewer warehouse uses, impacts associated with the transport or use of hazardous materials or potential upsets or accidents may be reduced in magnitude due to the reduced quantities of hazardous materials that would be present on site. However, there would be some risk of upset associated with the use of agricultural chemicals if such materials were to be used on the project site. Since all development in the City is required to adhere to applicable local, State, and Federal standards associated with hazards and hazardous materials, hazardous waste impacts under the Reduced Intensity Alternative would remain less than significant, similar to the proposed project.

6.3.3.10 Hydrology and Water Quality

As with the proposed project, the development of this alternative would require the modification of the existing on-site pattern of drainage and would require the installation of drainage improvements that may include detention/retention basins, connection to existing in-street drainage features, on-site storm drains, and other features. While the extent of the impermeable surfaces (parking area) required under each alternative is reduced from that required for the proposed project, the environmental impact of these improvements would be similar. All local, State, and Federal policies and regulations pertaining to surface water and groundwater resources would remain in effect under these alternatives. Sedimentation and erosion from any on-site development has the potential to affect water quality. Similar to the proposed project, the construction of any on-site use would be required to follow applicable NPDES requirements, including the preparation of and adherence to an SWPPP and BMPs. As with the proposed project, runoff from paved surfaces, especially during a "first-flush" event, may be contaminated by a mixture of sediment, debris, and other contaminants. A standard condition with any such development would be preparation and implementation of a WQMP, which would effectively mitigate post-construction water quality impacts from the developed area. Similar to the proposed project, potential impacts related to hydrology and water quality would be less than significant.

6.3.3.11 Land Use and Planning

Implementation of the Reduced Intensity Alternative would require a General Plan Amendment that would change the General Plan designations for 71.3 acres of the project site from Residential to Business Park and an amendment to the Circulation Element of the General Plan, which includes the same changes identified for the proposed project. Implementation of this alternative would require a Zone Change from Business Park (BP), Multi-Family Residential (R-15), Suburban Residential (R-5), and Residential Agriculture (RA-2) to Light Industrial for the northern 92.1 acres with the southern 30.7 acres to remain for agricultural use as a "buffer" which would reduce potential land use impacts associated with the GPA and Zone Change to less than significant levels. However, the alternative would still be inconsistent with regional projections and the City's Housing Element. Like the proposed project, this alternative would comply with applicable provisions of local and regional plans (e.g., Water Quality Control Plan and Air Quality Management Plan). Compliance with applicable land use impacts associated with this alternative would be reduced in magnitude when compared with the proposed project, but would still be significant.

6.3.3.12 Mineral Resources

The City of Moreno Valley General Plan does not identify the project site as a locally important mineral resource recovery site as there are no identified Mineral Resource Zones located with the City of Moreno Valley. Development of the project site with any build alternatives would not result in the loss of or reduce the availability of mineral resources or the resource base from which they would be derived. Compared with the proposed project, no greater impact would occur for any of the project build alternatives.

6.3.3.13 Noise

Under the proposed project, construction-related noise impacts were reduced to a less than significant level through the implementation of mitigation measures. Under this alternative, a similar amount of land would be disturbed; therefore, noise impacts associated with the construction of this alternative would be similar to those identified under the proposed project. With the implementation of mitigation identified for the proposed project, the short-term construction-related noise impacts associated with this alternative would remain less than significant, as identified for the proposed project. As with the proposed project, Alternative 3 would have truck deliveries and noise that would be generated during loading/unloading, trash compacting, and truck movements. Additionally, there would be noise associated with parking lot activities. These operational-related noise impacts

associated with this alternative would remain less than significant, as identified for the proposed project.

The reduction in project-related traffic under this alternative would result in a decrease in long-term traffic noise due to a reduction of daily traffic trips to the project site. Under the proposed project, the increase in future traffic noise along local roadway segments would not increase beyond the threshold of perception. Under this alternative, future increases in traffic-related noise would not be above the threshold of perception due to a decreased contribution of future traffic volumes. When compared to the proposed project, this alternative's contribution to future traffic noise would be reduced, thereby reducing overall mobile source noise impacts within the area. When compared to the proposed project, operational noise associated with the Reduced Intensity Alternative would result in a less than significant impact, as identified for the proposed project.

6.3.3.14 Population and Housing

This alternative would result in the development of 1,683,314 square feet of warehouse uses. Utilizing an employment factor of one employee for every 581 square feet of warehouse space,[1] the Reduced Intensity Alternative is anticipated to generate approximately 2,897 employment opportunities.[2] Since warehouse jobs do not require skills that would require a specialized workforce that may not reside in the City, it is anticipated that these warehouse jobs would be filled by persons already residing in the area. Therefore, no population increase would occur with the development of these warehouse jobs. However, this alternative would still eliminate planned housing on the site and have similar impacts to the proposed project. When this alternative is compared to the proposed project, the number of new jobs would be 25 percent less than the proposed project, with some small increase in agricultural jobs. Similar to the proposed project, impacts related to population and housing would remain less than significant as this alternative would continue the existing development trend envisioned by the City.

6.3.3.15 Public Services

Compared to the proposed project, this alternative would result in a reduction of approximately 25 percent of proposed warehouse uses as compared to the proposed project. Similar to the proposed project, demands on schools, parks, other public facilities, law enforcement, and fire protection services would be similar in magnitude as no residential uses (impacts to schools and parks) are proposed under this alternative. Like the proposed project, development under this alternative would require payment of development impact fees for schools, police services, and fire services. The payment of development impact fees would offset any impacts to these public services that may result from the development of this alternative. Therefore, when compared to the proposed project, impacts associated with public services would remain less than significant with the payment of development impact fees.

6.3.3.16 Recreation

Similar to the proposed project, Alternative 3 does not contain a residential component. As identified in the Population and Housing section for Alternative 3, it is anticipated that the warehouse jobs would be filled by people already residing in the City. Therefore, there would be no increase in existing population and no increase in demand for park and recreation facilities. Because no increase in demand for recreational facilities would occur, impacts associated with recreation under this alternative would remain less than significant.

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1 *Table IIB Average Number Employee per Square Foot, Employment Density Report*, Southern California Association of Governments, Natelson Company, Inc, October 2001.

2 1 employee/581 square feet of warehouse use × 1,683,314 square feet of warehouse use = 2,897 warehouse jobs.

6.3.3.17 Traffic

Based on trip generation rates published in *ITE Trip Generation Handbook, 7th Edition*, this alternative would generate approximately 4,787 daily vehicle trips, which is approximately 37 percent less than what was identified for the proposed project. With a 37 percent reduction in daily trips, it is reasonable to conclude that traffic volumes (and congestion) on local roadways and intersections would be similarly reduced under this alternative. Although the volume of traffic is reduced under this alternative, impacts to LOS levels at nearby intersections and roadway segments would still occur and would require mitigation. The addition of traffic volumes associated with this alternative could result in a deficient LOS level at one or more of the intersections in the project vicinity during the lifetime of the development. While significant traffic impacts may occur under this alternative, these impacts would be mitigated in a manner similar to those of the proposed project. However, despite the identification of mitigation measures, certain roadway improvements would not be under the jurisdiction of the City and cannot be guaranteed to be in place when development under Alternative 3 would become operational. Therefore, traffic-related impacts would remain significant and unavoidable, similar to the proposed project.

6.3.3.18 Utilities and Service Systems

Existing utility infrastructure for storm water and wastewater are present in adjacent roadways or parcels. Like the proposed project, development under this alternative would connect to existing utility infrastructure subject to the terms and conditions of the City and EMWD. As indicated in previously identified Table 6.D, this alternative would generate approximately 33,666 gallons of wastewater per day, which is a 25 percent decrease in wastewater than would be generated by the proposed project. When compared to the proposed project, this alternative's demands on wastewater treatment and capacity at existing wastewater treatment facilities would be reduced in magnitude. However, like the proposed project, adherence to existing requirements identified by the City and EMWD would result in impacts remaining at a less than significant level.

The development of the warehouse uses associated with this alternative would also require the installation of water supply infrastructure. However, as previously indicated in Table 6.C, this alternative would require approximately 61,272 gallons of water per day, which is a 25.2 percent decrease from that required by the proposed project. When compared to the proposed project, water usage demands would be reduced. However, similar to the proposed project, development under this alternative would be required to obtain verification from the water purveyor that water is available to serve the development. It is not known at this time specifically how much water new agricultural uses on site would utilize. Since this alternative would utilize less water than the proposed project and since water supply for the proposed project is available, it is reasonable to conclude that if this alternative was built instead of the proposed project, adequate water would be available. Therefore, impacts related to water usage and water treatment/conveyance facilities would remain less than significant, similar to the proposed project.

Like the proposed project, the Reduced Intensity Alternative would also generate solid waste. As previously identified in Table 6.E, this alternative would generate 1,843 tons of solid waste per year, which is a 25 percent decrease to what the proposed project would generate. Therefore, demands on solid waste services and landfill capacity would be reduced in magnitude. However, similar to the proposed project, development under the Reduced Intensity Alternative would be required to adhere to the provisions of the solid waste provider that would service the project site. When compared to the proposed project, solid waste impacts would remain less than significant.

6.3.3.19 Cumulative Impacts

Similar to the proposed project, the Reduced Intensity Alternative would contribute to the permanent conversion of farmland, long-term operational air pollutant emissions of CO, ROC, NO_X, PM_{10}, and $PM_{2.5}$, and increased traffic operations on local roadways and at local intersections. Although the

amount of operational air pollutant emissions and traffic would be reduced in magnitude, because there are no feasible mitigation measures to reduce long-term air pollutant operational emissions and increased traffic, cumulative impacts would remain significant and unavoidable. This alternative would also require the development of the project site. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable.

6.3.3.20 Conclusion

Under the Reduced Intensity Alternative, impacts related to short-term construction-related air quality would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality impacts would be reduced in magnitude when compared to the project but would remain significant and unavoidable. Because this alternative would require a Zone Change and General Plan Amendment, land use impacts would be similar to the proposed project. The decrease in warehouse uses would result in a reduction of permanent jobs that would be created. This alternative would have a reduced demand on public services, recreation, and water use. However, similar to the proposed project, the payment of fees, dedication of parkland, and adherence to utility requirements would reduce these impacts to a less than significant level. This alternative reduces the impact associated with the loss of prime farmland to a less than significant level.

Because of the decrease in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally reduced from what was identified for the proposed project; however, long-term traffic impacts would remain significant and unavoidable. Traffic-related noise would be reduced in magnitude but would be similarly mitigated like the proposed project and would remain less than significant. Water use for this alternative would be less than the proposed project and would generate less wastewater and solid waste. Under this alternative, the proposed project objectives are met and warehouse uses would still be built, but on a smaller scale.

6.3.4 Alternative 4: Mixed Commercial/Office/Residential

The Mixed Commercial/Office/Residential Alternative would result in the development of commercial, office and residential uses on the project site. The existing residential zoning of the project site (71.3 acres) would be retained and the development of 548 multiple-family residential units and 138 single-family residential units would occur in the southern and central portions of the site. The balance of the site (50 acres) would be developed with a mixture of up to approximately 441,000 square feet of commercial uses and 441,000 square feet of office uses for a total of approximately 882,000 square feet of commercial and office uses.[1] The commercial component of this alternative would require a General Plan Amendment and Zone Change similar to the proposed project.

6.3.4.1 Aesthetics

The development of the alternative would result in the alteration of the existing visual character of the site but not to the same degree as the proposed project. The southern portion of the site would be developed with residential uses that would be similar to those outlined in the General Plan and current zoning. The northern portion of the property would have many more smaller buildings than the two large industrial buildings proposed by the current project. The appearance of these buildings would much likely be more attractive and less “monolithic” than the industrial buildings, so aesthetic impacts would be substantially reduced. With limitations on building heights, guided by the elevations of Building No. 2 of the proposed project, potential visual impacts of this alternative could be reduced

[1] Square footage is based on a 60 percent development of the project site.

to less than significant levels. However, it is likely that lighting impacts would still remain significant due to the large amount of new development that would be constructed.

6.3.4.2 Agricultural Resources

As identified in Section 4.2 of the EIR, the development of the project site with urban uses would result in the conversion of Prime Farmland. Because no feasible mitigation is available to fully mitigate for the loss of Prime Farmland, impacts associated with development of this alternative would be significant and unavoidable, similar to the proposed project.

6.3.4.3 Air Quality

Since the amount of land to be developed under this alternative would equal that developed under the proposed project, it is reasonable that a similar mix of equipment would operate during earthmoving and construction activities. As with the proposed project, peak daily construction emissions would be below SCAQMD thresholds of significance for CO, ROC, and SO_X. Peak localized daily construction emissions would also be similar for this alternative as the same amount of land would be disturbed during the construction phase. Although SCAQMD regulations and project-specific mitigation measures would reduce the amount of construction emissions, impacts associated with construction emissions for NO_X remain significant and unavoidable.

As previously identified in Table 6.B, the Mixed Commercial/Office/Residential Alternative would generate approximately 28,795 daily vehicle trips, which is more than the trips associated with the proposed project. Because the total number of trips is increased, the volume of each operational pollutants emitted during operation of this alternative would also be correspondingly increased. As indicated in Table 6.I, operational emissions would continue to exceed SCAQMD significance thresholds for NO_X as identified for the proposed project. This alternative would also exceed operational thresholds for CO, PM_{10}, and $PM_{2.5}$. These emissions were calculated based on similar methodologies and emission generation rates identified in the project air quality study.

Table 6.I: Alternative 4 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	**ROC**	**NO_X**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Proposed Project	1,801	289	2,001	3.1	370	85
Alternative 4	2,510	360	640	4.1	530	120
Net Change	+709	+71	+1,361	+1	+160	+35
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Exceeds thresholds?	**Yes**	**Yes**	**Yes**	**No**	**Yes**	**Yes**

Source: extrapolated from LSA Associates, Inc., December 2011

When this alternative is compared to the proposed project, impacts to air quality would be increased in magnitude. The volume of pollutants emitted would be increased and the long-term air quality impacts resulting from this alternative, as with the proposed project, would continue to be significant and unavoidable.

6.3.4.4 Biological Resources

This alternative would require site development resulting in the grading of the entire project site. No plant species listed by the State and/or Federal government as endangered or threatened was identified on-site during the field reconnaissance. Additionally, the project site is not located within any USFWS designated critical habitat. Based on the *Jurisdictional Delineation Report* prepared for the proposed project site, all three drainages (western, southern, and eastern) located on or adjacent

to the project site are determined to be jurisdictional waters of the United States. Similar to the proposed project, adherence to **Mitigation Measures 4.4.6.2A** and **4.4.6.2B** would reduce impacts to less than significant levels.

While the project site is located within the MSHCP, the project site is not within any MSHCP criteria cell or habitat linkage.[1] Furthermore, the project site is not located within an MSHCP mammal or amphibian survey area; a Narrow Endemic Plant Species Survey Area or Criteria Area Plant Species Survey Area; or a riparian, wetland, or vernal pool habitat/species survey area.[2] The project site is within the SKR HCP Fee Area, but is not within a Stephen's Kangaroo Rat Core Area. Focused surveys for SKR are not required for this project because the project lies within the SKR Fee Area; therefore, under the SKR HCP, only payment of a local mitigation fee is required.

Section 4.4 indicated the proposed project has the potential to affect one non-listed sensitive species, the burrowing owl. Approximately 72 acres of the project site is considered to support suitable burrowing owl habitat (eroded channel banks, suitable burrows, and abundant foraging habitat). A *Focused Burrowing Owl Survey* was conducted in accordance to the burrowing owl survey instructions set forth in the California Burrowing Owl Consortium's *Burrowing Owl Survey Protocol and Mitigation Guidelines.*[3] The species was not detected on the site during the field survey. Although no burrowing owls were identified during the field study, the burrowing owl is a highly mobile species and a potential exists that, prior to project development, this species may occupy the site. Adherence to identified **Mitigation Measure 4.4.6.1C** would reduce impacts to a less than significant level. Similar to the proposed project, this alternative would produce less than significant impacts to biological resources with the adherence to identified mitigation measures.

6.3.4.5 Cultural Resources

Development of this alternative would result in extensive ground-disturbing activities affecting the entire project site, and similar archaeological and paleontological impacts would be anticipated when compared to the proposed project. While no such resources have previously been detected within the project limits, activities undertaken for this alternative (as with the proposed project) could encounter previously undetected cultural or paleontological resources. Adherence to the archaeological and paleontological mitigation measures identified for the proposed project in Section 4.5 of this EIR would reduce impacts to less than significant. Compared with the proposed project, no greater impact would occur with this alternative.

6.3.4.6 Forest Resources

The City of Moreno Valley's General Plan does not identify any forest resources on the project site or surrounding area, and the project site is vacant with no trees at present, although it did support citrus trees in the past. There are no significant impacts under the proposed project or any other development scenario for the project site.

6.3.4.7 Geology and Soils

Development of any of the build alternatives would have similar geologic and soil-related impacts. Like all of southern California, the project site is located in a seismically active area and is subject to ground shaking resulting from activity on local and regional faults. However, the maximum credible earthquake event on the San Jacinto Fault zone affecting the project site would measure magnitude 7.2. This earthquake event is less than or equal to design levels as defined by the UBC. The California Building Code (California Code of Regulations, Title 24) established engineering standards

1 *Western Riverside County Multiple Species Habitat Conservation Plan, Volume I, Part I*, Dudek & Associates, June 17, 2003.
2 Ibid.
3 *Burrowing Owl Survey Protocol and Mitigation Guidelines,* California Burrowing Owl Consortium, 1993.

appropriate for the seismic zone in which development may occur. Development of the proposed project site would be required to adhere to UBC, the California Building Code, and City design and engineering standards. Impacts associated with this issue would be considered less than significant. Compared with the proposed project, no greater impact would occur with any of the on-site build alternatives.

6.3.4.8 Global Climate Change

GHG emissions are correspondingly increased as the Mixed Commercial/Office/Residential Alternative would increase the number of daily trips made to the site. As previously identified in Table 6.F, the Mixed Commercial/Office/Residential Alternative would generate 45,000 tons of carbon (CO_2), 2.0 tons of methane (CH_4), and 4.2 tons of nitrous oxide (N_2O) per year. The total CO_2 equivalent for this alternative would be 0.046 Tg/yr CO_2 Eq., which is approximately 283.3 percent more than what was identified for the proposed project.

6.3.4.9 Hazards and Hazardous Materials

Development of this alternative would result in the on-site handling of hazardous substances, both during project construction and operation. The commercial and office uses would be introduced, while the number of residences would remain the same. Unlike commercial development, offices and residences do not typically store, use, sell, or transport large amounts of household hazardous materials. Because the amount of commercial uses would be increased, potential upsets or accidents would be increased in magnitude due to the increase in quantities of household hazardous materials that would be present on site. However, because all development in the City is required to adhere to existing local, State, and Federal regulations pertaining to hazardous materials, impacts associated with hazards and hazardous materials under the Mixed Commercial/Office/Residential Alternative would remain less than significant, as identified for the proposed project.

6.3.4.10 Hydrology and Water Quality

As with the proposed project, the development of this alternative would require the modification of the existing on-site pattern of drainage and would require the installation of drainage improvements that may include detention/retention basins, connection to existing in-street drainage features, on-site storm drains, and other features. While the extent of the impermeable surfaces (parking area) required under each alternative is reduced from that required for the proposed project, the environmental impact of these improvements would be similar. All local, State, and Federal policies and regulations pertaining to surface water and groundwater resources would remain in effect under these alternatives. Sedimentation and erosion from any on-site development has the potential to affect water quality. Similar to the proposed project, the construction of any on-site use would be required to follow applicable NPDES requirements, including the preparation of and adherence to an SWPPP and BMPs. As with the proposed project, runoff from paved surfaces, especially during a "first-flush" event, may be contaminated by a mixture of sediment, debris, and other contaminants. A standard condition with any such development would be preparation and implementation of a WQMP, which would effectively mitigate post-construction water quality impacts from the developed area. Similar to the proposed project, potential impacts related to hydrology and water quality would be less than significant.

6.3.4.11 Land Use and Planning

Development of this alternative would not require a Zone Change or General Plan Amendment for the residential uses or office uses since they are allowed under the existing zoning. However, the commercial component of this alternative, which includes approximately 441,000 square feet, would require a change of zone and General Plan Amendment to allow the construction of commercial uses on the northwestern portion of the project site. These uses are physically isolated from the residential

uses to the southeast, and are generally consistent with commercial uses farther to the west along Moreno Beach Drive; however, they would be less consistent than the proposed project with the recently approved industrial uses immediately east of the project site (West Ridge). These uses may incrementally reduce vehicle trips (e.g., work, shopping) compared to the proposed industrial uses, and may be somewhat more compatible with existing residential uses since the commercial and office buildings will be smaller and separated compared to the more "monolithic" industrial buildings of the proposed project. This alternative land plan is much more similar to uses proposed in the existing General Plan and zoning, so potential land use impacts (i.e., by not having land use buffers between residential and industrial uses) would be reduced to less than significant levels. The addition of the residential uses would also eliminate potential impacts related to the Housing Element and growth management policies.

Like the proposed project, this alternative would comply with applicable provisions of local and regional plans (e.g., Water Quality Control Plan and Air Quality Management Plan). Compliance with applicable City policies related to development within the project site would ensure that on-site alternative uses would be compatible with existing development in the project area. Therefore, land use impacts associated with this alternative would be similar in magnitude when compared with the proposed project.

6.3.4.12 Mineral Resources

The City of Moreno Valley General Plan does not identify the project site as a locally important mineral resource recovery site as there are no identified Mineral Resource Zones located with the City of Moreno Valley. Development of the project site with any build alternatives would not result in the loss of or reduce the availability of mineral resources or the resource base from which they would be derived. Compared with the proposed project, no greater impact would occur for any of the project build alternatives.

6.3.4.13 Noise

The extent and duration of construction activities for this alternative are anticipated to be similar to those of the proposed project. Therefore, construction noise resulting from the construction of this mix of uses would be generally similar to the proposed project. Development of this alternative would require the implementation of mitigation measures to reduce construction noise impacts to a less than significant level. Compared with the proposed project, the short-term noise impacts resulting from project construction and stationary noise impacts associated with the operation of the shopping center would be similar to the proposed project, and remain less than significant with mitigation incorporated.

The increase in project-related traffic for this alternative would result in an incremental increase in traffic noise. This alternative's contribution to future traffic noise would result in more trips on the road, which increases the overall mobile source noise impact as compared to the proposed project. Parking lot noise and mechanical ventilation noise would still occur under this alternative and noise from the loading docks would still be present as the alternative includes a commercial component. However, the uses envisioned under this alternative would increase the number (i.e., more commercial buildings) and extent of noise sources but would still have noise approaching levels identified for the proposed project. When compared to the proposed project, operational noise impacts would be similar.

6.3.4.14 Population and Housing

The Mixed Commercial/Office/Residential Alternative would result in the development of 441,000 square feet of commercial uses, 441,000 square feet of office uses, 548 multiple-family residential units, and 138 single-family residential units. Retail jobs are likely to be filled by persons already

residing in the area. However, unlike retail jobs, which can often be filled by most working adults, office jobs under this alternative may require the employment of persons in specialized fields, which may not include persons already living in the area. Persons from outside of the area may be required to relocate to Moreno Valley to fill positions for office uses, resulting in a population increase in the City. To analyze a worst-case scenario, it is assumed that 50 percent of the office jobs would be filled by people who are not living in the area since some of the people that may work in the office jobs may relocate to the housing units proposed by this alternative. Utilizing employment factors of one employee for every 268 square feet of commercial use[1] and one employee for every 481 square feet of office uses, this alternative would create up to 2,563 jobs (1,646 commercial jobs and 917 office jobs).

The development of 548 multiple-family residential units and 138 single-family residential units would result in a direct increase to the existing population. Utilizing the Department of Finance factor of 3.717 people per household,[2] and assuming every resident was a new citizen of the City, the residential component of this alternative could result in a population increase of up to 2,550 people.[3] When combined, the residential component and 50 percent of the office jobs may result in a direct increase of up to 3,009 people. When this alternative is compared to the proposed project, the number of new residents would be greater than that identified for the proposed project. However, similar to the proposed project, impacts related to population and housing would remain less than significant as this alternative would continue the existing development trend envisioned by the City.

6.3.4.15 Public Services

As discussed above, the Mixed Commercial/Office/Residential Alternative could result in population increase of up to 3,009 people within the City. Because of the amount of residential development that would occur within the project limits, demands on schools, parks, other public facilities, law enforcement, and fire protection services would be greater in magnitude than what was identified for the proposed project. However, similar to the proposed project, development under this alternative would require payment of development impact fees for schools, police services, and fire services. The payment of development impact fees would offset any impacts to these public services that may result from the development of this alternative. Therefore, when compared to the proposed project, impacts associated with public services would remain less than significant with the payment of development impact fees.

6.3.4.16 Recreation

The Mixed Commercial/Office/Residential Alternative includes the construction of up to 441,000 square feet of commercial uses, 441,000 square feet of office uses, 548 multiple-family residential units, and 138 single-family residential units. As previously stated, the increase in residential uses and offices uses would directly contribute to an increase of 3,009 people to the existing population. This increase in population would increase the demand for park and recreation facilities. The City has adopted a standard of 3 acres per thousand people as the parkland ratio standard. To meet this standard, the Mixed Commercial/Office/Residential Alternative would be required to dedicate or provide in-lieu fees for 9 acres of land for park uses. Because this alternative would directly contribute people to the existing population, recreation and park demands would be greater in magnitude than the proposed project. However, like the proposed project, the dedication of land or the payment of parkland fees would reduce these recreation impacts to a less than significant level.

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1 *Table IIB, Average Number of Employees per Square Foot, Employment Density Report*, Southern California Association of Governments, Natelson Company, Inc., October 2001.

2 *State of California, Department of Finance, E-5 Population and Housing Estimates for Cities, Counties and the State, 2001-2010, with 2000 Benchmark. Sacramento, California, May 2010.*, http://www.dof.ca.gov/Research/Research.php, website accessed April 26, 2012.

3 3.72 people/household × 548 multiple-family households = 2,037 people; 3.717 people/household × 138 single-family households = 513 people; 2,037 people + 513 people = 2,550 people.

6.3.4.17 Traffic

As identified in Table 6.B, this alternative would generate approximately 28,795 daily vehicle trips. In comparison to the proposed project, this alternative would result in a 261 percent increase in daily traffic. With an increase in daily traffic, an increase in volumes on nearby roads and intersections would occur and be greater in magnitude when compared to the proposed project. With the increase in traffic under this alternative, impacts to LOS levels at nearby intersections and roadway segments would still occur and would require mitigation. The addition of traffic volumes associated with this alternative could result in a deficient LOS level at one or more of the intersections in the project vicinity during the lifetime of the development. While significant traffic impacts may occur under this alternative, these impacts would be mitigated in a manner similar to those of the proposed project. However, despite the identification of mitigation measures, certain roadway improvements would not be under the jurisdiction of the City and cannot be guaranteed to be in place when development under this alternative would become operational. Therefore, as identified for the proposed project, traffic-related impacts would remain significant and unavoidable under this alternative.

6.3.4.18 Utilities and Service Systems

Similar to the proposed project, development under the Mixed Commercial/Office/Residential Alternative would connect to existing utility infrastructure subject to the terms and conditions of the City and EMWD. As indicated in previously identified Table 6.D, this alternative would generate approximately 242,770 gallons of wastewater per day, which is a 440.8 percent increase over what the proposed project would generate. When compared to the proposed project, wastewater treatment demand would be increased in magnitude as more wastewater would be generated under this alternative. However, like the proposed project, adherence to existing requirements identified by the City and EMWD would result in impacts remaining at a less than significant level.

The development of the commercial, office, and multiple-family uses associated with this alternative would also require the installation of water supply infrastructure to serve the project site. As previously indicated in Table 6.C, the Mixed Commercial/Office/Residential Alternative would require approximately 297,319 gallons of water per day, which is 263 percent greater than what would be required by the proposed project. When compared to the proposed project, water usage demands would be greater. However, similar to the proposed project, development under this alternative would be required to obtain verification from the water purveyor (EMWD) that water is available to serve the development. In the event that the amount of water required for this alternative is available, impacts associated with this issue would be less than significant. However, in the event that water is not available for the alternative, a new and significant impact associated with this issue would occur.

Like the proposed project, the Mixed Commercial/Office/Residential Alternative would also generate solid waste. As previously identified in Table 6.E, this alternative would generate 5,499 tons of solid waste per year, which is 123.9 percent more than what the proposed project would generate. Therefore, demands on solid waste services and landfill capacity would be increased in magnitude. However, similar to the proposed project, development under the Mixed Commercial/Office/ Residential Alternative would be required to adhere to the provisions of the solid waste provider that would service the project site. When compared to the proposed project, solid waste impacts under this alternative would remain less than significant.

6.3.4.19 Cumulative Impacts

Similar to the proposed project, this alternative would contribute toward the permanent conversion of farmland, long-term operational air pollutant emissions, and increased traffic operations on local roadways and at local intersections. The amount of operational air pollutant emissions and traffic levels would be greater when compared to the proposed project. In addition, there are no mitigation measures that would reduce long-term air quality operational impacts to below SCAQMD threshold standard and no mitigation measures that would reduce impacts associated with increased traffic in

the area. Therefore, cumulative impacts associated with long-term air quality and long-term traffic would remain significant and unavoidable. This alternative would also require the development of the project site. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of Prime Farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable like the proposed project.

6.3.4.20 Conclusion

Under the Alternative 4, impacts related to short-term construction-related air quality would be similar to the proposed project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality emissions would be increased in magnitude when compared to the project and would remain significant and unavoidable. Because of the increase in vehicle trips under this alternative, impacts to the operation of local roadways and intersections would be proportionally greater than what was identified for the proposed project. Long-term traffic impacts would remain significant and unavoidable. Traffic-related noise would be increased in magnitude but would be similarly mitigated like the proposed project and would remain less than significant.

Because this alternative would also require a Zone Change and General Plan Amendment, land use impacts would be similar to the proposed project. This alternative would result in the development of office uses that would generate permanent jobs, which may require workers who are not current residents of the City. Combined with the residential component, the office use would increase the total number of people that would be added to the City's population. This alternative would have greater demands on public services and recreation. However, the payment of fees and dedication of parkland would reduce these impacts to a less than significant level. This alternative would increase the amount of water utilized and increase the amount of wastewater and solid waste that would be generated on site. Similar to the proposed project, adherence to wastewater and solid waste requirements would reduce these impacts to a less than significant level. In the event that water is not available for development envisioned under this alternative, impacts to water resources would be significant and avoidable. Under this alternative, some of the proposed project objectives would not be met as warehouse uses would not be built. However, development of this alternative would provide new employment opportunities for residents of Moreno Valley.

6.3.5 Alternative 5: Off-Site Location

This alternative would result in the development of approximately 2.2 million square feet of warehouse uses on approximately 71.3 acres. The City reviewed its vacant land inventory to identify potential off-site locations for a project similar to that of the proposed project. There are only a few potential sites for a project of this size, mainly in the southern portion of the City within the Industrial Specific Plan. However, most of the sites large enough for development equivalent to the proposed project already have development proposals in process. The only feasible alternative project site identified by the City that is available at this time is bounded by Grove View Road on the north, Perris Boulevard to the east, Oleander Avenue to the south, and Indian Avenue on the west. However, this alternative off-site property is not owned or under the control of the applicant. Its location is shown as Site 14 on Figure 3.4, *Cumulative Projects*. The off-site location is currently zoned Industrial Specific Plan 208 (SP 208) and is designated Business Park/Light Industrial (BP) in the City's General Plan. As previously stated, the off-site location is within the Moreno Valley Industrial Area Plan (Specific Plan 208) which provides for business park, mixed use, light industry, and heavy industry districts on approximately 1,500 acres in southwestern Moreno Valley. Since the proposed uses are consistent with the uses identified for the off-site location, no zone change or General Plan Amendment would be required. It should be noted that there is a 1.6 million-square foot warehouse project proposed on this site at this time, and a Draft EIR for that project is currently in review.

6.3.5.1 Aesthetics

The Off-Site Location Alternative would consist of similar warehouse structures and uses as the proposed project, just on a different project site. However, with the off-site location, surrounding views would include similar warehouse uses. Under this alternative, development of the project site would still be required to comply with design standards contained in the City's Development Code such as setbacks, building height, lot dimensions, and maximum lot size. No significant visual resource has been identified within the limits of the alternative project site. Similar to the proposed project, this alternative would change the existing character of the site, replacing the current open space with developed uses. Like the proposed project, the warehouse uses would still require the installation and operation of parking and building lighting. Adherence to the City's lighting standards would reduce the significance of any impact associated with the generation of light or glare to a less than significant level. This alternative site is not in an area with designated scenic resources. Since the development of the project would not obstruct scenic views, the aesthetic impacts associated with this issue would be reduced in magnitude. Because changes to the visual character of the project site would be generally reduced under this alternative, impacts would be less than significant compared to the proposed project.

6.3.5.2 Agricultural Resources

Development of the off-site location would include the development of 71.3 acres with warehousing uses. As identified by the Riverside County Land Information System, the off-site location is identified as Prime Farmland and Farmland of Statewide Importance.[1] The total amount of farmland (71.3 acres) that would be converted to urban uses under the Off-Site Location Alternative would be less than the amount of farmland that would be converted under the proposed project (122.8 acres). The off-site location is not currently being actively farmed, and is located in an area that has been developed with urban uses and is still in the process of developing with more urban (mainly industrial) uses. Unlike the proposed project, which has other agricultural land to the east, housing to the southeast and north, and commercial development further west, the development of the off-site location would have a reduced potential to result in the additional conversion of adjacent farmland to urban uses as there is the March Air Reserve Base to the east and other warehouse/industrial projects to the west and south. Therefore, the potential for additional agricultural lands to be converted to urban uses would be reduced in magnitude when compared to the proposed project. Since there are no mitigation measures to fully mitigate for the loss of farmland to urban development, impacts remain significant and avoidable, similar to the proposed project.

6.3.5.3 Air Quality

Under the Off-Site Location Alternative, the total amount of land to be graded would be decreased by 50 acres as the alternative site location is 71.3 acres, which is smaller than the 122.8-acre proposed project site. It is anticipated that a similar mix of equipment would operate during earthmoving and construction activities on the project site. As with the proposed project, peak daily construction emissions would be below SCAQMD thresholds of significance for CO, SO_X, PM_{10}, and $PM_{2.5}$. Similar to the proposed project, compliance with SCAQMD rules would ensure fugitive dust emissions remain less than significant. However, since the off-site location is smaller than the proposed project site, construction emissions from the development of the Off-Site Location Alternative would be decreased in magnitude, but still not to less than significant levels.

Implementation of the Off-Site Alternative would result in the development of the same amount of warehouse space (2.2 million square feet) as the proposed project. Since the Off-Site Location Alternative would have the same square footage as the proposed project, it is reasonable to conclude that the Off-Site Location Alternative would generate the same amount of traffic. As previously indicated in Table 6.B, this alternative would generate approximately 7,527 daily vehicle trips. As

[1] *Riverside County Land Information System,* Riverside County Geographic Information Services, http://www3.tlma.co.riverside.ca.us/pa/rclis/index.html, website accessed April 25, 2012.

identified in Table 6.J, the volume of each operational pollutant emitted during operation of this alternative would be similar to that identified for the proposed project.

Table 6.J: Alternative 5 Operational Emissions

Source	Pollutant Emissions, lbs/day					
	CO	ROC	NO_X	SO_X	PM_{10}	$PM_{2.5}$
Proposed Project	1,801	289	2,001	3.1	370	85
Alternative 5	1,801	289	2,001	3.1	370	85
Net Change	0	0	0	0	0	0
SCAQMD thresholds	**550**	**55**	**55**	**150**	**150**	**55**
Exceeds thresholds?	**Yes**	**Yes**	**Yes**	**No**	**Yes**	**Yes**

Source: LSA Associates, Inc., November 2011.

Although the off-site location would be located on a different site, CO hot spot conditions are anticipated to be similar to the proposed project as the off-site location is in close proximity to the project site and shares a common roadway. Because traffic associated with this alternative would be similar to what was identified for the proposed project, CO concentrations at local intersections would not be anticipated to exceed the State or Federal one-hour and eight-hour standards. No CO hot spots would occur, and the proposed project would not have a significant impact on local air quality for CO. For similar reasons, the off-site location does not have sensitive receptors nearby, so the alternative would not exceed the SCAQMD's LST thresholds. When the Off-Site Location Alternative is compared to the proposed project, impacts to air quality would be marginally reduced in magnitude for construction impacts. Although the volume of pollutants emitted would be similar during the operational phase of the project, the long-term air quality impacts resulting from this alternative would still contribute criteria pollutants to a non-attainment air basin. Therefore, long-term air quality impacts associated with this alternative would continue to be significant and unavoidable, similar to the proposed project.

6.3.5.4 Biological Resources

The Off-Site Location Alternative would require site development in a similar manner as would be required for the proposed project. The alternative site consists of fallow agricultural land surrounded by developing urban land uses. There are no drainage channels on site, and area drainage runs via sheet flow to the south and east toward the Perris Valley Storm Drain, a regional flood control facility. Biological surveys in the surrounding area have yielded no listed or otherwise sensitive species of plants or animals, but have found the potential for burrowing owl to be present in vacant land. Typical regulatory requirements would be to have a pre-construction survey of the property to identify the presence or absence of the burrowing owl. Mitigation for development projects on nearby properties has consisted mainly of paying MSHCP impact fees. The site is not within a Stephen's kangaroo rat (SKR) mitigation area. When compared to the proposed project, this alternative would result in a reduced but still less than significant impact on biological resources.

6.3.5.5 Cultural Resources

Although a detailed cultural assessment has not been conducted on this site, there have been development proposals in the area and their CEQA documentation indicates the area is generally sensitive for cultural resources, and several Native American tribes express ongoing interest for any development projects in this general area. However, implementation of standard mitigation measures, such as monitoring of grading by a qualified archaeologist, and tribal monitors if they are interested, can reduce potential impacts to less than significant levels.

6.3.5.6 Forest Resources

The City of Moreno Valley's General Plan does not identify any forest resources on the project site or surrounding area, and the project site is vacant with no trees at present, although it did support citrus trees in the past. There are no significant impacts under the proposed project or any other development scenario for the project site.

6.3.5.7 Geology and Soils

The alternative off-site area composed of deep alluvial soils with deep groundwater. The region is seismically active and the Elsinore Fault is several miles west of the site, but geotechnical constraints on this site are similar to those in surrounding industrial areas and even to the project site in terms of seismic risks. Construction of 2.2 million square feet of industrial space on the alternative site would not create or be subject to any significant or unusual geologic or soils constraints, and there would be no significant impact in this regard, similar to the proposed project.

6.3.5.8 Global Climate Change

GHG emissions are the same as the proposed project as the Off-Site Alternative is the proposed project on a different site in the City. As previously identified in Table 6.G, the Off-Site Location Alternative would generate 13,000 tons of carbon (CO_2), 0.49 ton of methane (CH_4), and 0.95 ton of nitrous oxide (N_2O) per year. The total CO_2 equivalent for this alternative would be 0.012 Tg/yr CO_2 Eq., which is the same amount that the proposed project would generate.

6.3.5.9 Hazards and Hazardous Materials

The off-site location is not identified on a list of hazardous waste generators or hazardous waste handlers.[1] While the presence of hazardous materials cannot be confirmed for the off-site location without a site-specific survey, because the off-site location has been utilized for agricultural production and because of the surrounding vacant land, it is anticipated that hazards materials that could be found on site would be similar to what was identified for the proposed project. Because this alternative includes warehouse uses similar to the proposed project, development under this alternative would still result in the on-site handling of hazardous substances, both during project construction and during operations.

The off-site location would be located within the MARB Safety Zone Area 2.[2] MARB Safety Zone Area 2 limits residential development to one dwelling unit per 2.5 acres and allows agricultural, industrial, and commercial uses. Although the off-site location is within MARB Safety Zone Area 2, the type of development that would occur under this alternative would be consistent with the development allowed in Safety Zone Area 2. Therefore, airport hazards associated with this alternative would be less than significant. Similar to the proposed project, the off-site location is not located within 0.25 mile of an existing school. Therefore, hazards to nearby schools would be similar to that identified for the proposed project. Because the same regulations and standards associated with hazards and hazardous materials would apply under this alternative, impacts associated with the Off-Site Location Alternative would remain less than significant; similar to what was identified for the proposed project.

6.3.5.10 Hydrology and Water Quality

The alternative site area is relatively flat and drains mainly via sheet flow to the east and south. The Perris Valley Storm Drain, a regional flood protection facility, is located just east of the project area.

1 *EnviroStor Database,* Department of Toxic Substances Control, http://www.envirostor.dtsc.ca.gov/public/, website accessed April 12, 2012.

2 *March Air Reserve Base Safety Zone Map*, http://www.rcaluc.org/filemanager/plan/old//March%20Air%20Reserve%20Base%20(MARB).pdf, website accessed April 26, 2012.

Development similar to the proposed project would be required to comply with existing City and County regulations/guidelines regarding industrial development, including locating pads out of identified floodways (the alternative site is not within a 100-year flood zone), and constructing improvements that protect local and regional water quality. The proposed project would have to comply with similar requirements regardless of where in Moreno Valley it was constructed. Therefore, potential impacts in this regard are considered to be less than significant with appropriate mitigation.

6.3.5.11 Land Use and Planning

The alternative project site identified by the City is bounded by Grove View Road on the north, Perris Boulevard to the east, Oleander Avenue to the south, and Indian Avenue on the west. This site is currently zoned Industrial Specific Plan 208 (SP 208) and is designated Business Park/Light Industrial (BP) in the City's General Plan. The Moreno Valley Industrial Area Plan (Specific Plan 208) provides for business park, mixed use, light industry, and heavy industry districts on approximately 1,500 acres in southwestern Moreno Valley. Since warehouse uses are permitted in the Moreno Valley Industrial Area Plan, the Off-Site Location Alternative would eliminate any land use incompatibility impacts associated with development of warehouse uses proximate to residential uses. For these reasons, land use impacts of this alternative would be less than significant compared to the proposed project.

6.3.5.12 Mineral Resources

The alternative offsite area is not designated as a mineral resource zone or aggregate resource area, so impacts of developing the site for industrial uses would have no significant impacts in this regard, similar to the proposed project.

6.3.5.13 Noise

The nearest sensitive receptors to the off-site location would be an existing single-family residence across Nandina Avenue, approximately 1,200 feet north of the off-site location northern boundary. The distance between the off-site location and the nearest sensitive receptor (1,200 feet) is greater than the distance between the proposed project site boundary and its nearest sensitive receptor (50 feet). Although the type of noise generated by the construction of the Off-Site Location Alternative is anticipated to similar to that of the proposed project, the noise experienced at the closest sensitive receptor would be reduced due to a greater distance. No significant noise-related impact was identified with the construction or operation of the proposed project. Noise generated from construction operations, parking lots, loading areas, truck deliveries, and building machinery with this alternative would be similar to that identified for the proposed project. Traffic-related noise is anticipated to be similar to the proposed project, as the Off-Site Location Alternative would generate the same number of daily vehicle trips. When compared to the proposed project, noise impacts would be similar in magnitude and would remain less than significant with mitigation.

6.3.5.14 Population and Housing

The Off-Site Location Alternative would result in the development of 2,244,638 square feet of warehouse space and would generate the same number of jobs (1,532 warehouse jobs) as the proposed project. Like the proposed project, it is anticipated that these warehouse jobs would be filled by persons already residing in the area. This alternative site would have no residential uses and is not planned to support any residential uses. Therefore, no population increase would occur with the development of this alternative site. When compared to the proposed project, impacts related to population and housing would be reduced but remain less than significant under this alternative.

6.3.5.15 Public Services

Similar to the proposed project, the off-site location is within an area already served by law enforcement, fire protection, and other public services. Under the Off-Site Location Alternative, the development of 2,244,638 square feet of warehouse uses would occur. This is the same amount of development envisioned by the proposed project. As with the proposed project, the payment of required development impact fees and adherence to development conditions imposed by the City and service providers would ensure no significant impact would occur, as the payment of development impact fees would offset any impacts to these public services that may result from the development of this alternative. Therefore, when compared to the proposed project, public service impacts associated with the alternative would remain less than significant, as identified for the proposed project.

6.3.5.16 Recreation

Similar to the proposed project, the Off-Site Alternative does not contain a residential component. It is anticipated that the warehouse jobs would be filled by people already residing in the City. Therefore, there would be no increase in existing population and no increase in demand for park and recreation facilities. Because no increase in demand for recreational facilities would occur, impacts associated with recreation under this alternative would remain less than significant.

6.3.5.17 Traffic

As identified in Table 6.B, this alternative would generate approximately 7,527 daily trips, which is the same number that would occur with the proposed project. With the level of traffic remaining the same, volumes on nearby roads and intersections would be similar in magnitude when compared to the proposed project. This alternative site and surrounding area have been planned for industrial uses similar to those that would be introduced under this alternative. The General Plan Circulation Element identified a number of roadway and intersection improvements that would need to occur in the future to maintain adequate levels of service, including Interstate 215 to the west. While significant traffic impacts may occur under the Off-Site Location Alternative, these impacts would be mitigated in a manner similar to those of the proposed project. Until a detailed traffic study can be done, it is best to err on the side of caution and conclude that traffic-related impacts could be significant and unavoidable.

6.3.5.18 Utilities and Service Systems

Like the proposed project, development under the Off-Site Location Alternative would connect to existing utility infrastructure subject to the terms and conditions of the City and EMWD. As indicated in previously identified Table 6.D, since this alternative would result in the same amount of warehousing space, it is reasonable to conclude that the Off-Site Location Alternative would utilize the same amount as the proposed project. Therefore, this alternative is anticipated to generate approximately 44,888 gallons of wastewater per day, which is the same as the proposed project. However, like the proposed project, adherence to existing requirements identified by the City and EMWD would result in impacts remaining at a less than significant level.

As previously indicated in Table 6.C, the Off-Site Location Alternative would require approximately 81,900 gallons of water per day, which is the same amount required by the proposed project, as the same amount of square footage would be built under this alternative as identified by the proposed project. When compared to the proposed project, water usage demands would be the same. Similar to the proposed project, development under this alternative would be required to obtain verification from the water purveyor (EMWD) that water is available to serve the development. Since the amount of water needed for the proposed project is available, it is reasonable to conclude that the same amount of water for this alternative would be available. Therefore, impacts related to water usage and water treatment/conveyance facilities would remain less than significant which is similar to the proposed project.

Like the proposed project, the Off-Site Location Alternative would also generate solid waste. As previously identified in Table 6.E, this alternative would generate 2,456 tons of solid waste per year, which is the same amount of solid waste the proposed project would generate. Therefore, demands on solid waste services and landfill capacity would be similar in magnitude. However, similar to the proposed project, development under the Off-Site Location Alternative would be required to adhere to the provisions of the solid waste provider that would service the project site. When compared to the proposed project, solid waste impacts under this alternative would remain less than significant, similar to what was identified for the proposed project.

6.3.5.19 Cumulative Impacts

Similar to the proposed project, this alternative would contribute toward the permanent conversion of farmland, long-term operational air pollutant emissions, and increased traffic operations on local roadways and at local intersections. The amount of operational air pollutant emissions and traffic would be similar in magnitude as the Off-Site Location Alternative is the proposed project, only on a different site. Similar to the proposed project, there are no mitigation measures that would reduce long-term air quality operational impacts to below the SCAQMD threshold standard. Additionally, there are no mitigation measures that would reduce impacts associated with increased traffic in the area. Therefore, cumulative impacts associated with long-term air quality and long-term traffic would remain significant and unavoidable. This alternative would also require the development of the project site. Since there is no feasible mitigation that would reduce the cumulative impacts associated with the conversion of Prime Farmland, cumulative impacts associated with farmland conversion would remain significant and unavoidable like the proposed project.

6.3.5.20 Conclusion

With the Off-Site Location Alternative, impacts related to air quality and traffic would be similar to those identified with the proposed project. Long-term air quality operational impacts under this alternative would remain significant and unavoidable and would result in similar conditions as identified for the proposed project. Similarly, operational traffic would result in increased traffic on existing roadways and may affect existing intersection's level of service within the area. The alternative site is already an industrial zoned property in an industrial specific plan, so there would be no need for a Zone Change or General Plan Amendment. Since this alternative would result in a similar amount of development on the site, impacts to public services and recreation would remain the same when compared to the proposed project with the payment of fees reducing these impacts to a less than significant level. This alternative would require the same amount of water as the proposed project and would generate the same amount of wastewater and solid waste when compared to the proposed project. Similar to the proposed project, adherence to utility requirements would reduce these impacts to a less than significant level. This alternative would also eliminate the significant aesthetic, land use, and population/housing impacts of the proposed project.

6.4 COMPARISON OF PROJECT ALTERNATIVES

The following discussion compares the impacts of each alternative with the impacts of the proposed project, as detailed in Chapter 4.0 of this EIR. Table 6.K compares the impacts of the alternatives with those of the proposed project. This table identifies whether the alternative results in (1) a reduction of the impact; (2) a greater impact than the project; or (3) the same impact as the project. It should be noted that the No Project – No Build Alternative has no impacts compared to the proposed project.

Table 6.K: Comparison of Alternatives to the Proposed Project

Environmental Issue	Proposed Project	Alternative 1: No Project	Alternative 2: No Project (TTM32255)	Alternative 3: Reduced Intensity	Alternative 4: Mixed Commercial/ Office/ Residential	Alternative 5: Off-Site Location
Aesthetics	SIG	-	← LTS	← SIG	← LTS	← LTS
Agricultural Resources	SIG	-	=	← LTS	=	← SIG
Air Quality	SIG	-	← SIG	← SIG	→ SIG	SIG
Biological Resources	LTS/mit	-	=	=	=	← LTS
Cultural Resources	LTS/mit	-	=	=	=	=
Forest Resources	NI	-	=	=	=	=
Geology and Soils	LTS	-	=	=	=	=
Global Climate Change	LTS	-	+	=	+	=
Hazards and Hazardous Materials	LTS/mit	-	=	=	=	=
Hydrology and Water Quality	LTS/mit	-	=	=	=	=
Land Use and Planning	SIG	-	← LTS	← SIG	=	← LTS
Mineral Resources	NI	-	=	=	=	=
Noise	LTS/mit	-	=	=	=	=
Population and Housing	LTS	-	→LTS	=	← LTS	← LTS
Public Services	LTS	-	=	=	=	=
Recreation and Parks	LTS	-	=	=	=	=
Transportation and Traffic	SIG	-	→ SIG	← SIG	→ SIG	SIG
Utilities and Service Systems	LTS	-	=	=	+	=

Impact Abbreviations
NI: No Impact
LTS: Less than Significant Impact
LTS/mit: Less than Significant Impact with Mitigation
SIG: Significant Impact with or without Mitigation

Project Alternatives
= Compared with the proposed project, no change in the significance of impact will occur.
→ Compared with the proposed project, the significance of the impact is increased.
← Compared with the proposed project, the significance of the impact is reduced.
+ Compared with the proposed project, a new impact has been identified.
- Compared with the proposed project, an impact has been eliminated.
←SIG Compared with the proposed project, the volume or extent of the impact is reduced, yet still significant.

6.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

As detailed in Tables 6.K and 6.L, Alternative 3 (Reduced Intensity Alternative) reduces the severity of project-related air quality impacts and is the only alternative that eliminates the significant agricultural impacts. However, reduced, long-term air quality impacts would remain significant after mitigation for this alternative. Alternative 3 would reduce the volume of daily traffic trips when compared to the proposed project; however, such impacts would remain significant and unavoidable until roadway improvements are completed. Alternative 2 (No Project - TTM32255) and Alternative 5 (Off-Site Location Alternative) would eliminate impacts associated with land use and planning as neither alternative would require a Zone Change or General Plan Amendment. The Off-Site Location would also eliminate the significant population/housing impacts and the significant aesthetic impacts. The remaining environmental issues would ultimately be similar to the proposed project through adherence to existing standards and mitigation measures. Though the Off-Site Location Alternative is located in a different part of the City, the amount of development under this alternative would remain the same as the proposed project, and it would satisfy all of the identified project objectives. Based on a review of all the potential impacts, the Reduced Intensity Alternative appears to be the environmentally superior alternative for the project site. These conclusions are based on the analysis in this section as summarized in Tables 6.K and 6.L.

Table 6.M: Summary of Significant Environmental Impacts of the Project Alternatives

		Impacts of Alternatives[1]					
Topic	**Proposed Project Impact**	**PP**	**1**	**2**	**3**	**4**	**5**
Aesthetics	Scenic Vistas	S			S		
Aesthetics	Scenic Resources and Scenic Highways	S			S		
Aesthetics	Substantial degradation of the existing visual character or quality of the site and its surroundings	S			S		
Aesthetics	Cumulative Aesthetic Impacts	S			S		
Agriculture	Loss of State Designated Farmland	S		S		S	S
Agriculture	Conversion to a Non-agricultural Use	S		S		S	S
Agriculture	Cumulative Agricultural Resources	S		S		S	S
Land Use	Consistency with Regional or Local Land Use Plans, Policies, or Goals	S			S	S	
Land Use	Cumulative land use changes	S			S		
Air Quality	Construction Air Pollutant Emissions	S		S	S	S	S
Air Quality	Architectural Coating Emissions	S		S	S	S	S
Air Quality	Operational Air Pollutant Emissions	S		S	S	S	S
Air Quality	Consistency with Air Quality Management Plan	S		S	S		
Air Quality	Cumulative Pollutant Air Emissions	S		S	S	S	S
Transportation	Opening Year (2016) with Project Level of Service	S		S	S	S	S
Transportation	Opening Year (2016) Cumulative with Project Level of Service	S		S	S	S	S
Transportation	Cumulative Traffic Impacts	S		S	S	S	S

[1] Proposed Project (PP)
Alternative 1: No Project – No Build
Alternative 2: No Project (Tentative Tract Map 32255)
Alternative 3: Reduced Intensity
Alternative 4: Mixed Commercial/Office/Residential
Alternative 5: Off-Site Location
S = Significant

CEQA (*CEQA Guidelines Section 15126.6 (e[2])* requires that the environmentally superior alternative be identified in the EIR. Because the Reduced Intensity Alternative allows for the development of smaller warehouse uses, provides new employment opportunities, reduces or eliminates most of the significant impacts of the project, including land use consistency, is consistent with the Housing Element, and generally meets the stated project objectives, it has been determined to be the environmentally superior alternative. The Off-Site Location is also environmentally superior to the proposed project by eliminating aesthetic and land use impacts, but significant air quality and agricultural impacts remain.

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9.0 ACRONYMS, ABBREVIATIONS, AND GLOSSARY OF TERMS

9.1 ACRONYMS AND ABBREVIATIONS

Acronyms and Abbreviations	
§	Section
§§	Subsection
°C	degrees Celsius
°F	degrees Fahrenheit
µg/m^3	Micrograms per cubic meter
AAQS	Ambient Air Quality Standards
AB	Assembly Bill
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
AER	Annual Emission Reporting
AF	acre-feet
AFY	acre feet per year
AICUZ	Air Installation Compatible Use Zone
amsl	above mean sea level
ANSI	American National Standards Institute
AOU	American Ornithologists' Union
APN	Assessor's Parcel Number
AQMP	Air Quality Management Plan
AVR	Average Vehicle Ridership
Basin	South Coast Air Basin
BAU	Business As Usual
BDCP	Bay Delta Conservancy Plan
BMP	Best Management Practice
BP	Business Park
BPX	Business Park – Mixed Use
BTEX	Benzene, Toluene, Ethyl Benzene, and Xylene

Acronyms and Abbreviations

CAA	Federal Clean Air Act
CAAQS	California Ambient Air Quality Standards
CalEPA	California Environmental Protection Agency
Caltrans	California Department of Transportation
CAPSSA	Criteria Area Plant Species Survey Area
CARB	California Air Resources Board
CASQA	California Stormwater Quality Association
CAT	California Climate Action Team
CBC	California Building Code
CBOC	California Burrowing Owl Consortium
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDFG	California Department of Fish and Game
CDMG	California Department of Mines and Geology
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response Compensation Liability Act
CESA	California Endangered Species Act
CFCP	California Farmland Conservancy Program
CFR	Code of Federal Regulations
CH_4	Methane
CHMIRS	California Hazardous Material Incident Reporting Sites
CHP	California Highway Patrol
CHRIS	California Historical Resources Information System
CIP	Capital Improvements Program
CIWMB	California Integrated Waste Management Board
CMP	Congestion Management Program
CNDDB	California Natural Diversity Data Base
CNEL	Community Noise Equivalent Level
CNG	Compressed Natural Gas

Acronyms and Abbreviations

CNPS	California Native Plant Society
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CO_2e	Carbon Dioxide Equivalent
CTR	California Toxics Rule
CUWCC	California Urban Water Conservation Council
CVC	California Vehicle Code
CVP	Central Valley Project
CWA	(Federal) Clean Water Act
CWC	California Water Code
CWMB	California Waste Management Board
DAMP	Drainage Area Management Plan
dB	decibel
dBA	decibel on the A-weighted scale
DBESP	Determination of a Biologically Equivalent or Superior Preservation
DEH	Department of Environmental Health
DHS	(California) Department of Health Services
DIF	Development Impact Fees
DMM	Demand Management Measure
DOC	(California) Department of Conservation
DOF	(California) Department of Finance
DTSC	(California) Department of Toxic Substance Control
DWR	(California) Department of Water Resources
ECSD	Edgemont Community Services District
EDU	Equivalent Residential Dwelling Unit
EIC	Eastern Information Center
EIR	Environmental Impact Report
EMWD	Eastern Municipal Water District
EOP	Emergency Operations Plan
EPA	U.S. Environmental Protection Agency

Acronyms and Abbreviations

ERNS	Emergency Response Notification System
ESA	Environmental Site Assessment
FAR	Floor to Area Ratio
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
ft	foot/feet
FTA	Federal Transit Administration
F-WQMP	Final Water Quality Management Plan
GHG	Greenhouse gas
GIS	Geographic Information Systems
GPA	General Plan Amendment
gpd	gallons per day
GWP	Global Warming Potential
HANS	Habitat Evaluation and Acquisition Negotiation Strategy
HCP	Habitat Conservation Plan
HFC	Hydrofluorocarbon
HHWE	Household Hazardous Waste Element
HI	Hazard Indices
HMB	Hazardous Materials Branch
HMBP	Hazardous Materials Business Plan
HMMA	Hazardous Materials Management Act
HMMP	Habitat Mitigation and Monitoring Plan
HPLV	High Pressure Low Volume
HRA	Health Risk Assessment
HVAC	Heating, Ventilating, and Air Conditioning
HWCL	Hazardous Waste Control Law
IAQ	Indoor Air Quality

Acronyms and Abbreviations	
IEA	International Energy Agency
IPCC	United Nations Intergovernmental Panel on Climate Change
IRP	Integrated Resource Plan
IS	Initial Study
ISCST	Industrial Source Complex Short Term
ITE	Institute of Transportation Engineers
ITS	Intelligent Transportation Systems
kWh	kilowatt hour
LADP	L-Aquila D'Pietra
lbs	pounds
LCFS	Low Carbon Fuel Standard
L_{dn}	day-night average noise
LED	light-emitting diode
LEED	Leadership in Energy and Environmental Design
LEED CS	LEED for Core and Shell
L_{eq}	Equivalent continuous sound level (L_{eq})
LESA	(California) Land Evaluation and Site Assessments
LI	Light Industrial
L_{max}	maximum noise level
LNG	Liquefied Natural Gas
LOS	Level of Service
LSA	LSA Associates, Inc.
LST	Local Significance Threshold
m	meter(s)
MARB	March Air Reserve Base
MBTA	Migratory Bird Treaty Act
MC	Municipal Code
MDP	Master Drainage Plan
MEI	maximum exposed individual
Metropolitan	Metropolitan Water District of Southern California

Acronyms and Abbreviations

mg/Kg	milligrams per kilogram
mgd	million gallons per day
MICR	maximum individual cancer risk
MLD	Most Likely Descendant
MMRP	Mitigation Monitoring and Reporting Program
MMT	million metric tons
mph	miles per hour
MPO	Metropolitan Planning Organization
MPT	Master Plan of Trails
MRZ	Mineral Resource Zone
MS4	Municipal Separate Storm Sewer Systems
MSHCP	(Western Riverside County) Multiple Species Habitat Conservation Plan
mt	metric tons
mty	metric tons per year
MVPD	Moreno Valley Police Department
MVRWRF	Moreno Valley Regional Water Reclamation Facility
MVU	Moreno Valley Utility
MVUSD	Moreno Valley Unified School District
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NDDB	National Diversity Data Base
NDFE	Nondisposal Facility Element
NDS	National Data and Surveying Services, Inc.
NEPA	National Environmental Policy Act
NEPSSA	Narrow Endemic Plant Species Survey Area
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NIA	Noise Impact Assessment
NO_2	Nitrogen Dioxide

Acronyms and Abbreviations

NOI	Notice of Intent
NOP	Notice of Preparation
NO_X	Oxides of Nitrogen
NPDES	National Pollutant Discharge Elimination System
NPL	National Priorities List
NPPA	Native Plant Protection Act
NRCS	Natural Resource Conservation Service
O_3	Ozone
OEHHA	Office of Environmental Health Hazard Assessment
OHWM	Ordinary High Water Mark
OMB	(White House) Office of Management and Budget
OPR	Office of Planning and Research
OS	Open Space
PAKO	Primary Animal Keeping Overlay
PCE	Passenger Car Equivalent
PFC	Perfluorocarbon
PM_{10}	Particulate Matter with a Diameter of 10 Microns or Less
$PM_{2.5}$	Particulate Matter with a Diameter of 2.5 Microns or Less
POTW	Publicly Owned Treatment Works
ppm	parts per million
PRG	Preliminary Remedial Goal
PRIMP	Paleontological Resource Impact Mitigation Program
PVSC	Perris Valley Storm Channel
P-WQMP	Preliminary Water Quality Management Plan
q.v.	*quod vidē*, which see (presented elsewhere in the document)
R15	Residential 15 District (15 units per acre)
R2	Residential 2 District (2 units per acre)
R5	Residential 5 District (5 units per acre)
RA-2	Residential Agriculture (2 units per acre)

Acronyms and Abbreviations

RCFCWCD	Riverside County Flood Control and Water Conservation District
RCIWMP	Riverside Countywide Integrated Waste Management Plan
RCP	Regional Comprehensive Plan
RCRA	Resource Conservation and Recovery Act
RCTC	Riverside County Transportation Commission
RHNA	Regional Housing Needs Assessment
RivTAM	Riverside County Traffic Analysis Model
ROC	Reactive Organic Compounds
ROG	Reactive Organic Gas
ROW	Right-of-Way
RPR	(California) Rare Plant Ranking
RTA	Riverside Transit Agency
RTIP	Regional Transportation Improvement Plan
RUWMP	Regional Urban Water Management Plan
RWQCB	Regional Water Quality Control Board
SARA	Superfund Amendments and Reauthorization Act
SAWA	Santa Ana Watershed Association
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
sf	square feet
SF_6	Sulfur Hexafluoride
SHPO	State Historic Preservation Office
SIP	State Implementation Plan
SKR	Stephen's kangaroo rat
SKR HCP	Stephen's kangaroo rat Habitat Conservation Plan
SO_2	Sulfur Dioxide
SO_X	Sulfur Oxides

Acronyms and Abbreviations

SR-60	State Route 60
SRA	Source Receptor Area
SRRE	Source Reduction and Recycling Element
SVP	Society of Vertebrate Paleontology
SWIS	Solid Waste Information System
SWP	State Water Project
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
TAZ	Transportation Analysis Zone
T-BACT	Best Available Control Technology for Toxics
TCM	Transportation Control Measures
TCP	Traditional Cultural Place
TDM	Transportation Demand Management
TDS	Total Dissolved Solids
Tg CO_2 Eq.	teragrams of carbon dioxide equivalent
TIA	Traffic Impact Analysis
TMA	Transportation Management Association
tpy	tons per year
TRI	Toxics Release Inventory
TRIS	Toxics Release Inventory System
TUMF	Transportation Uniform Mitigation Fee
UBC	Uniform Building Code
UNEP	United Nations Environment Programme
UNFCCC	United Nations Framework Convention on Climate Change
USACE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USDOT	United States Department of Transportation
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey

Acronyms and Abbreviations	
UST	Underground Storage Tank
UWMP	Urban Water Management Plan
VIA	Visual Impact Assessment
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compounds
WDID	Water Discharge Identification
WDR	Wastewater Discharge Requirement
WMUDS	Waste Management Units Database System
WQMP	Water Quality Management Plan
WRCOG	Western Riverside Council of Governments
WSA	Water Supply Assessment
ZC	Zone Change
ZNE	Zero Net Energy

9.2 GLOSSARY OF TERMS

Acre-Foot. An acre-foot is the quantity of volume of water that covers one acre to a depth of one foot; equal to 43,560 cubic feet or 325,851 gallons.

Aesthetics. The perception of artistic elements, or elements in the natural or human-made environment that are pleasing to the eye.

Air Quality Criteria. Air quality criteria are the levels of pollution and length of exposure at which adverse effects on health and welfare occur.

Air Quality Standards. Air quality standards are the prescribed level of pollutants in the outside air that cannot be exceeded legally during a specified time in a specified geographical area.

Ambient Noise. Ambient noise is the composite of noise from all sources near and far. The ambient noise level constitutes the normal or existing level of environmental noise at a given location.

Applicant. An applicant is a person who proposes to carry out a project which needs a lease, permit, license, certificate, or other entitlement, for use or financial assistance from one or more public agencies.

Arterial. An arterial is a major street carrying the traffic of local and collector streets to and from freeways and other major streets, with controlled intersections and generally providing direct access to non-residential properties.

Attainment. Attainment means that there is compliance with State and Federal ambient air quality standards within an air basin.

A-Weighted Decibel (dBA). The dB on the A-weighted scale is the sound level obtained by use of A-weighting. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the frequency response of the human ear and correlates well with subjective reactions to noise.

California Environmental Quality Act (CEQA). Enacted in 1970, CEQA requires State and local agencies to estimate and evaluate the environmental implications of their actions. It aims to prevent environmental effects of the agency actions by requiring agencies, when feasible, to avoid or reduce the significant environmental impacts of their decisions. If a proposed activity has the potential for a significant adverse environmental impact, an environmental impact report (EIR) must be prepared and certified as to its adequacy before taking action on the proposed project (California Public Resources Code §§21000 et seq.)

Capacity. The maximum rate of flow at which vehicles can be reasonably expected to traverse a point or uniform segment of a lane or roadway during a specified time period under prevailing roadway, traffic, and control conditions.

Collector. Relatively low-speed, low-volume street that provides circulation within and between neighborhoods. Collectors usually serve short trips and are intended for collecting trips from local streets and distributing them to the arterial network.

Community Noise Equivalent Level (CNEL). A 24- hour energy equivalent level derived from a variety of single-noise events, with weighting factors of 5 and 10 dBA applied to the evening (7 p.m. to 10 p.m.) and nighttime (10 p.m. to 7 a.m.) periods, respectively, to allow for greater sensitivity to noise during these hours.

Congestion Management Plan (CMP). A mechanism employing growth management techniques, including traffic level of service requirements, standards for public transit, trip reduction programs involving transportation systems management and jobs/housing balance strategies, and capital improvement programming, for the purpose of controlling and/or reducing the cumulative regional traffic impacts of development.

Cumulative Impact. As used in CEQA, the total impact resulting from the accumulated impacts of individual projects or programs over time.

Day-Night Average Level (L_{dn}). The average equivalent A-weighted sound level during a 24-hour day, obtained after the addition of 10 decibels to sound levels in the night after 10 p.m. and before 7 a.m. (Note: CNEL and L_{dn} represent daily levels of noise exposure averaged on an annual or daily basis, while L_{eq} represents the equivalent energy noise exposure for a shorter time period, typically one hour.)

Decibel (dB). The decibel (dB) is the unit of level that denotes the ratio between two quantities that are proportional to power; the number of decibels is 10 times the logarithm (to the base 10) of this ratio.

Emission Standard. The maximum amount of pollutant legally permitted to be discharged from a single source, either mobile or stationary.

Environment. In CEQA, the environment are “the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, mineral, flora, fauna, noise, and objects of historic or aesthetic significance.”

Environmental Impact Report (EIR). A report required pursuant to the California Environmental Quality Act that assesses all the environmental characteristics of an area, determines what effects or impacts will result if the area is altered or disturbed by a proposed action, and identifies alternatives or other measures to avoid or reduce those impacts.

Equivalent Energy Level (L_{eq}). L_{eq} 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. L_{eq} is typically computed over 1-hour, 8-hour, and 24-hour sample periods.

Feasible. To be feasible, according to CEQA, means to be capable of being accomplished in a successful manner within a reasonable time taking into account economic, environmental, social, and technological factors.

Findings. Findings required by CEQA are the conclusions made regarding the significance of a project in light of its environmental impacts. A Statement of Overriding Considerations does not obviate the need to make other required CEQA findings.

Floor Area Ratio (FAR). The FAR is the gross floor area permitted on a site divided by the total net area of the site, expressed in decimals to one or two places. For example, on a site with 10,000 net square feet of land area, a floor area ratio of 1.0 will allow a maximum of 10,000 gross square feet of building floor area to be built. On the same site, an FAR of 1.5 would allow 15,000 square feet of floor area; an FAR of 2.0 would allow 20,000 square feet; and an FAR of 0.5 would allow 5,000 square feet. Also commonly used in zoning, FARs typically are applied on a parcel-by-parcel basis as opposed to an average FAR for an entire land use or zoning district.

Floor Area, Gross. The sum of the horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including any space where the floor-to-ceiling height is less than six feet. Some cities exclude specific kinds of space (e.g., elevator shafts, parking decks) from the calculation of gross floor area.

Freeway. A freeway is a high-speed, high-capacity, limited-access road serving regional and countywide travel. Such roads are free of tolls, as contrasted with turnpikes or other toll roads. Freeways generally are used for long trips between major land use generators. Major streets cross at a different grade level.

Incorporation by Reference. "Incorporation by reference" is a CEQA term meaning reliance on a previous environmental document for some portion of the environmental analysis of a project. See *CEQA Guidelines* §15150.

Initial Study. An Initial Study is a preliminary CEQA analysis prepared by a Lead Agency determining whether an EIR or Negative Declaration must be prepared, and identifying the significant environmental effects to be analyzed in an EIR.

Land Use. Any land use is the determination by a governing authority of the use to which land within its jurisdiction may be put so as to promote the most advantageous development of the community.

Lead Agency. The lead agency is the public agency that has the principal responsibility for carrying out or approving a project. The Lead Agency decides whether an EIR or Negative Declaration is required for a project, and causes the appropriate document to be prepared.

Level of Service (LOS). LOS is a qualitative measure describing operational conditions within a traffic stream and how motorists and/or passengers perceive them.

Maximum Noise Level (L_{max}). The maximum A-weighted sound levels measured on a sound level meter, during a designated time interval, using fast time averaging.

Mitigation Measure. A mitigation measure is a change in a project designed to avoid, minimize, rectify, reduce, or compensate for a significant environmental impact.

Mitigation Monitoring and Reporting Program (MMRP). When a lead agency adopts a mitigated negative declaration or an EIR, it must adopt a program of monitoring or reporting which will ensure that mitigation measures are implemented. (See CEQA Statute §21081.6(a) and *CEQA Guidelines* §§15091(d) and 15097.)

Noise. Noise is any sound that is undesirable because it interferes with speech and hearing, or is intense enough to damage hearing, or is otherwise annoying (unwanted sound).

Noise Contours. Noise contours are lines drawn about a noise source indicating equal levels of noise exposure.

Notice of Determination (NOD). An NOD is a brief notice filed with the State Clearinghouse to document project approval. The filing of the NOD starts the statute of limitations period. (See *CEQA Guidelines* §15373.)

Notice of Preparation (NOP). An NOP is a brief notice to notify the public, Responsible and Trustee Agencies that an EIR is being prepared for a project. The notice serves to solicit guidance from those

agencies and the public about the scope and content of the environmental information to be included in the EIR. (See *CEQA Guidelines* §15375.)

Peak Hour. The hour of highest traffic volume on a given section of roadway between 7:00 a.m. and 9:00 a.m. or between 4:00 p.m. and 6:00 p.m.

Project Description. A project description describes the basic characteristics of the project including location, need for the project, project objectives, technical and environmental characteristics, project size and design, project phasing and required permits. The level of detail provided in the project description varies according to the type of environmental document prepared.

Project EIR. A project EIR is an EIR that examines the impacts that would result from development of a specific project. (See C*EQA Guidelines* §15161.)

Project. According to CEQA, a project is the whole of an action that has the potential to result in significant environmental change in the environment, directly or ultimately. (See *CEQA Guidelines* §15378.)

Public Hearing. A public hearing is a mechanism for providing the public an opportunity to comment on and present evidence relating to a proposed project and its Draft EIR.

Responsible Agencies. According to CEQA, responsible agencies are all public agencies other than the Lead Agency that have discretionary approval power over the project. (See *CEQA Guidelines* §15381.)

Reviewing Agencies. Reviewing agencies are local, State and Federal agencies with jurisdiction over the project area or resources potentially affected by the project. Cities and counties are also considered reviewing agencies.

Scoping Meeting. A scoping meeting is an optional meeting pursuant to CEQA in which the lead agency meets with members of the public or agency representatives after the Notice of Preparation has been issued to discuss environmental issues related to a project. Scoping sessions provide the opportunity to discuss environmental issues, project alternatives and potential mitigation measures that may warrant in-depth analysis in the environmental review process.

Sensitive Receptors. Sensitive receptors are people or institutions with people that are particularly susceptible to illness from environmental pollution, such as the elderly, very young children, people already weakened by illness (e.g., asthmatics), and persons engaged in strenuous exercise.

Significant Effect on the Environment. A significant effect on the environment means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (*CEQA Guidelines* §15382).

Thresholds of Significance. Thresholds of significance are criteria for each environmental issue area to assist with determinations of significance of project impacts. They are based on *CEQA Guidelines* Appendix G.

Trustee Agency. According to CEQA, a Trustee agency is a State agency that has jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California. (See *CEQA Guidelines* §15386.)

Volume (Transportation). The volume of traffic is the total number of vehicles that pass over a given point or section of a roadway during a given time interval. Volumes may be expressed in terms of annual, daily, hourly, or sub-hourly periods.

Wastewater. Wastewater is water carrying dissolved or suspended solids from homes, farms, businesses, and industries. The wastewater treatment process includes any process that modifies characteristics of the wastewater, usually for the purpose of meeting effluent standards.

Zoning. Regulation by zone districts of the height, use, and area of structures, the use of land, and the density of population and intensity of allowable uses.

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PLANNING COMMISSION STAFF REPORT

Case:	P13-078 (Revised Tentative Tract Map 31592) PA13-0039 (Conditional Use Permit PUD)
Date:	April 24, 2014
Applicant:	CV Communities, LLC.
Representative:	Ryan Thomas
Location:	NE of Perris Boulevard/Manzanita Avenue
Proposal:	Revised Tentative Tract Map 31592 to subdivide 203.52 acres into 115 residential lots including 138.87 acres of natural open space and a Conditional Use Permit for a Planned Unit Development in the Residential 3 (R3) zone. The revised Tentative Tract Map 31592 will reduce the number of lots from 138 to 115 residential lots as approved with PA03-0086.
Recommendation:	Approval

SUMMARY

The applicant, CV Communities, LLC. has submitted an application for a revision to Tentative Tract Map 31592 to subdivide 203.52 acres into 115 single family residential lots. The application includes a Conditional Use Permit for a Planned Unit Development.

PROJECT DESCRIPTION

Project

Revised Tentative Tract Map 31592

The Revised Tentative Tract Map will subdivide 203.52 acres into 115 residential lots on 64.65 acres with 138.87 acres of natural open space. The lots will range from 10,000 square feet to 15,000 square feet with a proposed density of 1.78 units per net developed acre well below the 3 units per acre of the R3 zone.

The Tentative Map will include a multi-use trail extending along the eastern perimeter of the tract. Additionally, the tract will provide 138.87 acres of open space both on the northern and southern portions of the site, all of which will remain in its natural state with no grading.

The tract was originally approved in June of 2004 with 138 residential lots within the same area and a different street plan. The original approval expires in 2017.

Conditional Use Permit for a Planned Unit Development

The proposed project includes a Conditional Use Permit for a Planned Unit Development (PUD). The purpose of the PUD is to provide specific development guidelines for this project. A PUD provides for greater innovation in housing development including a variation in lot sizes and amenities not found in standard housing tracts.

The proposed PUD provides guidelines for multiple architectural styles of housing that meet or exceed City-wide standards in the Municipal Code. All development within the tract is required to meet the standards as stated in the PUD including plotting, setbacks and four sided architecture. The PUD will require a pedestrian oriented environment with a multi-use trail along the eastern boundary which includes exercise equipment stations along the trail. Enhanced landscaping will be provided on all main streets with an entry monument provided along Covey Road and all front yards landscaped by the developer with 25% being a xeriscape design as required per the Municipal Code.

The project is located in the Residential 3 (R3) zoning which requires 10,000 square foot minimum lots with a minimum width of 90 feet and 100 feet in depth. The proposed tentative map meets and at times exceeds the standards except for the lot width. The Planned Unit Development provides for the reduced lot width, a minimum of 75 feet while still meeting the overall lot size and depth minimums for the R3 zone.

Site

The site is 203.52 acres of vacant land located between north of Manzanita east of Perris Boulevard along the hillside. With the development of the tract, 138.87 acres will remain open space.

Surrounding Area

Properties to the north include open space and large lot development of Hillside Residential and Residential 2 zoning with the Specific Plan 168 and developed residential to the west and south. Properties to the east are vacant land with limited development due to the topography. There is one existing single family residence to the east which will be accessed from Covey Road.

The two main entry points of access for the project site are at Manzanita Street and Covey Road.

Design/Landscaping

The design of the proposed houses will require an Administrative review and approval per the standards in the PUD. Front yard landscaping will be required with a separate submittal per the Landscape Design Guidelines/Requirements. Basin and perimeter areas within the Home Owners Association (HOA) will be landscaped per City standards. The project has been designed with several water quality treatment features to meet the water quality requirements with an additional feature if necessary shown as an alternate plan for lot 14. Lots 1-14 and 43-54 are conditioned to be single story dwellings.

REVIEW PROCESS

The project was submitted July 25, 2013, with a Project Review Staff Committee meeting held August 20, 2013. Several revisions were requested and resubmitted by the applicant. All relevant issues have been adequately addressed to the satisfaction of all parties.

ENVIRONMENTAL

The project site is a 203.52 acre site located east of Perris Boulevard north of Manzanita along the hillside. The project is a revised tentative tract map 31592 which originally provided for 138 lots with a Negative Declaration prepared and filed on June 28, 2004. The revised project qualifies as an Addendum as provided for in the California Environmental Quality Act Guidelines.

The project is consistent with the Negative Declaration prepared for the original project (PA03-0086) with minor changes to the description regarding a reduction of lots and the addition of a PUD for development guidelines which will not modify the site and will not result in any environmental changes to the project or the Negative Declaration. The revised project will reduce the number of lots from 138 to 115 while using the same grading footprint area as the original map. The north, south and southeast open space areas will be the same as the original map with no grading.

Therefore, an Addendum to the Negative Declaration has been prepared pursuant to Section 15164 of the California Environmental Quality Act Guidelines. None of the conditions described in Section 15162 of the Guidelines that call for preparation of a

subsequent Negative Declaration have occurred. Also, no changes or additions are required to the Negative Declaration other than the project description.

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.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all potentially affect reviewing agencies.

Agency	Response Date	Comments
Riverside County Flood Control	August 15, 2013	The project is located within the limits of the District's Sunnymead Area Drainage Plan, fees required.
Eastern Municipal Water District	August 7, 2014	Contact EMWD for water, sewer or recycled water services.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** Resolution No. 2014-05, and thereby:

1. **RECOGNIZE** that PA13-0039, (Conditional Use Permit Planned Unit Development) and P13-078 (Revised Tentative Tract Map 31692) qualify as an Addendum to the adopted Negative Declaration per the California Environmental Quality Act (CEQA) Guideline Section 15164 (b); and,

2. **APPROVE** PA13-0039 (Conditional Use Permit Planned Unit Development) and P13-078 (Revised Tentative Tract Map 31592) subject to the attached conditions of approval included as Exhibit A.

Prepared by:

Julia Descoteaux
Associate Planner

Approved by:

Chris Ormsby, AICP
Interim Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2014-05 with Conditions of Approval.
3. Zoning Map
4. Ortho Map
5. Site and Grading Plan
6. Limits of Grading Plan
7. Addendum Initial Study
8. PUD Guidelines (Attached Hard Copy)

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: **P13-078 (Revised Tentative Tract Map/PUD)**
PA13-0039 (Conditional Use Permit PUD)

APPLICANT/OWNER: CV Communities

REPRESENTATIVE: Ryan Thomas

LOCATION: NE Perris Boulevard at Manzanita Avenue.

PROPOSAL: Revised Tentative Tract Map 31592 to subdivide 203.52 acres into 118 residential lots and 138.87 acres of open space with a Conditional Use Permit for a Planned Unit Development in the Residential 3 (R3) zone. The revised Tentative Tract Map 31592 will reduce the number of lots from 138 to 118 residential lots as approved with PA03-0086.

ENVIRONMENTAL DETERMINATION: The project is consistent with the Negative Declaration prepared for the original project (PA03-0086) with minor changes to the number of lots (reduced by 20) and therefore, an Addendum to the Negative Declaration has been prepared pursuant to Section 15164 of the California Environmental Quality Act Guidelines. None of the conditions described in Section 15162 of the Guidelines that call for preparation of a subsequent Negative Declaration have occurred. Also, no changes or additions are required to the Negative Declaration.

COUNCIL DISTRICT: 2

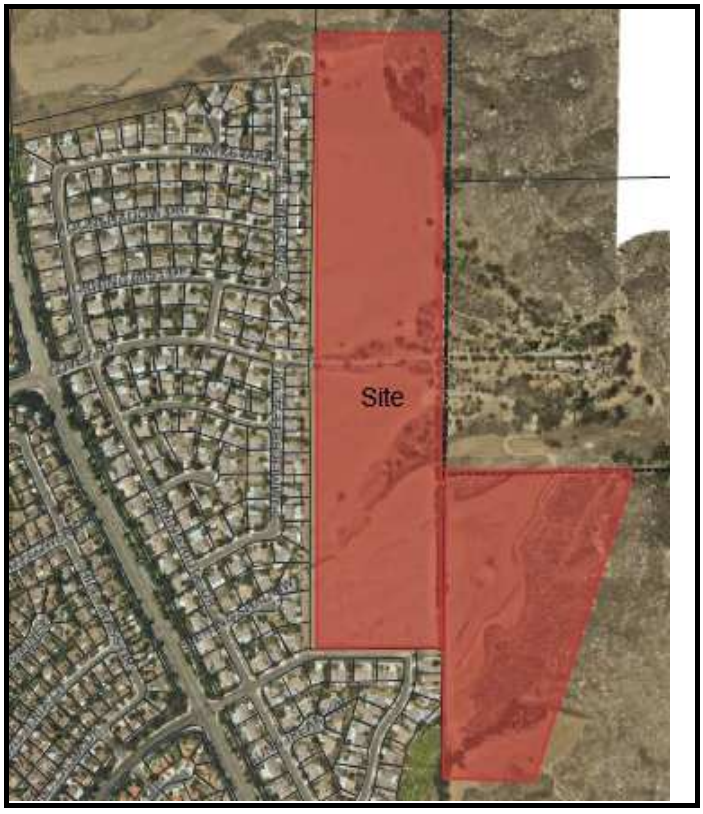
STAFF RECOMMENDATION: Approval

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 6:00 p.m., Monday through Thursday and 7:30 a. m. to 1:30 p.m. every 2nd and 4th Friday), 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: April 24, 2014 at 7PM

CONTACT PLANNER: Julia Descoteaux

PHONE: (951) 413-3209

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PLANNING COMMISSION RESOLUTION NO. 2014-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY APPROVING P13-078 (REVISED TENTATIVE TRACT MAP 31592) SUBDIVIDING 203.52 ACRES INTO 115 RESIDENTIAL LOTS WITH 138.87 ACRES OF OPEN SPACE AND PA13-0039 (CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT PUD) LOCATED ON ASSESSOR'S PARCEL NUMBERS 474-490-024 & 025 AND 474-040-032.

WHEREAS, the applicant, CV Communities LLC has filed an application for the approval of P13-078, a Revised Tentative Tract Map 31592, and PA13-0039, a Conditional Use Permit Planned Unit Development (PUD) as described in the title of this Resolution, and;

WHEREAS, on April 24, 2014, the Planning Commission of the City of Moreno Valley held a meeting to consider the application, and;

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

WHEREAS, the Planning Commission considered that the project is consistent with the Negative Declaration prepared for the original project (PA03-0086) with minor changes to the project description and the number of lots (reduced by 20), and therefore, an Addendum to the Negative Declaration has been prepared pursuant to Section 15164 of the California Environmental Quality Act Guidelines. None of the conditions described in Section 15162 of the Guidelines that call for preparation of a subsequent Negative Declaration have occurred. Also, no changes or additions are required to the Negative Declaration, and;

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

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 April 24, 2014, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

Section 1 P13-078 Revised Tentative Tract Map 31592

1. That the proposed land division is consistent with applicable general and specific plans;

FACT: Revised Tentative Tract Map 31592 will subdivide 203.52 acres into 115 single family residential lots with 138.87 acres of open space. The project as proposed is consistent with the City's General Plan which includes trails designed to City standards located on the eastern portion of the site between the housing and the hillside area. The project meets the Residential 3 (R3) zoning standards with the approval of the PUD for a variation of lot width. All lots will meet the 10,000 square foot requirement. The proposed density is 1.78 units per acre and is well under the maximum of 3 units per acre as permitted in the R3 land use district. The project is not within a Specific Plan.

2. That the site of the proposed land division is physically suitable for the type of development;

FACT: The site is vacant with moderate slopes with no serious physical constraint and is physically suited to single-family residential development. The tract has been designed to overcome the physical constraints of the property to achieve acceptable street grades, slope heights and water and sewer drainage.

3. 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: The site is vacant and gently sloping with no serious physical constraints and is physically suitable for the proposed density. The project is comprised of 115 single family lots in the R3 zone which will have lots from 10,000 square feet to 15,000 square feet with development standards as stated in the Planned Unit Development requirements submitted in conjunction with the proposed map. The project as planned and conditioned is consistent with the surrounding development.

The project site is located in an area that the Multi Species Habitat Conservation Plan (MSHCP) has identified as having the potential for burrowing owl habitat. A Biological report was completed for the project stating no burrowing owls were detected on the site. A 30-day pre-construction survey will be required prior to any grading on the site.

4. 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 land division would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the subdivision. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

5. 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 project site is a 203.52 acre site located east of Perris Boulevard north of Manzanita along the hillside. The project is a revised tentative tract map 31592 which originally provided for 138 lots with a Negative Declaration prepared and filed on June 28, 2004. The revised project qualifies as an Addendum as it is within the scope of the Negative Declaration adopted with PA03-0086.

The project is consistent with the Negative Declaration prepared for the original project (PA03-0086) with minor changes to the description regarding a reduction of lots and the addition of a PUD for development guidelines which will not modify the site and will not result in any environmental changes to the project or the Negative Declaration. The revised project will reduce the number of lots from 138 to 115 while using the same grading footprint area as the original map. The north, south and southeast open space areas will be the same as the original map with no grading.

Therefore, an Addendum to the Negative Declaration has been prepared pursuant to Section 15164 of the California Environmental Quality Act Guidelines. None of the conditions described in Section 15162 of the Guidelines that call for

preparation of a subsequent Negative Declaration have occurred. Also, no changes or additions are required to the Negative Declaration other than the description.

6. 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 size, configuration and orientation of most of the lots in this land division allow solar access for passive heating. All lots provide opportunities for placement of shade trees and other vegetation for cooling.

7. 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 land division will allow development of 115 housing. 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 2 Conditional Use Permit

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

   FACT: Pursuant to the approval of the Revised Tentative Tract Map, the proposed Conditional Use Permit for a Planned Unit Development is consistent with the General Plan which encourages innovation in single family residential development.

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

   FACT: The proposed density of 1.78 units per acre is well under the maximum of three dwelling units per acre permitted in the Residential 3 land use district.

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 project site is a 203.52 acre site located east of Perris Boulevard north of Manzanita along the hillside. The project is a revised tentative tract map 31592 which originally provided for 138 lots with a Negative Declaration prepared and filed on June 28, 2004. The revised project qualifies as an Addendum as it is within the scope of the Negative Declaration adopted with PA03-0086.

The project is consistent with the Negative Declaration prepared for the original project (PA03-0086) with minor changes to the description regarding a reduction of lots and the addition of a PUD for development guidelines which will not modify the site and will not result in any environmental changes to the project or the Negative Declaration. The revised project will reduce the number of lots from 138 to 115 while using the same grading footprint area as the original map. The north, south and southeast open space areas will be the same as the original map with no grading.

Therefore, an Addendum to the Negative Declaration has been prepared pursuant to Section 15164 of the California Environmental Quality Act Guidelines. None of the conditions described in Section 15162 of the Guidelines that call for preparation of a subsequent Negative Declaration have occurred. Also, no changes or additions are required to the Negative Declaration other than the description.

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 Planned Unit Development includes 115 single family lots which will be consistent with the existing residential properties to the west and south, with open space provided to the north and predominately vacant land and hillside to the east.

The tract will enter from Covey Road and Manzanita Avenue and will include entry monuments. A multi-use trail will be provided along the eastern perimeter with exercise equipment stations along the trail and designated open space provided to the north.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2014-05, and thereby:

1. **RECOGNIZING** that P13-087, Revised Tentative Tract Map 31592 and PA13-0039 a Conditional Use Permit Planned Unit Development, is consistent with the Negative Declaration prepared for the original project (PA03-0086) with minor changes to the description including a reduction in the number of lots from 138 to 115 and the addition of the Planned Unit Development, and therefore, an Addendum to the Negative Declaration has been prepared pursuant to Section 15164 of the California Environmental Quality Act Guidelines. None of the conditions described in Section 15162 of the Guidelines that call for preparation of a subsequent Negative Declaration have occurred. Also, no changes or additions are required to the Negative Declaration.

2. **APPROVE** P12-078, Revised Tentative Tract Map 31592 and PA13-0039 Conditional Use Permit (PUD) based on the findings contained in this resolution subject to the attached conditions of approval included as Exhibit A.

APPROVED this 24th day of April, 2014

_____
Meli Van Natta
Chair, Planning Commission

ATTEST:

_____
Chris Ormsby, Interim Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

_____
City Attorney

ATTACHED: Conditions of Approval

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
P13-078 REVISED TENTATIVE TRACT MAP 31592
PA13-0039 CONDITIONAL USE PERMIT (PUD)
APN: 474-490-024, -025, and 474-040-032

APPROVAL DATE: **April 24, 2014**
EXPIRATION DATE: **April 24, 2017**

_X_ **Planning (P), including School District (S), Post Office (PO), Police (PD)**
_X_ **Building Division (B)**
_X_ **Fire Prevention Bureau (F)**
_X_ **Public Works, Land Development (LD)**
_X_ **Public Works – Transportation Engineering (TE)**
_X_ **Financial and Management Services, Special Districts (SD)**
_X_ **Parks & Community Services (PCS)**

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.

GENERAL CONDITIONS

P1. This Conditional Use Permit 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)

P2. 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.

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	

(MC 9.02.230, 9.14.050, 080)

P3. The Conditional Use Permit and Tentative Tract Map 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 being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning Official. (MC 9.14.020)

P4. 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)

P5. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P6. A drought tolerant, low water using landscape palette shall be utilized throughout the tract to the extent feasible.

P7. (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.

Special Conditions

P8. The site has been approved for Revised Tentative Tract Map 31592 and a Conditional Use Permit for a Planned Unit Development. The Planned Unit Development includes the Revised Tentative Tract Map 31592 for 115 single family lots to include HOA maintained lots, water quality features and natural open space areas per the approved plans. A change or modification shall require separate approval. For a Conditional Use Permit, violation may result in revocation in the case of a Conditional Use Permit.

P9. Water quality features included in the tract design that are visible from the public right-of-way shall be integrated into the landscaping and include street trees on either side of the fencing based on the design.

P10. A total of six water quality features are designed with the tract. In the event an additional feature is required per the Final Water Quality Management Plan, an alternate has been provided for lot 14.

P11. Lots 1-14 and 43-54 located along the western property line north and south of Covey Road shall be designed with single story homes. No two story homes shall be allowed on Street A and Street C.

P12. 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)

P13. The multi-use trail along the eastern edge of the tract will include exercise stations designed per Parks and Community Services standards.

P14. A Phasing Plan will be required to phase development within the tract. Water quality treatment areas, HOA maintained areas and trails shall be developed with the adjacent housing per the phasing plan.

P15. The Planned Unit Development and Revised Tentative Tract Map 31592 will be developed per the approved plans and the standards set forth in in the design manual – Covey Ranch Development Guidelines and where silent, the City's Municipal Code.

Prior to Issuance of Grading Permits

P16. (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).

P17. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P18. Prior to any disturbance of the site, clearing of the site or grading permit issuance, the clearing of potential nesting vegetation shall be conducted outside of the nesting season (February 1st to August 31st). If vegetation must be removed during the nesting season a qualified biologist shall conduct a nesting bird survey of potentially suitable nesting vegetation prior to removal not more than 3 days prior to scheduled removals. If active nests are identified, the biologist will be required to establish appropriate buffers around the vegetation containing the active nests. The vegetation containin the active nest is not permitted to be removed, and no grading shall occur within the established buffer, until a qualified biologist has determined that the nest is no longer active.

P19. (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)

P20. (GP) Prior to approval of a grading plan, a detailed trail plan, indicating widths, maximum slopes, physical conditions, fencing, exercise stations and walls in accordance with City standards, shall be reviewed and approved by the Planning Division and Parks and Community Services.

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) 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.

P23. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval per the Planned Unit Development Covey Ranch Development Guidelines and where silent, the City's Municipal Code.

P24. (GP) Prior to issuance of grading permits a design review application shall be submitted and approved for the product to include colors, materials and a plotting list for each lot.

P25. (GP) Prior to approval of precise grading plans, final front and street side yard landscape and irrigation plans shall be submitted to the Planning Division for review and approval per the Landscape Requirements and the PUD Guidelines.

PRIOR TO BUILDING PERMITS

P26. (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. Gas and Electrical meters shall be located on the garage side of the dwelling out of public view. All air conditioning units shall be behind the side fence or in the rear of the parcel out of public view.

P27. (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)

P28. (BP) Prior to issuance of any building permits, final landscaping and irrigation plans shall be submitted for the HOA maintained areas, basins, trails, right of way areas, slopes and front yards for review and approval 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 Covey Ranch Development Guidelines and the City's Municipal Code.

P29. 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 PUD guidelines and the City's Landscape Requirements. 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.

PRIOR TO RECORDATION OF FINAL MAP

P30. (R) Prior to final map recordation any required trail easements shall be provided.

P31. (R) Prior to recordation, the developer shall grant a conservation easement(s) to the City for the preservation of the areas designated as open space.

P32. (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, open space use restrictions, conservation easements, water quality basins, lighting, landscaping and common area use items such as exercise stations, public seating areas and other recreation facilities. 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 the Covey Ranch Planned Unit Development Guidelines and/or 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 basins, shall be dedicated to and maintained by a Homeowners Association (HOA). The HOA shall contract with a private maintenance entity or establish a funding mechanism approved by the City in a maintenance agreement for City**

maintenance. 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.

- **All reverse frontage property and public right-of-way landscape areas, shall be maintained by a Homeowners Association (HOA) or through a property owner funded landscaping district as maintained by the City. 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.**

- **A conservation easement for lettered lots shall be recorded on the deed of the property and shown on the final map. Said easement shall include access restrictions prohibiting motorized vehicles from these areas except on the maintenance road and access driveways for the water quality basins.**

- **Oleander plants or trees shall be prohibited on open space lots adjacent to multi-use trails.**

PRIOR TO CERTIFICATE OF OCCUPANCY

P33. (CO) Prior to issuance of Certificates of Occupancy or building final, the required landscaping and irrigation shall be installed. (DC 9.03.040)

P34. (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).

P35. (BP/CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be inspected by the Planning Division.

Building and Safety Division

B1. New structures shall comply with the current California Building Standards Code (CBC, CEC, CMC, CPC and Green Building Standards) as well as City ordinances. Plans shall be submitted to the Building and Safety Division as a separate submittal and shall include a soils report at time of first submittal. The current code edition is the 2013 CBC.

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. The proposed development may be subject to the payment of development fees as required by the City's Fee Ordinance at the time an application is submitted or prior to the issuance of permits as determined by the City.

B4. Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required.

B5. An automatic fire extinguishing system is required in accordance with the latest adopted California Residential Code and/or Moreno Valley Fire Code Ordinance. Fire suppression systems shall conform to the standards adopted by the National Fire Protection Association and the Moreno Valley Fire Department.

B6. The proposed development shall comply with the latest adopted California Green Building Code Standards. The city has adopted the mandatory standards and does not enforce the voluntary standards.

B7. The proposed new development is subject to the payment of School Fees as required by law. The applicant is required to submit a Certificate of Compliance from the school district to obtain building permits from the City.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community & Economic Development Director Building Division, 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.

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. Addresses needs to be in plain view visible from the street and visible at night.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA13-0039, P13-078
APN: 474-490-024,-025, 474-040-032,-018,-020
DATE: 11/18/13

FIRE PREVENTION BUREAU

1. **This project falls in the Very High Fire Severity Zone and shall comply with the 2010 edition (or most current edition) of the following codes:**
    a. **California Fire Code Chapter 49 Requirements for Wildland-Urban Interface Fire Areas**
    b. **California Building Code Chapter 7A Materials and Construction Methods for Exterior Wildfire Exposure**
    c. **California Residential Code Section R327 Materials And Construction Methods For Exterior Wildfire Exposure**
    d. **California Reference Standard Code Chapter 12-7A Materials and Construction Methods for Exterior Wildfire Exposure**
    e. **All dwellings shall be fire sprinklered.**
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 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 multifamily dwellings including attached and detached garages, pool houses, and other enclosed accessory structures shall be equipped with automatic fire sprinklers."**
4. **Fire access gates shall meet City of Moreno Valley standards.**
5. **Fire flow request is for homes with a square footage under 3600 sf. Any larger structures will require higher fire flows.**
6. **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. 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 ways. Minimum fire flow shall be _1000_ 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).

F3. 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, MVMC 9.15.030)

F4. 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)

F5. 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)

F6. 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)

F7. 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) 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])

F8. 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)

F9. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F10. 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)

F11. 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)

F12. 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)

F13. 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.

F14. 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)

F15. 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.

F16. 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)

F17. 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)

F18. 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.

F19. 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)

F20. 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)

F21. 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)

F22. 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)

F23. 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)

F24. 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)

F25. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F26. 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.

F27. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

CITY OF MORNEO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
PA13-0039 – Conditional Use Permit for a PUD
P13 -078 (PA03-0086) – Revised Tentative Tract Map 31592

Note: All Special Conditions are in Bold lettering and follow the standard conditions.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works 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 Public Works 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) 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 tentative map/master plot plan/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 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.

LD7. (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)

LD8. (G) Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: “Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed.” In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.

LD9. (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)

LD10. (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 Public Works Department.

LD11. (G) Water quality basins designed to meet Water Quality Management Plan (WQMP) requirements for single-family residential development may not be used as a construction best management practice. The water quality basin shall be maintained for the entire duration of project construction and be used to treat runoff from those developed portions of the project. The water quality basin shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. The water quality basin shall be graded per the approved design drawings and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Homeowner's Association. The Homeowner's Association shall enter into an agreement with the City for basin maintenance.

LD12. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD13. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work. Prior to approval of the TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.

LD14. (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

LD15. (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.

LD16. (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 Public Works 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 Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD17. (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.

LD18. (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.

LD19. (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 Public Works Department.

LD20. (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) digital format (PDF) prior to grading plan approval.

LD21. (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.

LD22. (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 in digital format (PDF).

LD23. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD24. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD25. (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.

LD26. (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.

LD27. (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.

LD28. (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)

LD29. (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. (MC 8.21.070)

LD30. (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 implementation and maintenance of erosion control measures required as a condition of approval of the project. At least twenty-five (25) percent of the required security shall be in cash and shall be deposited with the City. (MC 8.21.160)

LD31. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD32. (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. In addition, for single-family residential development, the developer shall submit bylaws and articles of incorporation for review and approval as part of the maintenance agreement for any water quality basin.

LD33. (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.

LD34. (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.

LD35. (MA) Prior to approval of the map, the developer shall enter into 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 required to be constructed as part of the project. (MC 9.14.110)

LD36. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD37. (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.

LD38. (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)

LD39. (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.
g. 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
h. Establish an endowment to cover future maintenance costs for the Residential NPDES Regulatory Rate Schedule.
i. 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)

LD40. (MR) Prior to recordation of the Final Map, the Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the

initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

Prior to Improvement Plan Approval or Construction Permit

LD41. (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.

LD42. (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)

LD43. (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.

LD44. (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.

LD45. (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.

LD46. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD47. (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.

LD48. (IPA) Prior to approval of the improvement plans, the developer shall pothole to determine the exact location of existing underground utilities. The improvement plans shall be designed based on the pothole field investigation results. The developer shall coordinate with all affected utility companies and bear all costs of utility relocations.

LD49. (IPA) Prior to approval of the improvement plans, all dry and wet utility crossings shall be potholed to determine actual elevations. Any conflicting utilities shall be identified and addressed on the plans. The pothole survey data shall be submitted with the street improvement plans for reference purposes.

LD50. (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.

LD51. (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)

LD52. (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)

LD53. (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 Public Works Department – Land Development Division. (MC 9.14.110)

LD54. (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)

LD55. (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.

LD56. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in digital format (PDF) to the Land Development Division of the Public Works Department.

LD57. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD58. (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)

LD59. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD60. (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.

LD61. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling.
c. The vendor(s) that the applicant proposes to use to haul the materials.
d. Facility(s) the materials will be hauled to, and their expected diversion rates.
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled .

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is

granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

Prior to Certificate of Occupancy

LD62. (CO) Prior to issuance of a certificate of occupancy, the final map shall be recorded.

LD63. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD64. (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.

LD65. (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.

LD66. (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.

LD67. (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)

LD68. (CO) Prior to issuance of a certificate of occupancy or building final for residential projects, the last 20% or last 5 units (whichever is greater, unless as otherwise determined by the City Engineer) of any Map Phase, punch list work for improvements and capping of streets in that phase must be completed and approved for acceptance by the City.

LD69. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD70. (CO) Prior to issuance of a certificate of occupancy or building final for the last 20% of the permitted structures or the last five (5) permitted units (whichever is greater) for any Phase of the development , the Developer shall:

a. Notify City Staff (Land Development Division) prior to construction and installation of all structural BMPs so that an inspection(s) can be performed.
b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
e. Clean and repair the water quality basin, including regrading to approved civil drawing if necessary.
f. Provide City with updated Engineer's Line and Grade Certification.
g. Obtain approval from City to install irrigation and landscaping.
h. Complete installation of irrigation and landscaping.

LD71. (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

LD72. (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

LD73. 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.

a. Covey Road (66' RW / 44' CC) shall be constructed to full-width per City Standard No. MVSI-106B-0. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, cross gutter, any necessary drainage structures including catch basins, local depressions, storm drain laterals and storm drain connection to Line H-10 located within Perris Boulevard, streetlights, pedestrian access ramps, and dry and wet utilities.

b. Manzanita Avenue (56' RW / 36' CC) shall be constructed to full-width per City Standard No. MVSI-106B-0. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, cross gutter, any necessary drainage structures including catch basins, local depressions, storm drain, streetlights, pedestrian access ramps, and dry and wet utilities. It should be noted that this portion of Manzanita Avenue is partially constructed and roadway transitions will be required.

c. Cloud Haven Drive (56' RW / 36' CC), from Manzanita Avenue to Lot 75, shall be constructed to full-width per City Standard No. MVSI-107A-0. . Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, cross gutter, any necessary drainage structures including catch basins, local depressions, storm drain, streetlights, pedestrian access ramps, and dry and wet utilities.

d. Cloud Haven Drive (45' RW / 30' CC), from Lot 75 to Street "B", shall be constructed to full-width per City Standard No. MVSI-107A-0 (modified). Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, cross gutter, any necessary drainage structures including catch basins, local depressions, storm drain, streetlights, pedestrian access ramps, and dry and wet utilities.

e. Interior Streets "A", "B", "C" "D", "E", "F", "I" and "J" (56' RW / 36') CC shall be constructed to full-width per City Standard No. MVSI-106B-0. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, cross gutter, any necessary drainage structures including catch basins, local

depressions, storm drain, streetlights, pedestrian access ramps, and dry and wet utilities.

f. Street "G" (51' RW / 36' CC) shall be constructed to full-width per City Standard No. MVSI-107A-0 (modified). Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, cross gutter, any necessary drainage structures including catch basins, local depressions, storm drain, streetlights, pedestrian access ramps, and dry and wet utilities.

g. All cul-de-sacs shall be shall be constructed per City Standard No. MVSI-163A-0.

LD74. All mulit-use trails shall be shall be constructed per City Standard Series No. MVGF-610 Series as applicable. All parkway landscape and drainage ditches adjacent to muli-use trails shall be privately maintained by a homeowner's association (HOA).

LD75. All storm drains that are smaller than 24" in diameter related to the bio-retention and/or water quality basins that are located within the public right-of-way, shall be privately maintained by an HOA and noted as such in the CC&R's.

LD76. Prior to final map approval, the Developer shall hire an appraiser, approved by the City, to appraise the value of land within the tentative map boundary and belonging to the City of Moreno Valley Community Services District (MVCSD), shown as Lot "E", Lot "I" and that portion of Starshine Drive and request City Council approval of acceptance of an offer to purchase that property. This portion of MVCSD property may be subject to "Surplus Land" as defined by Government Code Section 54221. If so, the developer shall post a cash deposit to cover all costs associated with the process of disposition of land. The Developer shall bear all costs to cause the conveyance of land by Grant Deed in which the City offers to the Developer the land designated as Lot "E", Lot "I" and that portion of Starshine Drive. As the new property owner, the developer shall dedicate to the City that portion of Starshine Drive as shown on the tentative tract for the construction of street improvements along the proposed extension of Starshine Drive.

LD77. Prior to final map approval, Lots "A", "B", "C", "D", "I", "J", "K", and "L" shall be designated as detention or debris basins, whichever the case may be, and retained by the developer. All basins shall be maintained by an HOA.

LD78. Prior to final map approval, Lots "P", "Q", "R", and "S" shall be designated fuel modification zones, including access easements and/or requirements as determined by the Fire Department.

LD79. Prior to final map approval, Lots "M", "MM", "N", and "O" shall be designated as landscape areas as determined by the Planning Division.

LD80. **Prior to final map approval, Lots "T", "U", "V", "W", and "X" shall be designated as trails as determined by the Parks and Community Services Department. The final map shall dedicate trail easements over said lots to the Moreno Valley Community Services District.**

LD81. **Prior to final map approval, Lots "Y", "YY", and "Z" shall be designated as open space areas as shown on the tentative tract map.**

LD82. **Prior to rough grading plan approval, steep street grades such as those shown on the tentative tract map Covey Road shall be approved by the City Engineer. Street intersection approach grades shall be designed per Standard MVSI-160C-0 to achieve adequate line of sight and stopping sight distances as approved by the City Engineer.**

LD83. **Prior to rough grading plan approval, the grading plan shall show all offsite flows being intercepted and directed to proposed detention basins. Where those offsite flows are directed into a proposed concrete v-ditch, splash walls shall be constructed to help intercept and direct flows into v-ditch to prevent trail washout.**

LD84. **Prior to rough grading plan approval, Lots "A", "B", "C", "D", "I", "J", "K", and "L"designated as detention or debris basins, the grading plan shall show maintenance access drives.**

LD85. **Prior to rough grading plan approval, the grading plans shall clearly demonstrate, with detail, the proper function and design of the water quality basin (shown as Lot "G" on the tentative tract map). The design of the basin shall conform to City guidelines as found on the City's website. The water quality basin design, including inlet/outlet/overflow/maintenance access locations, shall be designed per the approval of the City engineer. (http://www.moreno-valley.ca.us/city_hall/forms.shtml#wqmp).**

LD86. **Prior to approval of any grading plan, the plans and the submitted drainage study shall clearly demonstrate this project's increased runoff mitigation. This project shall not discharge runoff at a rate greater in the post developed condition than that in the pre-developed condition, for any given storm event. The storms to be studied include the 1-hour, 3-hour, 6-hour and 24-hour duration events for the 2-year, 5-year, 10-year and 100-year return frequencies.**

LD87. **Prior to issuance of a building permit, the Developer shall submit Covenant Conditions and Restrictions (CCR's) stating that an HOA will be responsible for maintaining open space areas, detention basins, debris basins, water quality basins and bio-retention basins as well as any other common facilities identified by the City Engineer.**

LD88. **Prior to the issuance of the first building permit, a Construction Phasing Plan shall be submitted to the Land Development Division for review and approval.**

LD89. **Prior to the issuance of the first occupancy for any Construction Phase, all public improvements shall be complete for that phase. This includes any**

public improvements that are required or necessary for access purposes and/or the safe and proper conveyance of run-off into approved public and/or private drainage facilities.

LD90. All onsite runoff shall be directed to water quality and/or bio-retention basins before entering the public storm drain system. Additional water quality basins from those proposed on the tentative tract map may be necessary as required by the City Engineer.

LD91. The developer shall be required to grade and build the water quality basins and bio-retention basins to allow maintenance vehicles access. This will be accomplished by separate designated road or by a 5:1 slope ratio on one side that permits vehicles the ability to drive into the basin. The City of Moreno Valley Land Development division, Storm Water Management Program section shall have final determination regarding the basin configuration and slope ratios. Signature on the grading plans by the Storm Water Management Program shall be required per the conditions of approval.

LD92. Overall, the proposed LID BMP concept (Alternate 1 or Alternate 2) is accepted as the conceptual LID BMP implementation for the proposed site. The Applicant has proposed to incorporate the use of Bioretention facilities and an extended detention (water quality) basin. Final design details of these LID BMPs must be provided in the first submittal of the F-WQMP. The sizes of all LID BMPs are to be determined using the current procedures set forth the Riverside County Flood Control and Water Conservation District's Design Handbook for Low Impact Development Best Management Practices. 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, subject to "effective area" requirements.

LD93. In first submittal of the Final WQMP, Applicant shall submit a project-specific document that solely presents either Alternative 1 or Alternative 2 that as proposed in the approved P-WQMP, and that is in general conformance with the approved Preliminary WQMP.

Alternative 1 proposes a bio-retention basin located within Lot "E". Lot "E" is located on the south side of Starshine Drive between Lot "I" (Starshine Detention Basin) and Lot "N". In addition, bio-retention cells are proposed on the single-family residential Lots 7 through 23, 41, and 42.

Alternative 2 proposes changing Lot 14 from a single-family residential lot to a lettered Lot "E" for a larger bio-retention basin than that proposed in Alterntive 1. In addition, the proposed bio-retention cells on the single-family residential lots will not be constructed.

The Applicant acknowledges Alternative 1 as a possible water quality treatment feature only if the City has the appropriate policy, assessment rates, monitoring plan, enforcement, maintenance requirements, etc. in place when the project submits the F-WQMP and construction plans. At this time, the City does not have any of the aforementioned items in place and it is likely that Alternative 2 will need to be shown on the F-WQMP and

constructed accordingly once the project undergoes the design construction phase.

LD94. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP) for PA13-0039, PA13-078 – Tract 31592 Covey Ranch (Project). The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Water Quality Management Plan, A Guidance Document for the Santa Ana Region of Riverside County," with an approval date of October 22, 2012 (WQMP Guidance). The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits or building permits. At a minimum, the F-WQMP shall include the following: LID principles; Harvest and Use BMPs (as applicable); Source control BMPs; LID BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD95. The Applicant shall substantiate all applicable Hydrologic Condition of Concern (HCOC) issues in the first submittal of the F-WQMP.

LD96. The Applicant shall record with the County-Clerk Recorder a "Covenant and Agreement" that informs future property owners of the requirements to implement the approved F-WQMP and the associated Master F-WQMP. The "Covenant and Agreement" shall be in a form acceptable to the City of Moreno Valley. The Applicant may propose, subject to approval by the City of Moreno Valley, the recording of alternative documents to inform future owners of the requirements to implement the approved F-WQMP. Documents shall be approved by the City of Moreno Valley and recorded with the County-Clerk Recorder prior to issuance of building or grading permits.

LD97. As-built drawings shall be submitted for review and approval at the completion of improvements and prior to the 90% improvement security release for the following drawings: street Improvement, storm drain improvement, traffic signals, and signing and striping. Additional as-built drawings may be required as determined by the City Engineer.

LD98. As-built drawings for precise grading plans shall be submitted for review and approval prior to the last issuance of certificate of occupancy for any construction phase or as determined by the City Engineer.

CITY OF MORENO VALLEY
Public Works
Transportation Engineering Division

MEMORANDUM

To: Julia Descoteaux, Associate Planner

From: Michael Lloyd, Senior Engineer

Date: February 25, 2014

Subject: **Conditions of Approval for PA13-0039, P13-078** – Conditional Use Permit for TTM 31592 and Planned Unit Development for 118 single family residential units located east of Perris Boulevard and north of Manzanita Avenue.

Attached are the Transportation Engineering Conditions of approval for the subject project.

CITY OF MORENO VALLEY

CONDITIONS OF APPROVAL
PA13-0039, P13-078

Conditional Use Permit for TTM 31592 and Planned Unit Development for 118 single family residential units located east of Perris Boulevard and north of Manzanita Avenue.

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. A focused traffic study shall be prepared by a registered Traffic Engineer that assesses any feasible traffic calming measures that could be implemented within the project and to the connections to Perris Boulevard. This study shall be completed and recommended traffic calming measures shall be installed by the developer prior to final Certificate of Occupancy to the satisfaction of the City Traffic Engineer.

TE2. 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. 117A for residential driveway approach.

TE3. 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

TE4. 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.

TE5. 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.

TE6. Prior to final approval of the street improvement, grading, and/or landscape 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 CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE7. (CO) Prior to issuance of a Certificate of Occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans to the satisfaction of the City Traffic Engineer. If the project is constructed per a Phasing Plan, then the signing and striping shall be installed consistent with the Phasing Plan to the satisfaction of the City Traffic Engineer.

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

TE8. 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: PA13-0039 (CUP for a PUD) and P13-078 (Revised TTM 31592)
APNs: 474-490-024, -025, and 474-040-032
08.22.13

FINANCIAL & MANAGEMENT SERVICES 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 **PA13-0039**; 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 Financial & Management Services 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) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual parcel taxes for Zone A and Zone C for operations and capital improvements.

SD-2 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-3 The ongoing maintenance of any landscaping required to be installed in the parkways and open spaces areas shall be the responsibility of the Home Owners Association.

SD-4 Street light Authorization forms, for all street lights that are conditioned to be installed as part of this project, must be submitted to the Special Districts Division for approval, prior to street light installation. The Street light 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

SD-5 (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 or proof of payment to establish the endowment shall be provided prior to the issuance of the first building permit for this project.

SD-6 (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)

SD-7 (R) This project is conditioned to provide a funding source for the capital improvements, energy charges, and maintenance for residential street lighting. 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 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 **residential street lighting** 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 residential street lights; or
c. Establish an endowment to cover future maintenance costs for the residential street lights.

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

SD-8 *Residential* (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)

SD-9 (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.

Prior to Building Permit Issuance

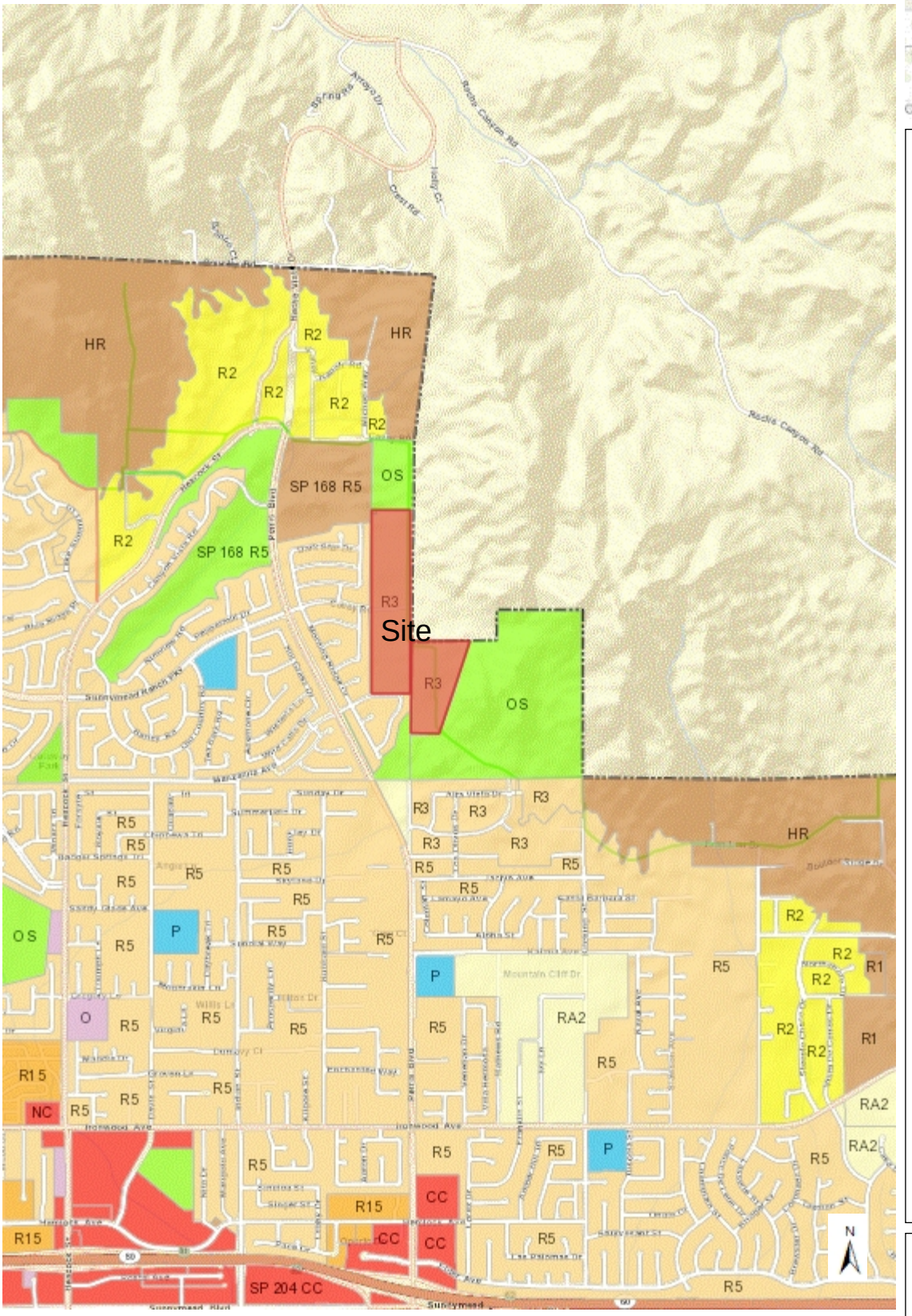
SD-10 (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee 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. The Developer must notify Special Districts of intent to request building permits 90 days prior to their issuance. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD-11 (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) street lights 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 street lights to be accepted into the CSD Zone B and/or Zone C programs. Any change in the project which may increase the number of street lights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PA13-0039, P13-078jd



Legend

Zoning

- Commercial
- Industrial/Business Park
- Public Facilities
- Office
- Planned Development
- Large Lot Residential
- Residential Agriculture 2 DU/AC
- Residential 2 DU/AC
- Suburban Residential
- Multi-family
- Open Space/Park

Master Plan of Trails

- Bridge
- Improved
- Multiuse
- Proposed
- Regional
- State

- City Boundary
- Sphere of Influence

Notes

4,749.2 0 2,374.59 4,749.2 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

DISCLAIMER: The information shown on this map was compiled from the City of Moreno Valley GIS and Riverside County 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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PA13-0039, P13-078jd

Legend

- Public Facilities
  - Public Facilities
  - Fire Stations
- Parcels
- City Boundary
- Sphere of Influence

Notes

1,662.8 0 831.40 1,662.8 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

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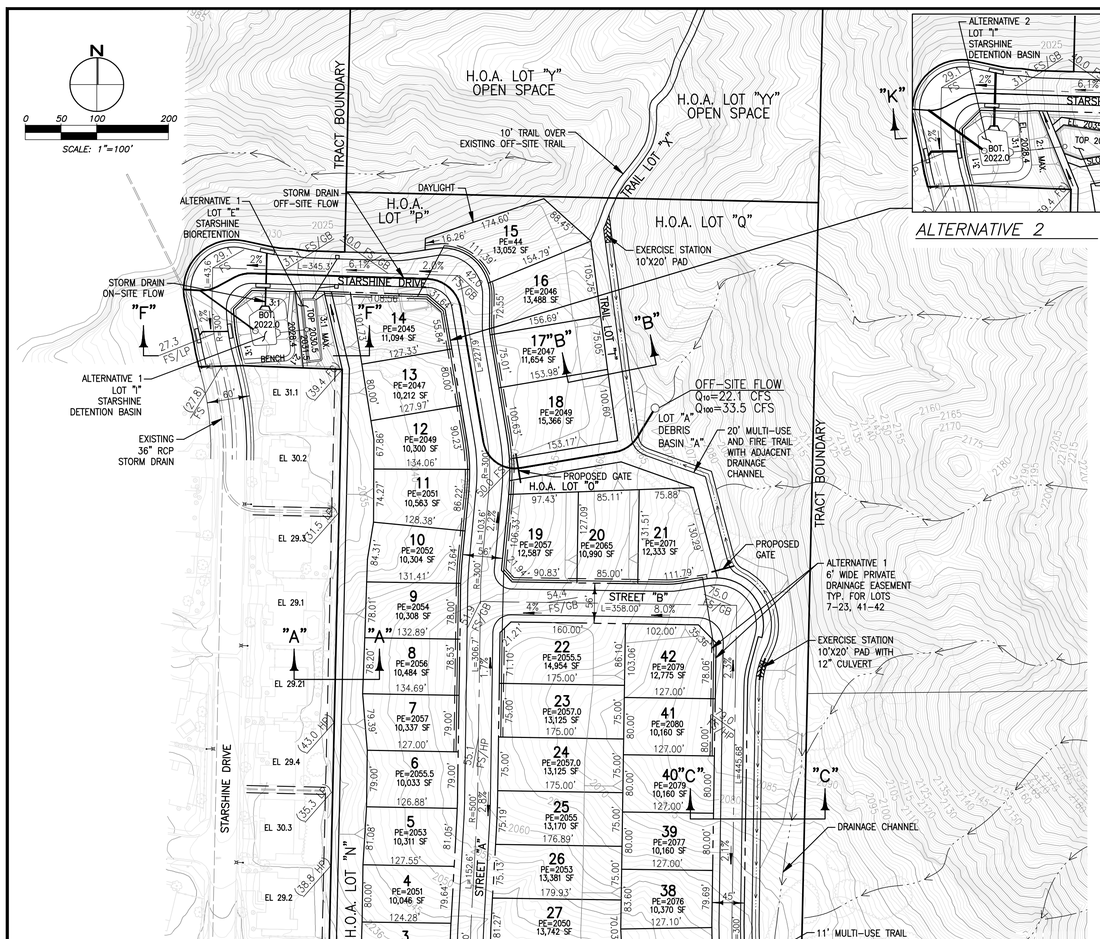
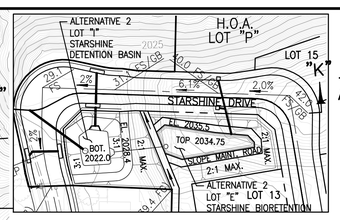
IN THE CITY OF MORENO VALLEY,
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

TENTATIVE TRACT MAP 31592 (REVISED) AND CONCEPTUAL GRADING PLAN

WINCHESTER ASSOCIATES, INC. MARCH 2014

No.	REVISIONS	BY	DATE
1			
2			
3			





ALTERNATIVE 2

GENERAL NOTES

OWNER

CV COMMUNITIES, LLC
C/O ADAM SMITH
1900 QUAIL STREET
NEWPORT BEACH, CA 92660
(949) 258-7519

APPLICANT

CV COMMUNITIES, LLC
C/O ADAM SMITH
1900 QUAIL STREET
NEWPORT BEACH, CA 92660
(949) 258-7519

ENGINEER

WINCHESTER ASSOCIATES, INC.
DAVID J. SLAWSON, LS # 4724
23640 TOWER STREET SUITE 3
MORENO VALLEY, CA. 92553 (951)
924-5425 FAX 924-2980

FLOOD HAZARD

ZONE X PER COMMUNITY PANEL 065074-0010A

SCHOOL

MORENO VALLEY UNIFIED SCHOOL DISTRICT

THOMAS BROTHERS GUIDE

PAGE 687 G-5 2002 EDITION

PUBLIC UTILITIES

WATER	EMWD
SEWER	EMWD
ELECTRICITY	CITY OF MORENO VALLEY
GAS	THE GAS CO.
TELEPHONE	VERIZON
CABLE	ADELPHIA

ASSESSOR'S PARCEL NO.

474-490-024, 474-490-025 AND 474-040-032

LEGAL DESCRIPTION

THE EASTERLY RECTANGULAR 660 FEET OF THE NORTHERLY RECTANGULAR 1320 FEET OF THE S.E. 1/4 OF SEC.30, T.2S. ,R.3W., S.B.M.
THE EASTERLY RECTANGULAR 660 FEET OF THE N.E. 1/4 OF SEC.30, T.2S., R.3W., S.B.M.
A PORTION OF THE WEST HALF OF SEC.29, T.2S., R.3W., S.B.M.

BENCH MARK

LOCATION:
BM1 FD. CHIS. TOP OF HEADWALL 6' SO. OF NE. END AT S.E. COR. INT. OF HEACOCK & IRONWOOD PER CO. FB. 1062. PG.1. CO. SURVEY NO. 4473.

ELEVATION: 1649.51

EARTHWORK ESTIMATE

	EXCAVATION		EMBANKMENT
RAW CUT	449,830 CY	RAW FILL	363,830 CY
SHRINKAGE (10%%%)	–		36,000 CY
SUBSIDENCE (0.1')	–		10,000 CY
OVEREXCAVATION	–		40,000 CY
TOTAL	449,830 CY		449,830 CY

LAND USE AND ZONING

CURRENT GENERAL PLAN	R3 AND OS
CURRENT ZONING	R3 AND OS RA 2 1/2 (COUNTY)
PROPOSED ZONING	P.U.D.
EXISTING USE	VACANT
PROPOSED LAND USE	SINGLE FAMILY RESIDENTIAL

LOTS OWNED AND MAINTAINED BY HOA:

LOTS "A", "B", "C" AND "D" – DEBRIS BASINS
LOTS "E", "F", "G" AND "H" – WATER QUALITY FACILITIES
LOTS "I", "J", "K" AND "L" – DETENTION BASINS
LOTS "M", "MM", "N" AND "O" – LANDSCAPE SLOPES
LOTS "P", "Q", "R" AND "S" – FUEL MODIFICATION ZONES

TRAIL LOTS TO THE CITY OF MORENO VALLEY AS EASEMENTS:
LOTS "T", "U" AND "V" ON-SITE TRAILS
LOTS "W" AND "X" OFF-SITE TRAILS

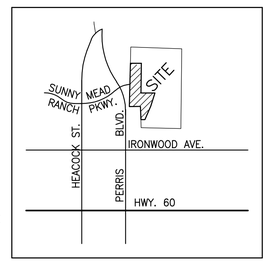
OPEN SPACE LOTS:
LOTS "Y", "YY" AND "Z"

AREA AND DENSITY

GROSS ACREAGE	203.52 ACRES
NET DEVELOPED AND FUEL MODIFICATION ACREAGE	64.65 ACRES
NATURAL OPEN SPACE	138.87 ACRES
MINIMUM LOT SIZE	10,000 S.F.

ALTERNATIVE 1
TOTAL NO. OF LOTS CREATED 115
DENSITY: 115 LOTS/203.52 ACRES = 0.57 UNITS PER GROSS ACRE
DENSITY: 115 LOTS/64.65 ACRES = 1.78 UNITS PER NET DEVELOPED ACRE

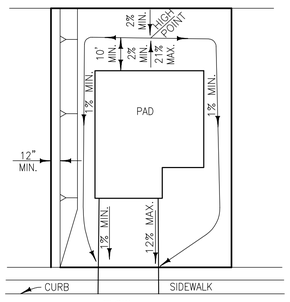
ALTERNATIVE 2
TOTAL NO. OF LOTS CREATED 114
DENSITY: 114 LOTS/203.52 ACRES = 0.56 UNITS PER GROSS ACRE
DENSITY: 114 LOTS/64.65 ACRES = 1.76 UNITS PER NET DEVELOPED ACRE



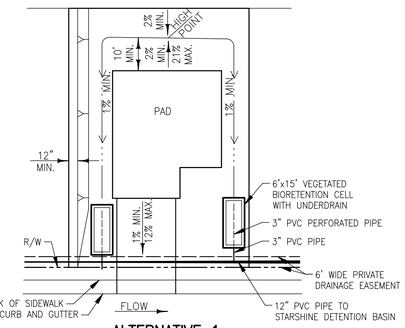
VICINITY MAP
N.T.S.

LEGEND

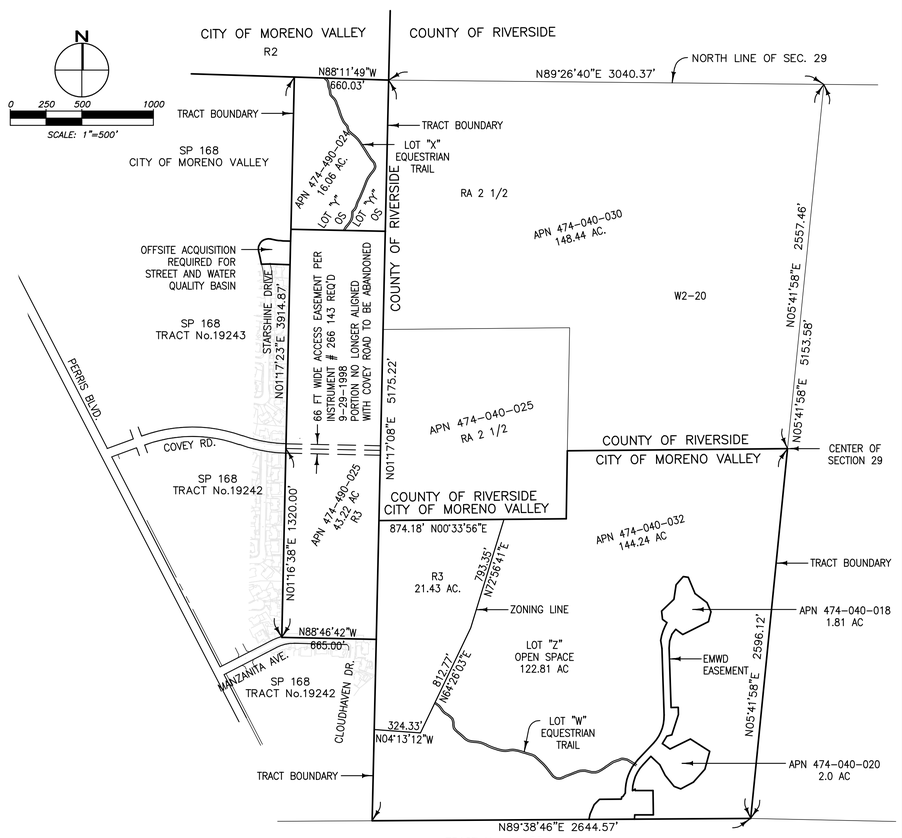
- PROPERTY BOUNDARY
- CENTERLINE
- PROPOSED R/W
- EXISTING R/W
- PROPOSED CURB & GUTTER
- EXISTING EDGE OF PAVEMENT
- EXISTING UTILITIES
- DRAINAGE FLOWLINE
- 1550 CONTOUR ELEVATION
- PP EXISTING POWER POLES
- MH EXISTING MANHOLES
- X% STREET GRADE
- EXERCISE STATION

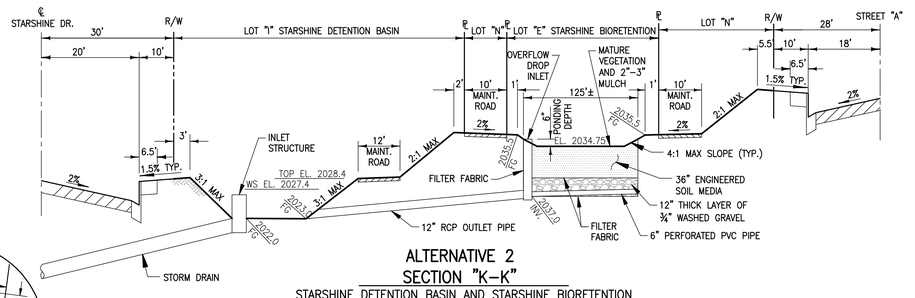


TYPICAL LOT DRAINAGE
(CITY OF MORENO VALLEY STD. 304 AND STD. 706B)
N.T.S.



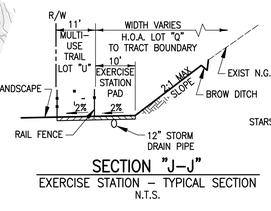
ALTERNATIVE 1
TYPICAL LOT DRAINAGE
LOTS 7 TO 23, 41 AND 42
N.T.S.





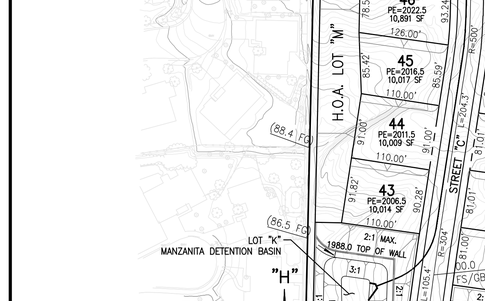
ALTERNATIVE 2
SECTION "K-K"
STARSHINE DETENTION BASIN AND STARSHINE BIORETENTION
N.T.S.

SECTION "E-E"
SOUTHEAST DETENTION BASIN AND SOUTHEAST BIORETENTION
N.T.S.

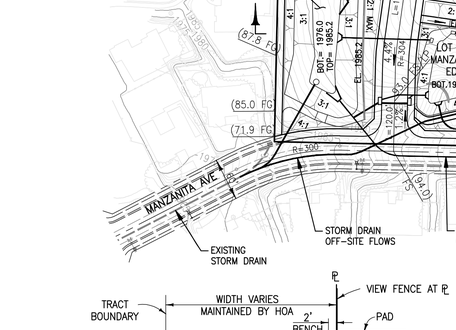


SECTION "J-J"
EXERCISE STATION – TYPICAL SECTION
N.T.S.

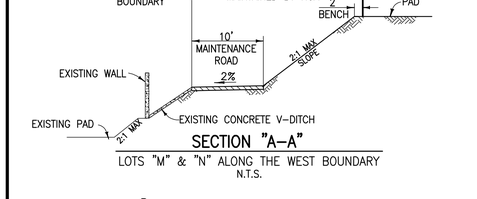
ALTERNATIVE 1
SECTION "F-F"
STARSHINE DETENTION BASIN AND STARSHINE BIORETENTION
N.T.S.



SECTION "A-A"
LOTS "M" & "N" ALONG THE WEST BOUNDARY
N.T.S.

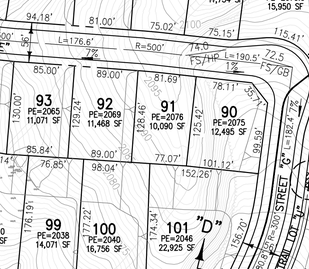


SECTION "B-B"
(CITY OF MORENO VALLEY STD. 217I)
N.T.S.

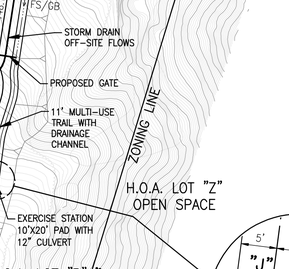


SECTION "C-C"
(MODIFIED STD. 108A AND STD. 217B)
N.T.S.

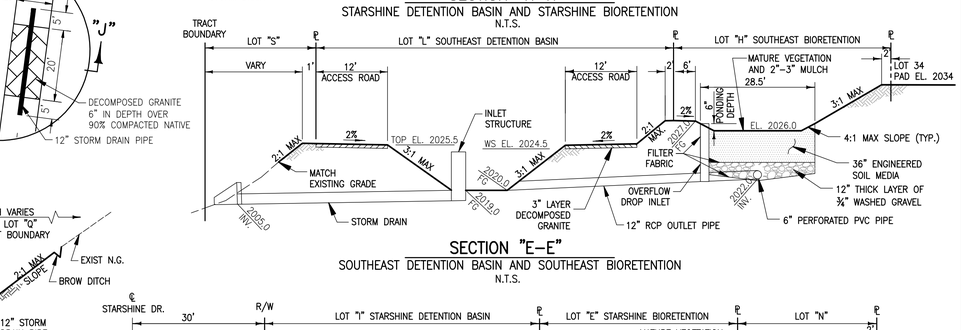
COVEY ROAD
TYPICAL SECTION
(STD. 107)
N.T.S.



MANZANITA AVE.
N.T.S.

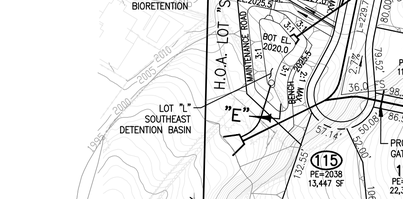


INTERIOR STREETS
TYPICAL SECTION
(STD. 108A)
N.T.S.



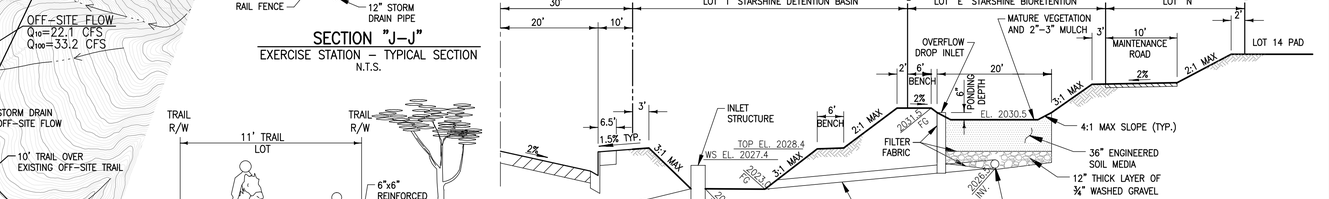
SECTION "G-G"
COVEY DETENTION BASIN AND COVEY BIORETENTION
N.T.S.

SECTION "D-D"
(MODIFIED STD. 108A AND STD. 217B)
N.T.S.



MODIFIED CURB INLET DETAIL
TYPICAL SECTION
N.T.S.

EQUESTRIAN TRAIL
TYPICAL SECTION
(STD. 217B)
N.T.S.



SECTION "H-H"
MANZANITA DETENTION BASIN AND MANZANITA EXTENDED DETENTION BASIN
N.T.S.

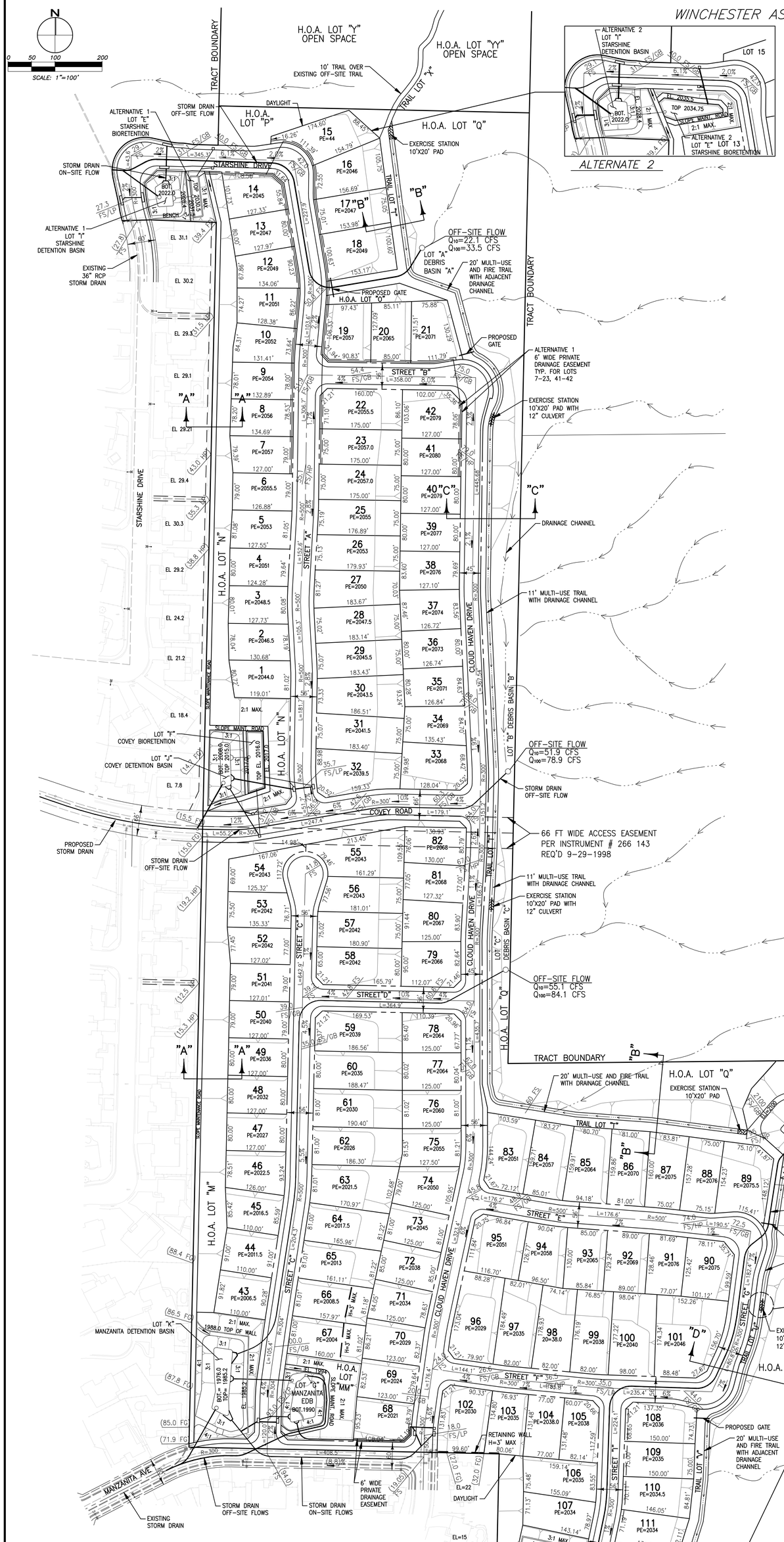
IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

PLANNED UNIT DEVELOPMENT SITE PLAN

TENTATIVE TRACT MAP 31592 (REVISED)

WINCHESTER ASSOCIATES, INC. MARCH 2014

No.	REVISIONS	BY	DATE
1			
2			
3			



ALTERNATE 2

GENERAL NOTES

OWNER

CV COMMUNITIES, LLC
C/O ADAM SMITH
1900 QUAIL STREET
NEWPORT BEACH, CA 92660
(949) 258-7519

APPLICANT

CV COMMUNITIES, LLC
C/O ADAM SMITH
1900 QUAIL STREET
NEWPORT BEACH, CA 92660
(949) 258-7519

ENGINEER

WINCHESTER ASSOCIATES, INC.
DAVID J. SLAWSON, LS # 4724
23640 TOWER STREET SUITE 3
MORENO VALLEY, CA. 92553 (951) 924-5425 FAX 924-2980

FLOOD HAZARD

ZONE X PER COMMUNITY PANEL 065074-0010A

SCHOOL

MORENO VALLEY UNIFIED SCHOOL DISTRICT

THOMAS BROTHERS GUIDE

PAGE 687 G-5 2002 EDITION

PUBLIC UTILITIES

WATER	EMWD
SEWER	EMWD
ELECTRICITY	CITY OF MORENO VALLEY
GAS	THE GAS CO.
TELEPHONE	VERIZON
CABLE	ADELPHIA

ASSESSOR'S PARCEL NO.

474-490-024, 474-490-025 AND 474-040-032

LEGAL DESCRIPTION

THE EASTERLY RECTANGULAR 660 FEET OF THE NORTHERLY RECTANGULAR 1320 FEET OF THE S.E. 1/4 OF SEC.30, T.2S. ,R.3W., S.B.M.
THE EASTERLY RECTANGULAR 660 FEET OF THE N.E. 1/4 OF SEC.30, T.2S., R.3W., S.B.M.
A PORTION OF THE WEST HALF OF SEC.29, T.2S., R.3W., S.B.M.

BENCH MARK

LOCATION:
BM1 FD. CHIS. TOP OF HEADWALL 6' SO. OF NE. END AT S.E. COR. INT. OF HEACOCK & IRONWOOD PER CO. FB. 1062. PG.1. CO. SURVEY NO. 4473.

ELEVATION: 1649.51

EARTHWORK ESTIMATE

	EXCAVATION		EMBANKMENT
RAW CUT	449,830 CY	RAW FILL	363,830 CY
SHRINKAGE (10%%%)	–		36,000 CY
SUBSIDENCE (0.1')	–		10,000 CY
OVEREXCAVATION	–		40,000 CY
TOTAL	449,830 CY		449,830 CY

LAND USE AND ZONING

CURRENT GENERAL PLAN	R3 AND OS
CURRENT ZONING	R3 AND OS RA 2 1/2 (COUNTY)
PROPOSED ZONING	P.U.D.
EXISTING USE	VACANT
PROPOSED LAND USE	SINGLE FAMILY RESIDENTIAL

AREA AND DENSITY

GROSS ACREAGE	203.52 ACRES
NET DEVELOPED AND FUEL MODIFICATION ACREAGE	64.65 ACRES
NATURAL OPEN SPACE	138.87 ACRES
MINIMUM LOT SIZE	10,000 S.F.

ALTERNATIVE 1
TOTAL NO. OF LOTS CREATED 115
DENSITY: 115 LOTS/203.52 ACRES = 0.57 UNITS PER GROSS ACRE
DENSITY: 115 LOTS/64.65 ACRES = 1.78 UNITS PER NET DEVELOPED ACRE

ALTERNATIVE 2
TOTAL NO. OF LOTS CREATED 114
DENSITY: 114 LOTS/203.52 ACRES = 0.56 UNITS PER GROSS ACRE
DENSITY: 114 LOTS/64.65 ACRES = 1.76 UNITS PER NET DEVELOPED ACRE

PROJECT DESCRIPTION

THE PROPOSED PROJECT CONSISTS OF 64.65 ACRES OF DEVELOPED AREA AND 138.87 ACRES OF OPEN SPACE. THE TOTAL ACREAGE IS 203.52 ACRES.
TWO ALTERNATIVE DESIGNS ARE PROPOSED.

ALTERNATIVE 1: DEVELOPED AREA WILL HAVE 115 SINGLE-FAMILY DETACHED RESIDENTIAL LOTS, THREE BIORETENTION LOTS, ONE EXTENDED DETENTION BASIN, FOUR DETENTION BASINS, FOUR DEBRIS BASINS AND HILLSIDE FUEL MODIFICATION AREAS. THE DEVELOPED AREA DENSITY IS 1.78 DU/ACRE. ALL LOTS WILL HAVE A MINIMUM PAD WIDTH OF 70 FT AND A DEPTH OF 110 FT. THE MINIMUM LOT SIZE IS 10,000 SF. LOTS 7 TO 23, 41 AND 42 SHALL HAVE INDIVIDUAL BIORETENTION CELLS TO TREAT FIRST FLUSH FLOWS GENERATED BY THE ABOVE LOTS.

ALTERNATIVE 2: DEVELOPED AREA WILL HAVE 114 SINGLE-FAMILY DETACHED RESIDENTIAL LOTS, THREE BIORETENTION LOTS, ONE EXTENDED DETENTION BASIN, FOUR DETENTION BASINS, FOUR DEBRIS BASINS AND HILLSIDE FUEL MODIFICATION AREAS. THE DEVELOPED AREA DENSITY IS 1.76 DU/ACRE. ALL LOTS WILL HAVE A MINIMUM PAD WIDTH OF 70 FT AND A DEPTH OF 110 FT. THE MINIMUM LOT SIZE IS 10,000 SF.

THE PROJECT WILL BE ACCESSIBLE FROM PERRIS BOULEVARD VIA COVEY ROAD, MANZANITA AVENUE, CLOUD HAVEN DRIVE AND STARSHINE DRIVE. THE INTERIOR (LOCAL) STREETS (STREET A, B, C, D, E, F, G AND I) ARE 56 FT WIDE PER CITY STD 108A. COVEY ROAD, A COLLECTOR STREET, IS 66 FT WIDE PER CITY STD 107. MANZANITA AVENUE IS AN EXISTING 60 FT WIDE STREET, BUILT HALF WIDTH THROUGH THE SUBJECT PROJECT, AND WILL REMAIN 60 FT WIDE. A PART OF CLOUD HEAVEN DRIVE ADJACENT TO THE TRAIL IS MODIFIED TO HALF WIDTH PER CITY STD 108A.

A MULTI-USE TRAIL ALONG THE EASTERLY PROPERTY BOUNDARY CONNECTS THE EXISTING OFF-SITE TRAILS. THE TRAIL ADJACENT TO CLOUD HEAVEN ROAD AND STREET "G" IS 11 FT WIDE PER CITY STD 217B. THE TRAIL BEHIND THE RESIDENTIAL LOTS WILL SERVE AS A FIRE ACCESS AND IS 20 FT WIDE PER CITY STD 217I.

TWO SEPARATE STORM DRAIN SYSTEMS ARE PROPOSED ON THE SITE. ONE FOR THE OFF-SITE STORM WATER RUNOFF AND ONE FOR THE ON-SITE RUNOFF. OFF-SITE STORM WATER FLOWS IMPACT THE PROJECT FROM EAST. A DRAINAGE CHANNEL ALONG THE EASTERLY PROPERTY BOUNDARY IS INTERCEPTING THE FLOWS. THE RUNOFF SHALL BE DESILTED AT PROPOSED DEBRIS BASINS, CONVEYED THROUGH THE STORM DRAIN SYSTEM FOR OFF-SITE FLOWS AND DISCHARGED INTO THE EXISTING SUNNYMEAD ADP LINE "H-10" AT PERRIS BOULEVARD OR INTO A NATURAL CHANNEL AT THE SOUTHEAST CORNER OF THE PROPERTY. ON-SITE STORM WATER FLOWS SHALL BE CAPTURED AND CONVEYED BY THE STORM DRAIN SYSTEM FOR ON-SITE FLOWS. FIRST FLUSH AND DRY WEATHER NUISANCE FLOWS SHALL BE ROUTED THROUGH THE PROPOSED WATER QUALITY BASINS AND THEN DISCHARGED INTO THE STORM DRAIN.

GENERAL NOTES

ALL STREET RIGHT OF WAYS TO BE PUBLIC OWNED AND MAINTAINED.

ALL HOMES SHALL BE FIRE SPRINKLERED.

THE APPLICANT/DEVELOPER RESERVES THE THE RIGHT TO FILE MULTIPLE FINAL MAPS, PURSUANT TO SECTION 66456.1 OF THE SUBDIVISION MAP ACT. A PHASING PLAN SHALL BE SUBMITTED FOR APPROVAL BY THE CITY PRIOR TO THE RECORDATION OF THE FIRST FINAL MAP.

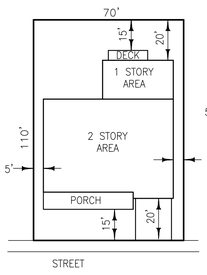
A PERMISSION TO GRADE LETTER SHALL BE REQUIRED PRIOR TO ISSUANCE OF OF A GRADING PERMIT FOR ANY GRADING ON ADJACENT PROPERTIES.

LOTS OWNED AND MAINTAINED BY HOA:

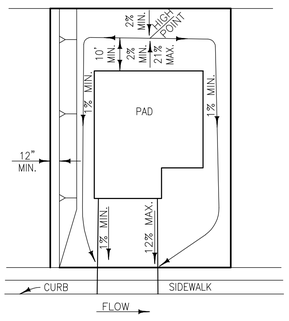
LOTS "A", "B", "C" AND "D" – DEBRIS BASINS
LOTS "E", "F", "G" AND "H" – WATER QUALITY FACILITIES
LOTS "I", "J", "K" AND "L" – DETENTION BASINS
LOTS "M", "MM", "N" AND "O" – LANDSCAPE SLOPES
LOTS "P", "Q", "R" AND "S" – FUEL MODIFICATION ZONES

TRAIL LOTS TO THE CITY OF MORENO VALLEY AS EASEMENTS:
LOTS "T", "U" AND "V" ON-SITE TRAILS
LOTS "W" AND "X" OFF-SITE TRAILS

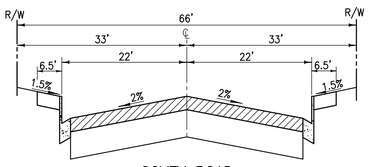
OPEN SPACE LOTS:
LOTS "Y", "YY" AND "Z"



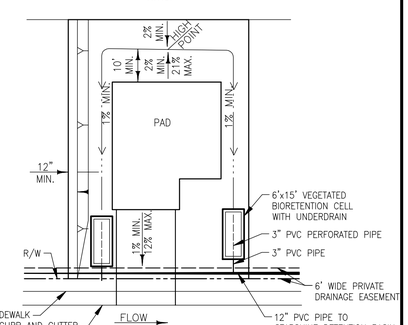
BUILDING SETBACK
N.T.S.



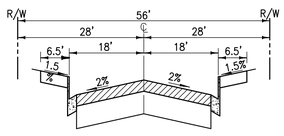
TYPICAL LOT DRAINAGE
(CITY OF MORENO VALLEY STD. 304 AND STD. 706B)
N.T.S.



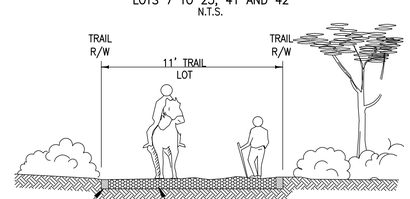
COVEY ROAD
TYPICAL SECTION
(STD. 107)
N.T.S.



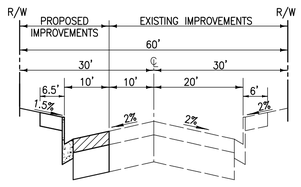
ALTERNATIVE 1
TYPICAL LOT DRAINAGE
LOTS 7 TO 23, 41 AND 42
N.T.S.



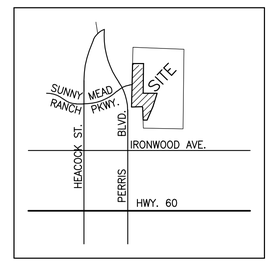
INTERIOR STREETS
TYPICAL SECTION
(STD. 108A)
N.T.S.



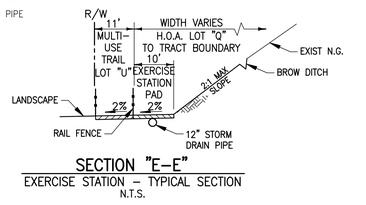
EQUESTRIAN TRAIL
TYPICAL SECTION
(STD. 217B)
N.T.S.



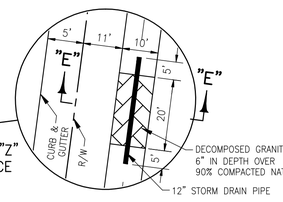
MANZANITA AVE.
N.T.S.



VICINITY MAP
N.T.S.



SECTION "E-E"
EXERCISE STATION – TYPICAL SECTION
N.T.S.

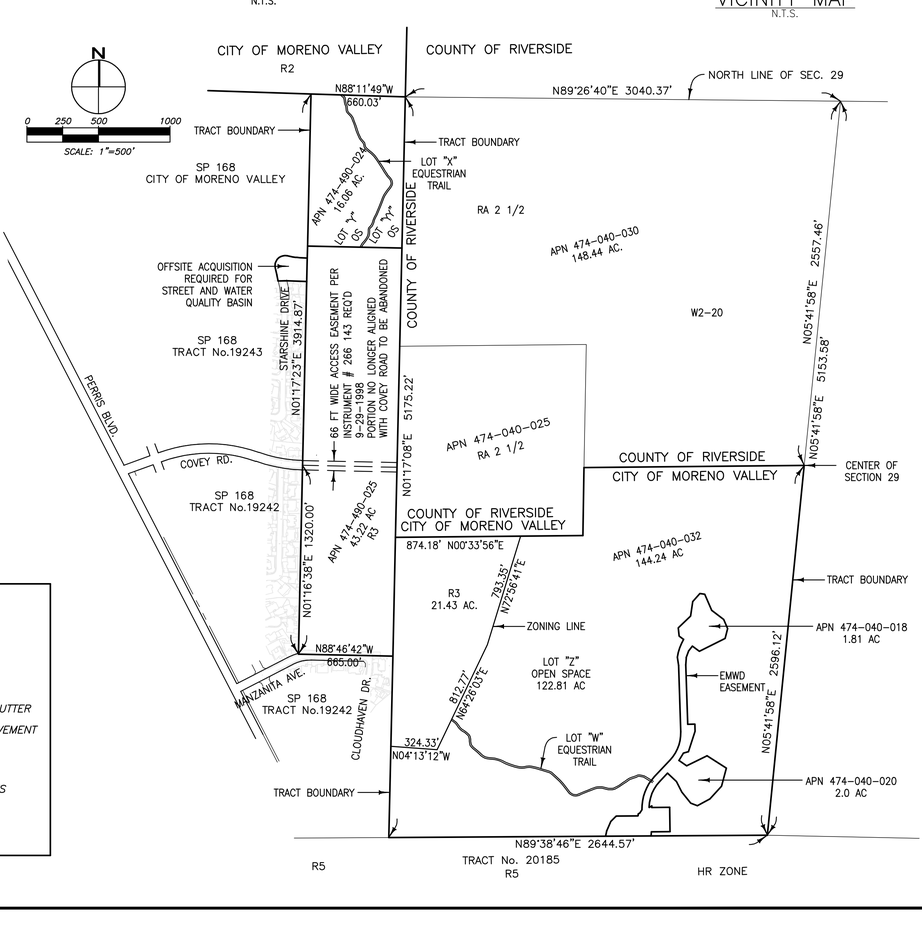


SECTION "A-A"
LOTS "M" & "N" ALONG THE WEST BOUNDARY
N.T.S.

SECTION "B-B"
(CITY OF MORENO VALLEY STD. 217I)
N.T.S.

SECTION "C-C"
(MODIFIED STD. 108A AND STD. 217B)
N.T.S.

SECTION "D-D"
(MODIFIED STD. 108A AND STD. 217B)
N.T.S.



LEGEND

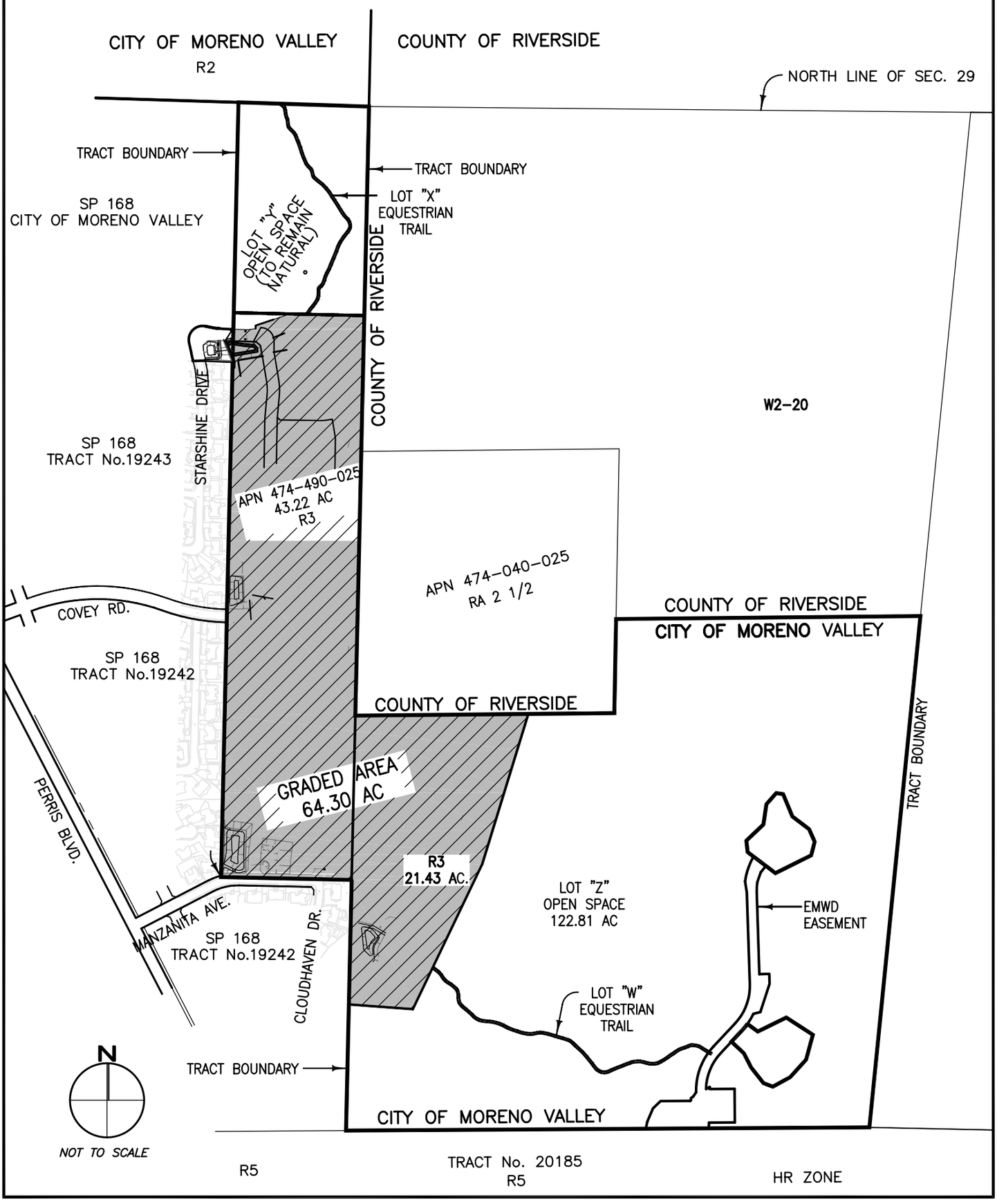
- PROPERTY BOUNDARY
- CENTERLINE
- PROPOSED R/W
- EXISTING R/W
- PROPOSED CURB & GUTTER
- EXISTING EDGE OF PAVEMENT
- EXISTING UTILITIES
- DRAINAGE FLOWLINE
- PP EXISTING POWER POLES
- MH EXISTING MANHOLES
- X% STREET GRADE
- EXERCISE STATION

LIMITS OF GRADING

TENTATIVE TRACT MAP 31592 (REVISED)

IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

WINCHESTER ASSOCIATES, INC. SEPTEMBER 2013



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Negative Declaration Addendum

PA13-0039 and P13-078 (Revised TTM 31592)

Lead Agency: City of Moreno Valley

Planning Division
P.O. Box 88005
Moreno Valley, CA
3/3/2014

City of Moreno Valley

Negative Declaration Addendum
COVEY RANCH
PA13-0039 (CUP for a PUD)
and P13-078 (Revised TTM 31592)

Lead Agency:
City of Moreno Valley
Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552

DATE: March 3, 2014

INITIAL STUDY/
ENVIRONMENTAL CHECKLIST FORM
CITY OF MORENO VALLEY

1. **Project Title:** PA13-0039 (CUP for a PUD) and P13-078 (Revised TTM 31592)

2. **Lead Agency Name and Address:** City of Moreno Valley, Community & Economic Development Department, Planning Division, 14177 Frederick Street, P.O. Box 88005, Moreno Valley, CA 92552

3. **Contact Person and Phone Number:** Julia Descoteaux, Associate Planner, (951) 413-3209

4. **Project Location:** Northeast of Manzanita Avenue and Covey Road (APNs: 474-490-024, 474-490-025, 474-040-032)

5. **Project Sponsor's Name and Address:** CV Communities, LLC, 1900 Quail Street, Newport Beach, CA 92660

6. **Description of the Project:** The proposed Project, PA13-0039 (Conditional Use Permit (CUP) for a Planned Unit Development (PUD)) and P13-078 (Revised Tentative Tract Map (TTM 31592)), herein referred to as "2014 Modified Project," is a modification of previously approved Case Numbers PA00-0035, PA00-0036, PA00-0037, and PA03-0086 approved by the City of Moreno Valley in 2004, herein referred to as the "2004 Approved Project."

   The 2004 Approved Project consists of the following: PA00-0035 is an approved Change of Zone (CZ) application and PA00-0036 is an approved General Plan Amendment (GPA) application on approximately 60 acres located east of Perris Boulevard between Manzanita Avenue and Casey Court along the eastern border of Section 30, Township 2 S, Range 3 W. PA00-0035 and PA00-0036 changed the zoning and general plan designation on those 60 acres from "Residential 2 (up to 2 dwellings per acre)" and "Hillside Residential" to "Residential 3 (up to 3 dwellings per acre)" on 39 acres and "Open Space" on 21 acres. Development is not permitted in the "Open Space" designation. PA00-0037 is an approved pre-annexation zoning and general plan amendment application concerning approximately 138 acres located in the southwest quarter of Section 29, Township 2 S, Range 3 W. The 138 acres were annexed to the City of Moreno Valley on April 26, 2007 (LAFCO Case # 2006-81-1 & 5). Prior to the annexation, Riverside County zoning was "Rural Residential" and "Rural Mountainous," allowing one lot for every 5 - 10 acres. PA00-0037 pre-zoned approximately 20 acres of the property as "Residential 3 (up to 3 dwellings per acre)" and the remaining 118 acres were pre-zoned as "Open Space." These City of Moreno Valley zoning designations became effective upon the property's annexation to the City in 2007. Tentative Tract Map 31592 (TTM 31592) (PA03-0086) is an approval to subdivide 199 acres into 138 residential lots, common ownership lots, open space, and trails, consistent with the general plan and zoning designations of Case Numbers PA00-0035, PA00-0036, and PA00-0037.

The proposed 2014 Modified Project consists of a Revised Tentative Tract Map (TTM 31592) and a CUP for a PUD. Revised TTM 31592 proposes to reduce the number of residential lots previously approved with TTM 31592 from 138 to 115, resulting in 23 fewer residential lots than the 2004 Approved Project. The PUD proposes a reduction/variation for the required residential lot width to allow for the reorientation of lots into an arrangement that improves wildfire protection and view opportunities from the lots to open space areas to the east. The grading footprint of the proposed 2014 Modified Project is nearly identical to the 2004 Approved Project and the general grading and construction characteristics of the 2014 Modified Project are very similar but not identical to the 2004 Approved Project.

Exhibits showing the 2004 Approved Project and the proposed 2014 Modified Project are attached as Figure 1 and Figure 2. As demonstrated by comparing Figure 1 and Figure 2, the 2014 Modified Project is designed to reorient the residential lots to provide better scenic views opportunities from the lots to the open space areas located directly east. Additionally, the 2014 Modified Project provides a single-loaded street along a portion of the residential homes' eastern perimeter, which assists in improving protection from wildfire hazards. The trail system and connections to the off-site trail system, water quality basins (four (4) on-site and one (1) off-site), and water, sewer, storm drain, and other infrastructure systems proposed by the 2014 Modified Project substantially conform to the designs of these features approved as part of the 2004 Approved Project.

The Project site consists of 203.52 acres, of which 64.65 acres would be used for the 115 single-family residential lots and surrounding fuel modifications zones (1.82 units per net developed acre). The remaining 138.87 acres includes natural open space, upgraded trails, water quality basins, internal roads, and improvements to two existing roads (Covey Road and Manzanita Avenue). The proposed development footprint is nearly identical to the 2004 Approved Project.

7. **General Plan Designation:** "Residential 3 (R3)" and "Open Space (OS)"

8. **Existing Zoning:** City of Moreno Valley Zoning: "Residential 3 (R3) and "Open Space (OS)" on APNs 474-490-024, 474-490-025, and 474-040-032. County of Riverside Zoning: RA 2 ½ on the southern portion of APN 474-040-025.

9. **Proposed Zoning:** Planned Unit Development (PUD)

10. **Surrounding Land Uses and Setting:** The property is located south of Casey Court, north of Manzanita Avenue and Alta Vista Drive, and east of Perris Boulevard. A single-family residential community is located between the western boundary of the Project site and Perris Boulevard. The east and north boundary of the Project site form the boundary of the City of Moreno Valley. Unincorporated Riverside County is located to the east and north, consisting of vacant land and hillside residential development. To the east are the southwest-facing slopes of Olive Peak. Olive Peak is a part of a northwest-southeast trending ridge that traverses the eastern portion of the Project site. The sloped topography in the eastern portion of the site transitions to rolling hills in the western portion of the site. Elevation on-site ranges from 1,968 to 2,744 feet above mean sea level. The subject property is currently undeveloped, but contains two (2) Eastern Municipal Water District (EMWD) reservoir outparcels and access easements located within the eastern portion of the property. The western portion of the property (where residential development is approved and proposed) is gently sloping and consists of fallow disked fields that are bare soil or contain some ruderal vegetation. Dominant vegetation types in the remaining areas of the property (where open space is approved and proposed) include coastal sage scrub, an abandoned citrus orchard and olive groves

in the west, non-native grasslands in the south and southeast, chamise chaparral in the northeast, and various ornamental species dominated by Eucalyptus in the western portion of the site.

11. **Other public agencies whose approval is required:** Santa Ana Regional Water Quality Control Board (Construction Activity General Construction Permit; NPDES Permit), Riverside County Flood Control and Water Conservation District (Water Quality Management Permit and storm drain design), and Eastern Municipal Water District (domestic water and sewer system design).

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
	Agriculture and Forest 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.	
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, and because only minor technical changes or additions are necessary, or none of the conditions described in CEQA Guidelines Section 15162 calling for the preparation of a subsequent negative declaration have occurred, nothing further is required.	■

Julia Descoteaux

Signature

DATE 3/3/14

Date

Julia Descoteaux, Associate Planner

Printed Name

City of Moreno Valley

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 New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

I. AESTHETICS. Would the project:

a) Have a substantial adverse effect on a scenic vista?				■

(Source: City of Moreno Valley General Plan Conservation Element; City of Moreno Valley General Plan Figure 7-2, Major Scenic Resources; 2004 Approved Project; 2014 Modified Project; Google Earth Imagery 33°N 117°W)

2004 ND Conclusion: Less than Significant Impact. The project allows for the development of a few additional single-family homes on a portion of the property, which, depending on one's point of view, may degrade visual quality. However, it also provides for the conservation of the hillside terrain, which is about one-third of the acreage, as open space. Preservation of the hillside acreage would have a beneficial effect on visual quality in comparison to the existing land use plan.

Discussion of 2014 Modified Project: The 2014 Modified Project proposes to reduce the number of residential lots approved by TTM 31592 from 138 to 115. Therefore, Revised TTM 31592 would result in 23 fewer residential lots than the 2004 Approved Project and as analyzed by the 2004 ND. The proposed CUP for a PUD proposes to revise the tract design to allow a reduction/variation in the required lot widths to accommodate reorientation of the lots and interior circulation system. The grading footprint of the 2014 Modified Project is nearly identical to the 2004 Approved Project. Because the number of homes would be reduced, and the proposed grading footprint and the grading characteristics would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no potential to create a new impact or more severe effect on a scenic vista than would the 2004 Approved Project. As with the 2004 Approved Project, the 2014 Modified Project would conserve natural hillside terrain as open space in the eastern portion of the property and provide trail connections to the open space, both of which are a beneficial effect.

Finding: The 2014 Modified Project proposes a reduced number of residential lots, similar visual characteristics, and a nearly identical grading footprint and grading characteristics as the 2004 Approved Project. Therefore, the 2014 Modified Project has no potential to result in a new impact or more severe impact to a scenic vista than the 2004 Approved Project. The impact would remain less than significant as concluded by the 2004 ND.

b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				■

(Source: California Scenic Highway Program (Caltrans); City of Moreno Valley General Plan Conservation Element; City of Moreno Valley General Plan Figure 7-2, Major Scenic Resources; Google Earth Imagery 33°N 117°W; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The project allows for the development of a few additional single-family homes on a portion of the property, which, depending on one's point of view, may degrade visual quality. However, it also provides for the conservation of the hillside terrain, which is about one-third of the acreage, as open space. Preservation of the hillside acreage would have a beneficial effect on visual quality in comparison to the existing land use plan.

Discussion of 2014 Modified Project: The Project site is not located within a view corridor of a state scenic highway. The 2014 Modified Project proposes to reduce the number of residential lots previously approved by TTM 31592 from 138 to 115. Therefore, Revised TTM 31592 would result in 23 fewer residential lots than the 2004 Approved Project and as analyzed by the 2004 ND. The proposed CUP for a PUD proposes to revise the tract design to allow a reduction/variation in the required lot widths to accommodate reorientation of the lots and interior circulation system. The grading footprint of the 2014 Modified Project is nearly identical to the 2004 Approved Project. Because the number of homes would be reduced and the proposed grading footprint and grading characteristics would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no potential to create a new impact or more severe impact to scenic resources than would the 2004 Approved Project. As with the 2004 Approved Project, the 2014 Modified Project would conserve natural hillside terrain as open space in the eastern portion of the property and provide trail connections to the open space, both of which are a beneficial effect.

Finding: The 2014 Modified Project would have a reduced number of residential lots, similar visual characteristics, and a nearly identical grading footprint and grading characteristics as the 2004 Approved Project. Therefore, the 2014 Modified Project has no potential to result in a new impact or more severe impact to scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway as compared to the 2004 Approved Project. The property is not within the view of a state scenic highway; therefore, any impact to scenic resources would remain less than significant as concluded by the 2004 ND.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?				■

(Source: Google Earth Imagery 33°N 117°W; 2004 Approved Project; 2014 Modified Project)

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

2004 ND Conclusion: Less than Significant Impact. The project allows for the development of a few additional single-family homes on a portion of the property, which, depending on one's point of view, may degrade visual quality. However, it also provides for the conservation of the hillside terrain, which is about one-third of the acreage, as open space. Preservation of the hillside acreage would have a beneficial effect on visual quality in comparison to the existing land use plan.

Discussion of 2014 Modified Project: The 2014 Modified Project proposes to reduce the number of residential lots previously approved by TTM 31592 from 138 to 115. Therefore, Revised TTM 31592 would result in 23 fewer residential lots than the 2004 Approved Project and as analyzed by the 2004 ND. The proposed CUP for a PUD proposes to revise the tract design to allow a reduction/variation in the required lot widths to accommodate reorientation of the lots and interior circulation system. The grading footprint of the 2014 Modified Project is nearly identical to the 2004 Approved Project. Because the number of homes would be reduced and the proposed grading footprint and grading characteristics would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no potential to create a new impact or more severe impact to the visual quality of the site and its surroundings than would the 2004 Approved Project. As with the 2004 Approved Project, the 2014 Modified Project would conserve natural hillside terrain as open space in the eastern portion of the property and provide trail connections to the open space, both of which are a beneficial effect.

Finding: The 2014 Modified Project would have a reduced number of residential lots, similar visual characteristics, and a nearly identical grading footprint and grading characteristics as the 2004 Approved Project. Therefore, the 2014 Modified Project has no potential to result in a new impact or more severe impact to the visual character of the site and its surroundings than the 2004 Approved Project. The impact would remain less than significant as concluded by the 2004 ND.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				■

(Source: Google Earth Imagery 33°N 117°W; 2004 Approved Project; 2014 Modified Project; Moreno Valley Municipal Code)

2004 ND Conclusion: Less than Significant Impact. The project allows for the development of a few additional single-family homes on a portion of the property, which, depending on one's point of view, may degrade visual quality. However, it also provides for the conservation of the hillside terrain, which is about one-third of the acreage, as open space. Preservation of the hillside acreage would have a beneficial effect on visual quality in comparison to the existing land use plan.

Discussion of 2014 Modified Project: The 2014 Modified Project proposes to reduce the number of residential lots approved by TTM 31592 from 138 to 115. Therefore, Revised TTM 31592 would result in 23 fewer residential lots than the 2004 Approved Project and as analyzed by the 2004 ND. The proposed CUP for a PUD proposes to revise the tract design to allow a reduction/variation in the required lot widths to accommodate reorientation of the lots and interior circulation system. The grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. Because the number of homes would be reduced and associated sources of light and glare would be reduced commensurately, the 2014 Modified Project would have no potential to create a new impact or more severe light or glare impact than would the 2004 Approved Project.

Finding: The 2014 Modified Project would have a reduced number of residential lots, similar visual characteristics, and a nearly identical grading footprint and grading characteristics as the 2004 Approved Project. Sources of light and glare would be reduced commensurately with the reduction in residential lots as compared to the 2004 Approved Project. Therefore, the 2014 Modified Project has no potential to result in a new impact or more severe light or glare impact than the 2004 Approved Project. The impact would remain less than significant as concluded by the 2004 ND.

II. AGRICULTURE AND FOREST 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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. 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?				■

(Source: City of Moreno Valley General Plan Conservation Element, City of Moreno Valley General Plan FEIR Section 5.8, Agricultural Resources, and Figure 5.8-1, Important Farmlands; California Department of Conservation, "Riverside County

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

Important Farmland 2010"; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The proposal will result in the conversion of former farmland and a small orange grove to residential uses. The orange grove is designated as Unique Farmland on the Important Farmland Map published by the California Department of Conservation. The orchard is not economically viable. The remainder of the property is designated Other Land or Grazing Land. The project would result in the conversion of no more farmland to non-agricultural use than would be the case under the existing land use plan.

Discussion of 2014 Modified Project: Since the 2004 Approved Project was approved, the small on-site orange grove designated as Unique Farmland has been abandoned. Unique Farmland is defined by the California Department of Conservation as: "Lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California." Although the portion of the Project site containing the former orange grove is designated as Unique Farmland as mapped by the State Department of Conservation Farmland Mapping and Monitoring Program (FMMP), as stated in the 2004 ND, the grove was not economically viable in 2004. Since that time, the grove has been abandoned. The 2014 Modified Project proposes a nearly identical grading and ground disturbance footprint as analyzed in the 2004 ND. As such, the 2014 Modified Project has no potential to create a new impact or more severe impact on the Unique Farmland designation. The 2004 ND concluded that loss of the orchard was a less than significant impact, because the orchard was not economically viable. At present time, the orchard no longer exists. Further, the City of Moreno Valley General Plan FEIR states that "[t]he General Plan policies support agriculture as an interim use; however, no land in the [city] is designated for agricultural preservation. For these reasons, the 2014 Modified Project has no potential to result in a new impact or more severe impact to agricultural resources than the 2004 Approved Project. The impact would remain less than significant as concluded by the 2004 ND.

Finding: The 2014 Modified Project would have a nearly identical grading and development footprint as the 2004 Approved Project. Therefore, the 2014 Modified Project has no potential to result in a new impact or more severe impact to agricultural resources than the 2004 Approved Project. The impact would remain less than significant as concluded by the 2004 ND.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				■

(Source: On-site Inspection (2014), City of Moreno Valley GIS Maps On-Line, Riverside County Land Information System, City of Moreno Valley General Plan Conservation Element; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The proposal will result in the conversion of former farmland and a small orange grove to residential uses. The orange grove is designated as Unique Farmland on the Important Farmland Map published by the California Department of Conservation. The orchard is not economically viable. The remainder of the property is designated Other Land or Grazing Land. The project would result in the conversion of no more farmland to non-agricultural use than would be the case under the existing land use plan.

Discussion of 2014 Modified Project: The Project site is not zoned for agricultural use and is not burdened by a Williamson Act contract. A portion (APN: 474-490-024 and 474-040-032) of the subject property is zoned "Open Space (OS)," and the remaining portion (APN 474-040-025) is zoned "Residential 3 (R3)". Because the Project site is not located within an Agricultural Preserve, neither the 2004 Approved Project or the 2014 Modified Project has the potential to conflict with a Williamson contract; therefore, the 2014 Modified Project will result in no impact as concluded by the 2004 ND. Similarly, because the property is not zoned for agricultural use, neither the 2004 Approved Project or the 2014 Modified Project has the potential to conflict with existing zoning for agricultural use.

Finding: The 2014 Modified Project is proposed on property that is not zoned for agricultural use and is not covered by a Williamson Act Contract. The 2014 Modified Project would have a nearly identical grading and development footprint as the 2004 Approved Project. Therefore, the 2014 Modified Project has no potential to result in a new impact or more severe impact to agricultural zoning and Williamson Act contracts than the 2004 Approved Project. No impact would occur as concluded by the 2004 ND.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				■

(Source: City of Moreno Valley General Plan Land Use Element; City of Moreno Valley Zoning Ordinance; 2004 Approved Project; 2014 Modified Project; Biological Technical Report (GLA, 2013))

2004 ND Conclusion: This question was not included on the Environmental Checklist Form used in 2004.

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

Discussion of 2014 Modified Project: The Project site does not contain forest land or timberland or lands zoned for such purposes. It is a vacant property a portion of which was formerly farmed. A portion (APN: 474-490-024 and 474-040-032) of the Project site is zoned "Open Space (OS)," and the remaining portion (APN 474-040-025) is zoned "Residential 3 (R3)," which are not zoning designations intended for forest land, timberland, or timberland zoned Timberland Production. Because the Project site does not contain forest land or timberland or timberland zoned Timberland Production, the 2014 Modified Project has no potential to conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220 (g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104 (g)).

Finding: Although the 2004 ND did not address this subject, the 2004 ND contained enough information about the property's existing land use, vegetation types, and zoning that with the exercise of reasonable diligence, information about the absence of forest land and forest land zoning was readily available to the public. The 2014 Modified Project is proposed on property that does not contain and is not zoned for forest land, timberland, or Timberland Production as defined by Government Code Section 51104(g); therefore, no impact would occur.

d) Result in the loss of forest land or conversion of forest land to non-forest use?				■

(Source: City of Moreno Valley General Plan Land Use Element; City of Moreno Valley Zoning Ordinance; 2004 Approved Project; 2014 Modified Project; Biological Technical Report (GLA, 2013))

2004 ND Conclusion: This question was not included on the Environmental Checklist Form used in 2004.

Discussion of 2014 Modified Project: The Project site does not contain forest land. Because the Project site does not contain forest land, the 2014 Modified Project would not result in the loss of forest land or conversion of forest land to non-forest use; therefore, no impact will occur.

Finding: Although the 2004 ND did not address this subject, the 2004 ND contained enough information about the property's existing land use, vegetation types, and zoning that with the exercise of reasonable diligence, information about the absence of forest land and forest land zoning was readily available to the public. The 2014 Modified Project would not convert forest lands to non-forest use because no forest lands exist on the property. Therefore, no impact would occur.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				■

(Source: City of Moreno Valley General Plan FEIR Figure 5.8-1, Important Farmlands; Google Earth; 2004 Approved Project)

2004 ND Conclusion: This question was not included on the Environmental Checklist Form used in 2004.

Discussion of 2014 Modified Project: Since the 2004 Approved Project was approved, the small on-site orange grove designated as Unique Farmland has been abandoned. Unique Farmland is defined by the California Department of Conservation as: "Lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California." Although the portion of the Project site containing the former orange grove is designated as Unique Farmland as mapped by the State Department of Conservation Farmland Mapping and Monitoring Program (FMMP), as stated in the 2004 ND, the grove was not economically viable in 2004. The 2014 Modified Project proposes a nearly identical grading and ground disturbance footprint that was analyzed in the 2004 ND. As such, the 2014 Modified Project has no potential to further convert Farmland to a non-agricultural use. The 2004 ND concluded that loss of the orchard was a less than significant impact, because the orchard was not economically viable. At present time, the orchard has been abandoned and no longer exists. Further, the City of Moreno Valley General Plan FEIR states that "[t]he General Plan policies support agriculture as an interim use; however, no land in the [city] is designated for agricultural preservation. The impact would remain less than significant as concluded by the 2004 ND. The Project site does not contain forest land. Because the Project site does not contain forest land, the 2014 Modified Project would not result in any condition that could convert forest land to non-forest use; therefore, no impact will occur.

Finding: Although the 2004 ND did not address this subject, the 2004 ND contained enough information about the property's existing land use and vegetation types, that with the exercise of reasonable diligence, information about the subject of land use conversion related to forests and Farmland was readily available to the public. The 2014 Modified Project would have a nearly identical grading and ground disturbance footprint as the 2004 Approved Project; therefore, it has no potential to result in a new

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

impact or more severe impact to Farmland. The 2014 Modified Project would not convert forest lands to non-forest use because no forest lands exist on the property. For these reasons, a less than significant impact would occur.

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?				■

(Source: South Coast Air Quality Management District Air Quality Management Plan, 2012; City of Moreno Valley General Plan FEIR, Chapter 5.3 - Air Quality; 2004 Approved Project; 2014 Modified Project; Covey Ranch Air Quality Impact Report (Urban Crossroads 2013))

2004 ND Conclusion: Less than Significant Impact. The amendment allows for the development of a small amount of additional housing than would otherwise be allowed, but it will not result in an increase in the local or regional rate of housing development. Air emissions will be generated to meet the energy demands associated with all housing developments, including electricity, space heating and transportation for the future residents.

Discussion of 2014 Modified Project: The Project site is located within the South Coast Air Basin (SCAB or "Basin") within which air quality is overseen by the South Coast Air Quality Management District (SCAQMD). The SCAQMD has adopted a series of Air Quality Management Plans (AQMPs) to reduce air emissions in the Basin. The most recent AQMP was published in 2012 and relies on SCAG's 2012 Regional Transportation Plan, which assumes build out of land uses called for in local agency General Plans. Because the 2014 Modified Project proposes to reduce the number of residential lots previously approved with TTM 31592 from 138 to 115, resulting in 23 fewer residential lots than the 2004 Approved Project, and is consistent with the City of Moreno Valley's General Plan, the 2014 Modified Project would have no potential to obstruct implementation of the SCAQMD's AQMP. The 2014 Modified Project is consistent with the land use designation that has been in place on the property for the last several iterations of the regional population projections and the AQMP.

Finding: The SCAQMD AQMP relies on land use designations of the City of Moreno Valley General Plan; therefore, because the 2014 Modified Project is consistent with the General Plan land use designations, there is no potential for a conflict with the AQMP. Further, because the 2014 Modified Project proposes to reduce the approved residential lot count by 23 homes, there would be a concomitant reduction in associated air pollutants. The 2014 Modified Project would not conflict with or obstruct implementation of the SCAQMD's AQMP and as concluded by the 2004 ND, the impact would be less than significant. No new significant impact or more severe impact would occur.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.				■

(Source: South Coast Air Quality Management District Air Quality Management Plan, 2012; City of Moreno Valley General Plan FEIR, Chapter 5.3 - Air Quality; 2004 Approved Project; 2014 Modified Project; Covey Ranch Air Quality Impact Report (Urban Crossroads 2013)))

2004 ND Conclusion: Less than Significant Impact. The amendment allows for the development of a small amount of additional housing than would otherwise be allowed, but it will not result in an increase in the local or regional rate of housing development. Air emissions will be generated to meet the energy demands associated with all housing developments, including electricity, space heating and transportation for the future residents.

Discussion of 2014 Modified Project: As with any new development project, the 2014 Modified Project has the potential to generate air pollutants during both construction and long-term operation. The 2014 Modified Project proposes to reduce the number of lots previously approved with TTM 31592 from 138 to 115, resulting in 23 fewer residential lots than the 2004 Approved Project. The reduction in residential lots would result in a concomitant reduction in traffic trips and energy use, which are the primary sources of air pollutants associated with residential development. Therefore, due to the reduction in traffic trips and energy use in the long-term operating condition, the 2014 Modified Project would result in a lesser concentration of air pollutants than the 2004 Approved Project. The grading footprint and construction characteristics of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. Thus, air emissions associated with the short-term construction process would be largely the same; except for emission reductions captured by building 23 fewer homes under the 2014 Modified Project. To substantiate that air pollutant emissions would be below SCAQMD thresholds, a project-specific air quality technical report is appended to this Initial Study, the results of which are summarized in the tables below.

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

SUMMARY OF PEAK OPERATIONAL EMISSIONS (SUMMER)
(POUNDS PER DAY) (WITHOUT MITIGATION)

Operational Activities	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
Area Source Emissions [a]	16.94	0.67	47.39	0.09	6.08	6.08
Energy Source Emissions [b]	0.14	1.17	0.50	0.01	0.09	0.09
Mobile Emissions [c]	5.19	12.42	55.26	0.10	11.39	0.96
Maximum Daily Emissions	**22.27**	**14.26**	**103.15**	**0.20**	**17.56**	**7.13**
SCAQMD Regional Threshold	55	55	550	150	150	55
Significant?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

SUMMARY OF PEAK OPERATIONAL EMISSIONS (WINTER)
(POUNDS PER DAY) (WITHOUT MITIGATION)

Operational Activities	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
Area Source Emissions [a]	16.94	0.67	47.39	0.09	6.08	6.08
Energy Source Emissions [b]	0.14	1.17	0.50	0.01	0.09	0.09
Mobile Emissions [c]	4.98	13.08	51.10	0.09	11.40	0.97
Maximum Daily Emissions	**22.06**	**14.92**	**98.99**	**0.19**	**17.57**	**7.14**
SCAQMD Regional Threshold	55	55	550	150	150	55
Significant?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Note: Please refer to Appendix A for the CalEEMod™ output files and additional supporting information for the estimated emissions.

[a] Includes emissions of landscape maintenance equipment and architectural coatings emissions

[b] Includes emissions of natural gas consumption

[c] Includes emissions of vehicle emissions and fugitive dust related to vehicular travel

LOCALIZED SIGNIFICANCE SUMMARY CONSTRUCTION
(WITH BACMS AND REGULATORY REQUIREMENTS)

Activity	NO_x	CO	PM_{10}	$PM_{2.5}$
2013	66.24	37.11	9.95	6.55
2014	61.57	38.26	9.21	4.14
2015	23.68	20.43	2.10	1.48
2016	21.61	20.08	1.93	1.31
Maximum Daily Emissions	**66.24**	**38.26**	**9.95**	**6.55**
SCAQMD Localized Threshold	236.67	1,345.67	11.00	6.67
Significant?	**NO**	**NO**	**NO**	**NO**

Source: Urban Crossroads, 2013a.

Finding: Because the grading footprint and construction characteristics of the 2014 Modified Project would be nearly identical to the 2004 Approved Project and the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, the 2014 Modified Project would contribute less air pollutant emissions than the 2004 Approved Project. Therefore, the 2014 Modified Project would not increase violations of any air quality standard or contribute substantially to an existing or projected air quality violation. No new significant impact or more severe impact would occur. Consistent with the conclusion made by the 2004 ND, impacts would be less than significant.

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)?				■

(Source: South Coast Air Quality Management District Air Quality Management Plan, 2012; City of Moreno Valley General Plan FEIR, Chapter 5.3 - Air Quality; 2004 Approved Project; 2014 Modified Project; Covey Ranch Air Quality Impact Report (Urban

Crossroads 2013))

2004 ND Conclusion: Less than Significant Impact. The amendment allows for the development of a small amount of additional housing than would otherwise be allowed, but it will not result in an increase in the local or regional rate of housing development. Air emissions will be generated to meet the energy demands associated with all housing developments, including electricity, space heating and transportation for the future residents.

Discussion of 2014 Modified Project: The Project site is located within the South Coast Air Basin (SCAB or "Basin") within which air quality is overseen by the South Coast Air Quality Management District (SCAQMD). State and federal attainment status of the SCAB is summarized in the table below.

ATTAINMENT STATUS OF CRITERIA POLLUTANTS IN THE SOUTH COAST AIR BASIN (SCAB)

Criteria Pollutant	State Designation	Federal Designation
Ozone - 1hour standard	Nonattainment	No Standard
Ozone - 8 hour standard	Nonattainment	Extreme Nonattainment
PM_{10}	Nonattainment	Serious Nonattainment
$PM_{2.5}$	Nonattainment	Nonattainment
Carbon Monoxide	Attainment	Attainment/Maintenance
Nitrogen Dioxide	Nonattainment	Attainment/Maintenance
Sulfur Dioxide	Attainment	Attainment
Lead	Attainment/Nonattainment[4]	Attainment/Nonattainment
All others	Attainment/Unclassified	Attainment/Unclassified

Source: California Air Resources Board 2012 (http://www.arb.ca.gov/desig/desig.htm, http://www.arb.ca.gov/desig/feddesig.htm)

[4] The Los Angeles County portion of the SCAB is classified as nonattainment; the remainder of the SCAB is in attainment of the State Standard.

The SCAQMD works directly with the Southern California Association of Governments (SCAG), county transportation commissions, local governments, and state and federal agencies to reduce emissions from stationary, mobile, and indirect sources to meet state and federal ambient air quality standards. The SCAQMD has adopted a series of AQMPs to reduce air emissions in the Basin. The most recent AQMP was published in 2012 and relies on SCAG's 2012 Regional Transportation Plan, which assumes build out of land uses called for in local agency General Plans. Because the 2014 Modified Project proposes to reduce the number of residential lots approved with TTM 31592 from 138 to 115, resulting in 23 fewer residential lots than the 2004 Approved Project, and is consistent with the City of Moreno Valley's General Plan, the 2014 Modified Project would have no potential to 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. Refer also to the response under Threshold III.b), above.

Finding: Because the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, the 2014 Modified Project would contribute less air pollutant emissions associated with building construction and traffic trips than the 2004 Approved Project. No new significant impact or more severe air quality impact would occur and the 2014 Modified Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. Consistent with the conclusion made by the 2004 ND, impacts would be less than significant.

d) Expose sensitive receptors to substantial pollutant concentrations?				■

(Source: South Coast Air Quality Management District Air Quality Management Plan, 2012; City of Moreno Valley General Plan FEIR, Chapter 5.3 - Air Quality; Google Earth; 2004 Approved Project; 2014 Modified Project; Covey Ranch Air Quality Impact Report (Urban Crossroads 2013))

2004 ND Conclusion: No Impact. The amendment allows for the development of a small amount of additional housing than would otherwise be allowed, but it will not result in an increase in the local or regional rate of housing development. Air emissions will be generated to meet the energy demands associated with all housing developments, including electricity, space heating and transportation for the future residents.

Discussion of 2014 Modified Project: No known point source emitters are located in the immediate vicinity of the Project site. The grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. The 2014 Modified Project is

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

a residential project that does not propose any land uses that may be considered point source emitters; therefore, the 2014 Modified Project would not expose sensitive receptors to substantial pollutant concentrations.

Finding: As the 2014 Modified Project would have a nearly identical grading footprint and grading characteristics as the 2004 Approved project, and is planned for residential use with no point source emitters located on or near the property. Consistent with the conclusion made by the 2004 ND, no impact would occur.

e) Create objectionable odors affecting a substantial number of people?				■

(Source: Project Application Materials; 2004 Approved Project; 2014 Modified Project; Covey Ranch Air Quality Impact Report (Urban Crossroads 2013))

2004 ND Conclusion: No Impact. The amendment allows for the development of a small amount of additional housing than would otherwise be allowed, but it will not result in an increase in the local or regional rate of housing development. Air emissions will be generated to meet the energy demands associated with all housing developments, including electricity, space heating and transportation for the future residents.

Discussion of 2014 Modified Project: As with any new development project, the 2014 Modified Project has the potential to generate air pollutants during both construction and long-term operation. Any temporary odor impacts generated during Project-related construction, such as asphalt paving and the application of architectural coatings, would be short-term and would cease upon completion of the construction phase of the Project. The 2014 Modified Project proposes to reduce the number of lots approved with TTM 31592 from 138 to 115, resulting in 23 fewer residential lots than the 2004 Approved Project. The reduction in residential lots would result in a concomitant reduction in traffic trips and energy use, which are the primary sources of air pollutants associated with residential development. Therefore, due to the reduction in traffic trips and energy use in the long-term operating condition, the 2014 Modified Project would result in a lesser concentration of air pollutants than the 2004 Approved Project. The grading footprint and construction characteristics of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. Thus, air emissions associated with the short-term construction process would be largely the same; except for emission reductions captured by building 23 fewer homes under the 2014 Modified Project.

Finding: Because the grading footprint and construction characteristics of the 2014 Modified Project be nearly identical to the 2004 Approved Project and the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, the 2014 Modified Project would contribute less air pollutant emissions and less temporary odor impacts generated during Project-related construction and operation than the 2004 Approved Project. Therefore, the 2014 Modified Project has no potential to result in a new impact or more severe odor impact. Consistent with the conclusion made by the 2004 ND, no impact 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 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?				■

(Source: City of Moreno Valley General Plan Conservation Element; City of Moreno Valley General Plan FEIR, Chapter 5.9 – Biological Resources; Western Riverside County Multiple Species Habitat Conservation Plan; 2004 Approved Project; 2014 Modified Project; Biological Technical Report (GLA, 2013))

2004 ND Conclusion: Less than Significant Impact. The project allows for the development of single-family homes in a part of the property, which would result in removal of natural habitat. However, the project would result in the loss of less habitat area than the existing land use plan. The project provides for the conservation of most of the area as open space. A biology study of sensitive habitat was prepared by Principe and Associates. Coastal California gnatcatchers were observed or heard within and to the east of the proposed Open Space designations, but the area proposed for development was unoccupied by the gnatcatcher. The project will not result in take of the Coastal California gnatcatcher, a bird that is designated as threatened under the Endangered Species Act. Part of the site is located within designated Coastal California Gnatcatcher Critical Habitat, a designation that affects the actions of federal agencies and federally funded or permitted activities. The project does not require federal funding or a federal permit. The property will be subject to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Moreno Valley became a signatory to the MSHCP Implementing Agreement on January 13, 2004. The resource agencies are scheduled to sign the agreement by the end of May of 2004. The intent of the MSHCP is to ensure the survival of a range of plants and animals and avoid the costs and delays of mitigating biological impacts on a project-by-project basis. The objective is to conserve about 500,000 acres of habitat, funded in part by developer fees. The project site is not within one of the areas identified for conservation. The MSHCP would allow incidental take of listed (threatened and endangered) species as well as unlisted species that might one day become listed. The

MSHCP includes survey requirements for the burrowing owl. Prior to grading, this project would be required to follow the burrowing owl survey requirements.

Discussion of 2014 Modified Project: An updated biological resources survey of the property was conducted in 2013 by Glenn Lukos Associates, the results of which are provided in a biological resources report appended to this Initial Study (GLA, 2013). The survey results confirmed that the biological conditions of the property have not substantially changed since prior studies were conducted to support the 2004 ND. In summary, the property supports nine distinct vegetation/land use types, including chamise chaparral (CC), Riversidean sage scrub (RSS), disturbed Riversidean sage scrub (dRSS), former orchard, non-native grassland (NNG), olive, ornamental, disturbed/ruderal, and western sycamore woodland. A 0.82-acre area that would be impacted off-site to accommodate a water quality basin consists of dRSS and disturbed/ruderal. A large majority of the eastern portion of the property where development is proposed consists of disturbed/ruderal habitat, which is not a sensitive habitat community. Impacts would consist of:

Vegetation/Land Use Type	Total Onsite	Impacts Onsite	Impacts Offsite
Chamise Chaparral	10.25	0.03	0.00
Disturbed Riversidean Sage Scrub	5.04	1.99	0.75
Disturbed/Ruderal	54.18	43.4	0.07
Former Orchard	5.55	4.81	0.00
Non-Native Grassland	21.59	0.09	0.00
Olive	11.46	1.60	0.00
Ornamental	5.98	3.13	0.00
Riversidean Sage Scrub	89.32	0.69	0.00
Western Sycamore Woodland	0.16	0.00	0.00
Total	203.52	55.74	0.82

Source: Glenn Lukos Associates, 2013

The grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. As with the 2004 Approved Project, the 2014 Modified Project would conserve natural hillside terrain as open space in the eastern portion of the property, which is a beneficial effect. In addition, as with the 2004 Approved Project, the 2014 Modified Project provides for conservation of most of the Project site as open space. Since approval of the 2004 Approved Project, the Western Riverside County MSHCP Implementing Agreement was signed by the City of Moreno Valley and became effective. The Western Riverside County MSHCP sets forth a variety of policies and requirements for the protection of biological resources. The Project site is located outside of any MSHCP Plan designated Criteria Cells or Cell groups and does not occur within the Riverside County MSHCP Narrow Endemic Plant Species Survey Area (NEPSSA) or Criteria Area Plant Species Survey Area (CAPSSA). The burrowing owl is designated as a California Department of Fish and Wildlife (CDFW) California Species of Concern. Although the Project site is not located within areas targeted for conservation by the MSHCP, the Project site is located within the MSHCP burrowing owl survey area. Therefore, as with the 2004 Approved Project, the 2014 Modified Project would be required to comply with MSHCP BUOW protocols. Burrowing owl surveys conducted in August 2013 were negative (GLA, 2013). In addition, the 2014 Modified Project is conditioned to comply with City of Moreno Valley Municipal Code Title 3, Chapter 3.48, *Western Riverside County Multiple Species Habitat Conservation Plan Fee Program*, which requires a per-acre local development fee that will assist in providing revenue to acquire and preserve vegetation communities and natural areas within the City and western Riverside County which are known to support threatened, endangered or key sensitive populations of plant and wildlife species. The 2014 Modified Project is also conditioned to comply with the City of Moreno Valley Municipal Code Title 3, Chapter 8.60. *Threatened and Endangered Species*, which requires a per-acre local development mitigation fee pursuant to the City's adopted, "*The Habitat Conservation Plan for the Stephen's Kangaroo Rat in Western Riverside, California*, and as established pursuant to Fee Resolution 89-92. Lastly, the 2014 Modified Project is conditioned (Condition No. PXX) to preclude significant impacts to nesting birds by requiring that the clearing of potential nesting vegetation be conducted outside of the nesting season (February 1st to August 31st) to the extent that this is feasible. If vegetation must be removed during the nesting season, the Condition PXX requires that a qualified biologist conduct a nesting bird survey of potentially suitable nesting vegetation prior to removal. Surveys are required be conducted no more than three (3) days prior to scheduled removals. If active nests are identified, the biologist will be required to establish appropriate buffers around the vegetation containing the active nest. The vegetation containing the active nest is not permitted to be removed, and no grading is allowed to occur within the established buffer, until a qualified biologist has determined that the nest is no longer active (i.e., the juveniles are surviving independent from the nest).

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

Finding: Because the biological conditions of the property have not substantially changed, the grading footprint and grading characteristics of the 2014 Modified Project would be nearly identical to the 2004 Approved Project, and, as with the 2004 Approved Project, the 2014 Modified Project would conserve natural hillside terrain as open space in the eastern portion of the property, and would provide for conservation of most of the area as open space, the 2014 Modified Project has no potential to result in a new impact or more substantial impact on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW. As concluded by the 2004 ND, a less than significant impact would occur.

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 Wildlife or U. S. Wildlife Service?				■

(Source: City of Moreno Valley General Plan Conservation Element; City of Moreno Valley General Plan FEIR, Chapter 5.9 – Biological Resources; Western Riverside County Multiple Species Habitat Conservation Plan; 2004 Approved Project; 2014 Modified Project; Biological Technical Report (GLA, 2013))

2004 ND Conclusion: Less than Significant Impact. The project allows for the development of single-family homes in a part of the property, which would result in removal of natural habitat. However, the project would result in the loss of less habitat area than the existing land use plan. The project provides for the conservation of most of the area as open space. A biology study of sensitive habitat was prepared by Principe and Associates. Coastal California gnatcatchers were observed or heard within and to the east of the proposed Open Space designations, but the area proposed for development was unoccupied by the gnatcatcher. The project will not result in take of the Coastal California gnatcatcher, a bird that is designated as threatened under the Endangered Species Act. Part of the site is located within designated Coastal California Gnatcatcher Critical Habitat, a designation that affects the actions of federal agencies and federally funded or permitted activities. The project does not require federal funding or a federal permit. The property will be subject to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Moreno Valley became a signatory to the MSHCP Implementing Agreement on January 13, 2004. The resource agencies are scheduled to sign the agreement by the end of May of 2004. The intent of the MSHCP is to ensure the survival of a range of plants and animals and avoid the costs and delays of mitigating biological impacts on a project-by-project basis. The objective is to conserve about 500,000 acres of habitat, funded in part by developer fees. The project site is not within one of the areas identified for conservation. The MSHCP would allow incidental take of listed (threatened and endangered) species as well as unlisted species that might one day become listed. The MSHCP includes survey requirements for the burrowing owl. Prior to grading, this project would be required to follow the burrowing owl survey requirements.

Discussion of 2014 Modified Project: An updated biological resources survey of the property was conducted in 2013 by Glenn Lukos Associates, the results of which are provided in a biological resources report appended to this Initial Study (GLA, 2013). The survey results confirmed that the biological conditions of the property have not substantially changed since prior studies were conducted to support the 2004 ND. The grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. As with the 2004 Approved Project, the 2014 Modified Project would conserve natural hillside terrain as open space in the eastern portion of the property, which is a beneficial effect. No substantial adverse effects to riparian habitat would occur, because no riparian habitat is present on the property (GLA, 2013). A large majority of the eastern portion of the property where development is proposed consists of disturbed/ruderal habitat, which is not a sensitive habitat community. Compliance with the Western Riverside County MSHCP as addressed in the response to Threshold IV.a), above, would ensure that the minimal loss of sensitive natural communities would result in less than significant impacts.

Finding: Because the biological conditions of the property have not substantial changed, riparian habitat is not present on the property, the grading footprint and grading characteristics of the 2014 Modified Project would be nearly identical to the 2004 Approved Project, and, as with the 2004 Approved Project, the 2014 Modified Project would conserve natural hillside terrain as open space in the eastern portion of the property, and would provide for conservation of most of the area as open space, the 2014 Modified Project has no potential to result in a new impact or more substantial impact on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW. As concluded by the 2004 ND, a less than significant impact would occur.

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?				■

(Source: City of Moreno Valley General Plan Conservation Element; City of Moreno Valley General Plan FEIR, Chapter 5.9 – Biological Resources; Western Riverside County Multiple Species Habitat Conservation Plan; 2004 Approved Project; 2014

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

Modified Project; Biological Technical Report (GLA, 2013))

2004 ND Conclusion: No Impact. The project allows for the development of single-family homes in a part of the property, which would result in removal of natural habitat. However, the project would result in the loss of less habitat area than the existing land use plan. The project provides for the conservation of most of the area as open space. A biology study of sensitive habitat was prepared by Principe and Associates. Coastal California gnatcatchers were observed or heard within and to the east the proposed Open Space designations, but the area proposed for development was unoccupied by the gnatcatcher. The project will not result in take of the Coastal California gnatcatcher, a bird that is designated as threatened under the Endangered Species Act. Part of the site is located within designated Coastal California Gnatcatcher Critical Habitat, a designation that affects the actions of federal agencies and federally funded or permitted activities. The project is does not require federal funding or a federal permit. The property will be subject to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Moreno Valley became a signatory to the MSHCP Implementing Agreement on January 13, 2004. The resource agencies are scheduled to sign the agreement by the end of May of 2004. The intent of the MSHCP is to ensure the survival of a range of plants and animals and avoid the costs and delays of mitigating biological impacts on a project-by-project basis. The objective is to conserve about 500,000 acres of habitat, funded in part by developer fees. The project site is not within one of the areas identified for conservation. The MSHCP would allow incidental take of listed (threatened and endangered) species as well as unlisted species that might one day become listed. The MSHCP includes survey requirements for the burrowing owl. Prior to grading, this project would be required to follow the burrowing owl survey requirements.

Discussion of 2014 Modified Project: In 2007, critical habitat for Coastal California gnatcatcher was modified to exclude areas covered by the MSHCP. Therefore, the site is not within critical habitat of the Coastal California gnatcatcher (see Figure 3). The grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. There are no federally protected wetlands located on the Project site (GLA, 2013). Because the grading footprint and grading characteristics would be nearly identical to the 2004 Approved Project and the Project site does not contain federally protected wetlands, the 2014 Modified Project would have no potential to create a new impact or more severe impact than would the 2004 Approved Project.

Finding: Because no federally protected wetlands are located on the property, neither the 2004 Approved Project or the 2014 Modified Project, which have the same grading footprint, would have the potential to adversely affect federally protected wetlands as defined by Section 404 of the Clean Water Act. No impact would occur.

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?				■

(Source: City of Moreno Valley General Plan Conservation Element; City of Moreno Valley General Plan FEIR, Chapter 5.9 – Biological Resources; Western Riverside County Multiple Species Habitat Conservation Plan; 2004 Approved Project; 2014 Modified Project; Biological Technical Report (GLA, 2013))

2004 ND Conclusion: Less than Significant Impact. The project allows for the development of single-family homes in a part of the property, which would result in removal of natural habitat. However, the project would result in the loss of less habitat area than the existing land use plan. The project provides for the conservation of most of the area as open space. A biology study of sensitive habitat was prepared by Principe and Associates. Coastal California gnatcatchers were observed or heard within and to the east of the proposed Open Space designations, but the area proposed for development was unoccupied by the gnatcatcher. The project will not result in take of the Coastal California gnatcatcher, a bird that is designated as threatened under the Endangered Species Act. Part of the site is located within designated Coastal California Gnatcatcher Critical Habitat, a designation that affects the actions of federal agencies and federally funded or permitted activities. The project does not require federal funding or a federal permit. The property will be subject to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Moreno Valley became a signatory to the MSHCP Implementing Agreement on January 13, 2004. The resource agencies are scheduled to sign the agreement by the end of May of 2004. The intent of the MSHCP is to ensure the survival of a range of plants and animals and avoid the costs and delays of mitigating biological impacts on a project-by-project basis. The objective is to conserve about 500,000 acres of habitat, funded in part by developer fees. The project site is not within one of the areas identified for conservation. The MSHCP would allow incidental take of listed (threatened and endangered) species as well as unlisted species that might one day become listed. The MSHCP includes survey requirements for the burrowing owl. Prior to grading, this project would be required to follow the burrowing owl survey requirements.

Discussion of 2014 Modified Project: The grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. The Project site is located within the MSHCP Study Area but is located outside of any MSHCP Plan designated

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

Criteria Cells or Cell groups and is therefore not located within or adjacent to any areas proposed for conservation, including areas identified as proposed or existing linkages (including constrained linkages). The MSHCP Reserve Area was designed to ensure the establishment and/or preservation of wildlife movement corridors, and because the Project site is not located in areas targeted for such purposes, Project implementation would not interfere substantially with the movement of any wildlife species. Additionally, there are no native wildlife nursery sites in close proximity to the proposed Project site. As the 2014 Modified Project would have the same grading footprint and grading characteristics as the 2004 Approved Project and is located outside of any MSHCP Plan designated Criteria Cells or Cell groups and is therefore not located within or adjacent to any areas proposed for conservation, including areas identified as proposed or existing linkages (including constrained linkages), the 2014 Modified Project would not 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. As such, 2014 Modified Project would have no potential to create a new impact or more severe impact than would the 2004 Approved Project.

Finding: The 2014 Modified Project would have the same grading footprint and grading characteristics as the 2004 Approved Project. The Project site is located outside of any MSHCP-designated Criteria Cells or Cell groups and is therefore not located within or adjacent to any areas proposed for conservation, including areas identified as proposed or existing linkages (including constrained linkages); thus, the 2014 Modified Project has no potential to 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. No impact would occur.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				■

(Source: City of Moreno Valley General Plan Conservation Element; City of Moreno Valley General Plan FEIR, Chapter 5.9 – Biological Resources; Western Riverside County Multiple Species Habitat Conservation Plan; 2004 Approved Project; 2014 Modified Project; Biological Technical Report (GLA, 2013))

2004 ND Conclusion: Less than Significant Impact. The project allows for the development of single-family homes in a part of the property, which would result in removal of natural habitat. However, the project would result in the loss of less habitat area than the existing land use plan. The project provides for the conservation of most of the area as open space. A biology study of sensitive habitat was prepared by Principe and Associates. Coastal California gnatcatchers were observed or heard within and to the east of the proposed Open Space designations, but the area proposed for development was unoccupied by the gnatcatcher. The project will not result in take of the Coastal California gnatcatcher, a bird that is designated as threatened under the Endangered Species Act. Part of the site is located within designated Coastal California Gnatcatcher Critical Habitat, a designation that affects the actions of federal agencies and federally funded or permitted activities. The project does not require federal funding or a federal permit. The property will be subject to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Moreno Valley became a signatory to the MSHCP Implementing Agreement on January 13, 2004. The resource agencies are scheduled to sign the agreement by the end of May of 2004. The intent of the MSHCP is to ensure the survival of a range of plants and animals and avoid the costs and delays of mitigating biological impacts on a project-by-project basis. The objective is to conserve about 500,000 acres of habitat, funded in part by developer fees. The project site is not within one of the areas identified for conservation. The MSHCP would allow incidental take of listed (threatened and endangered) species as well as unlisted species that might one day become listed. The MSHCP includes survey requirements for the burrowing owl. Prior to grading, this project would be required to follow the burrowing owl survey requirements.

Discussion of 2014 Modified Project: The grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. The 2014 Modified Project is conditioned to comply with City of Moreno Valley Municipal Code Title 3, Chapter 3.48, Western Riverside County Multiple Species Habitat Conservation Plan Fee Program, which requires a per-acre local development fee that will assist in providing revenue to acquire and preserve vegetation communities and natural areas within the City and western Riverside County which are known to support threatened, endangered or key sensitive populations of plant and wildlife species. The 2014 Modified Project is conditioned to comply with the City of Moreno Valley Municipal Code Title 3, Chapter 8.60. Threatened and Endangered Species, which requires a per-acre local development mitigation fee pursuant to the City's adopted, "The Habitat Conservation Plan for the Stephen's Kangaroo Rat in Western Riverside, California, and as established pursuant to Fee Resolution 89-92. The 2014 Modified Project is conditioned to comply with the City of Moreno Valley's Landscape Ordinance which requires that "all mature trees on site with 4-inch calipers or greater in place shall be retained or preserved."

As the 2014 Modified Project would have the same grading footprint and grading characteristics as the 2004 Approved Project and is located outside of any MSHCP-designated Criteria Cells or Cell groups and would be required to comply with all conditions required by the City of Moreno Valley, the 2014 Modified Project would not conflict with any local policies or ordinances protecting

biological resources, such as a tree preservation policy or ordinance. As such, 2014 Modified Project would have no potential to create a new impact or more severe impact than would the 2004 Approved Project.

Finding: As the 2014 Modified Project would have the same grading footprint and grading characteristics as the 2004 Approved Project and the Project site is located outside of any MSHCP-designated Criteria Cells or Cell groups and would comply with all conditions required by the City of Moreno Valley, the 2014 Modified Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. As such, 2014 Modified Project would have no potential to create a new impact or more severe impact than would the 2004 Approved Project. As concluded by the 2004 ND, no impact would occur.

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?				■

(Source: City of Moreno Valley General Plan Conservation Element; City of Moreno Valley General Plan FEIR, Chapter 5.9 – Biological Resources; Western Riverside County Multiple Species Habitat Conservation Plan; 2004 Approved Project; 2014 Modified Project; Biological Technical Report (GLA, 2013))

2004 ND Conclusion: No impact. The project allows for the development of single-family homes in a part of the property, which would result in removal of natural habitat. However, the project would result in the loss of less habitat area than the existing land use plan. The project provides for the conservation of most of the area as open space. A biology study of sensitive habitat was prepared by Principe and Associates. Coastal California gnatcatchers were observed or heard within and to the east the proposed Open Space designations, but the area proposed for development was unoccupied by the gnatcatcher. The project will not result in take of the Coastal California gnatcatcher, a bird that is designated as threatened under the Endangered Species Act. Part of the site is located within designated Coastal California Gnatcatcher Critical Habitat, a designation that affects the actions of federal agencies and federally funded or permitted activities. The project is does not require federal funding or a federal permit. The property will be subject to the Western Riverside County MSHCP. Moreno Valley became a signatory to the MSHCP Implementing Agreement on January 13, 2004. The resource agencies are scheduled to sign the agreement by the end of May of 2004. The intent of the MSHCP is to ensure the survival of a range of plants and animals and avoid the costs and delays of mitigating biological impacts on a project-by-project basis. The objective is to conserve about 500,000 acres of habitat, funded in part by developer fees. The project site is not within one of the areas identified for conservation. The MSHCP would allow incidental take of listed (threatened and endangered) species as well as unlisted species that might one day become listed. The MSHCP includes survey requirements for the burrowing owl. Prior to grading, this project would be required to follow the burrowing owl survey requirements.

Discussion of 2014 Modified Project: The grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. As with the 2004 Approved Project, the 2014 Modified Project would conserve natural hillside terrain as open space in the eastern portion of the property, which is a beneficial effect. In addition, as with the 2004 Approved Project, the 2014 Modified Project provides for conservation of most of the area as open space. The property is located within the Western Riverside County MSHCP Study Area, which sets forth a variety of policies and requirements for the protection of biological resources. However, the Project site is located outside of any MSHCP-designated Criteria Cells or Cell groups and does not occur within the Riverside County MSHCP Narrow Endemic Plant Species Survey Area (NEPSSA) or Criteria Area Plant Species Survey Area (CAPSSA). Even through the property is located outside of MSHCP-designated Criteria Cells and Cell groups and is therefore not subject to the Habitat Evaluation and Acquisition Negotiation Strategy (HANS) process, or the Joint Project Review (JPR) process, development on the Project site still must demonstrate consistency with MSHCP Reserve assembly requirements; specifically, Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools), Section 6.1.3 (Protection of Narrow Endemic Plant Species), Section 6.1.4 (Guidelines Pertaining to the Urban/Wildlands Interface), and Section 6.3.2 (Additional Survey Needs and Procedures).

Compliance with Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools): The property does not contain vernal pools. The Project site contains areas defined by the MSHCP as riparian/riverine; however, these areas would not be permanently or temporarily impacted by the 2014 Modified Project and are proposed for avoidance. As such, the 2014 Modified Project is consistent with MSHCP requirements for the Protection of Species Associated with Riparian/Areas and Vernal Pools and no DBESP is necessary or required. Additionally, the 2014 Modified Project would not impact habitat occupied by the least Bell's vireo, southwestern willow flycatcher, or western yellow-billed cuckoo. As such, the 2014 Modified Project is consistent with MSHCP Volume I, Section 6.1.2 as it pertains to these species.

Section 6.1.3 (Protection of Narrow Endemic Plant Species): Volume I, Section 6.1.3 of the MSHCP requires that within identified NEPSSA, site-specific focused surveys for Narrow Endemic Plants Species will be required for all public and private projects where appropriate soils and habitat are present. The Project is not located within the MSHCP NEPSSA pursuant to Section 6.3.2 of the MSHCP. As such, the 2014 Modified Project is consistent with requirements for the Protection of Narrow Endemic Plant Species.

Section 6.1.4 (Guidelines Pertaining to the Urban/Wildlands Interface): The MSHCP Urban/Wildland Interface Guidelines (UWIG) are intended to address indirect effects associated with locating development in proximity to the MSHCP Conservation Area. The development footprint of the 2014 Modified Project, which is nearly identical to the development footprint of the 2004 Approved Project, is not located adjacent to the MSHCP Conservation Area. Regardless, as discussed in Section 5.8 of the biological resources report prepared for the 2014 Modified Project (GLA, 2013), the 2014 Modified Project proposes design measures that would reduce edge effects related to drainage, water quality, lighting, noise, invasive plant species, and access to address potential edge effects to adjacent sensitive habitats. As such, the 2014 Modified Project, adjacent to the preserved/avoided streambed, the proposed Project will be consistent with the UWIG
Would be consistent with the guidelines contained in MSHCP Volume I, Section 6.1.4.

Section 6.3.2 (Additional Survey Needs and Procedures): Volume I, Section 6.3.2 of the MSHCP identifies that in addition to the Narrow Endemic Plant Species addressed in Section 6.1.3, additional surveys may be needed for other certain plant and animal species in conjunction with MSHCP implementation in order to achieve full coverage for these species. Within areas of suitable habitat, focused surveys are required if a project site occurs within a designated CAPSSA, or special animal species survey area (i.e., burrowing owl (BUOW), amphibians, and mammals). The Project site occurs within the burrowing owl survey area, but does not occur within the amphibian or mammal survey areas, or within the CAPSSA. The BUOW is designated as a California Department of Fish and Wildlife California Species of Concern. Therefore, as with the 2004 Approved Project, the 2014 Modified Project is required to comply with MSHCP BUOW protocols. Focused BUOW surveys were conducted on the Project site in 2013 by Glenn Lukos Associates (GLA 2013), and no BUOW were detected. As required by the MSHCP, pre-construction burrowing owl survey is required to occur within the 30 days of site disturbance. The requirement for the survey and to follow California Department of Fish and Wildlife protocol if the species is detected is required by a condition of approval placed on the 2014 Modified Project.

The 2014 Modified Project is conditioned to comply with City of Moreno Valley Municipal Code Title 3, Chapter 3.48, Western Riverside County Multiple Species Habitat Conservation Plan Fee Program, which requires a per-acre local development fee that will assist in providing revenue to acquire and preserve vegetation communities and natural areas within the City and western Riverside County which are known to support threatened, endangered or key sensitive populations of plant and wildlife species. The 2014 Modified Project is also conditioned to comply with the City of Moreno Valley Municipal Code Title 3, Chapter 8.60. Threatened and Endangered Species, which requires a per-acre local development mitigation fee pursuant to the City's adopted, "The Habitat Conservation Plan for the Stephen's Kangaroo Rat in Western Riverside, California, and as established pursuant to Fee Resolution 89-92.

As the 2014 Modified Project would have a nearly identical grading footprint and grading characteristics as the 2004 Approved Project and is located outside of any MSHCP-designated Criteria Cells or Cell groups and would be required to comply with all conditions required by the City of Moreno Valley, the 2014 Modified Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan. As such, the 2014 Modified Project would have no potential to create a new impact or more severe impact than would the 2004 Approved Project.

Finding: As the 2014 Modified Project would have a nearly identical grading footprint and grading characteristics as the 2004 Approved Project and the Project site is located outside of any MSHCP-designated Criteria Cells or Cell groups and would comply with all Western Riverside County MSHCP and Stephens' Kangaroo Rat HCP conditions required by the City of Moreno Valley, the 2014 Modified Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan. As such, the 2014 Modified Project would have no potential to create a new impact or more severe impact than would the 2004 Approved Project. As concluded by the 2004 ND, a less than significant impact would occur.

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

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?				■

(Source: City of Moreno Valley General Plan Conservation Element; City of Moreno Valley General Plan FEIR, Chapter 5.10 – Cultural Resource; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The ruins of an old adobe structure are located in the proposed open space at the north end of the project. The ruins are described in the cultural resources survey that was prepared for the project by archeologist Aaron Gardner. The proposed amendment would have a positive effect on cultural resources in comparison to the existing land use plan because they will be retained within the proposed Open Space designation. There are no other cultural resources on the site.

Discussion of 2014 Modified Project: The grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. As with the 2004 Approved Project, the 2014 Modified Project would conserve open space in the eastern portion of the property, including the area of the documented old adobe structure. Because the proposed grading footprint and the grading characteristics would be nearly identical to the 2004 Approved Project, and the old adobe structure would remain in an area designated as open space, the 2014 Modified Project would have no potential to create a new impact or more severe impact to a historic resource than would the 2004 Approved Project. No historic resources are located in the development footprint of the Project; thus, no impact would occur.

Finding: Because the proposed grading footprint and the grading characteristics of the 2014 Modified Project would be nearly identical to the 2004 Approved Project, and the old adobe structure would remain in an area designated as open space, the 2014 Modified Project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5. No adverse impact to historic resources would occur.

b) Cause a substantial adverse change in the significance of archaeological resources pursuant to Section 15064.5?				■

(Source: City of Moreno Valley General Plan Conservation Element; City of Moreno Valley General Plan FEIR, Chapter 5.10 – Cultural Resources; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The ruins of an old adobe structure are located in the proposed open space at the north end of the project. The ruins are described in the cultural resources survey that was prepared for the project by archeologist Aaron Gardner. The proposed amendment would have a positive effect on cultural resources in comparison to the existing land use plan because they will be retained within the proposed Open Space designation. There are no other cultural resources on the site.

Discussion of 2014 Modified Project: The grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. As with the 2004 Approved Project, the 2014 Modified Project would conserve the eastern portion of the property as open space, including the area of the old adobe structure. Because the proposed grading footprint and the grading characteristics would be nearly identical to the 2004 Approved Project, and the old adobe structure would remain in an area designated as open space, the 2014 Modified Project would have no potential to create a new impact or more severe impact to archaeological resources than would the 2004 Approved Project. A condition of approval (Condition P15) was applied to the 2004 Approved Project that specified protocol should resources be discovered during ground-disturbing construction activities. In addition, Condition P15 required that the 2004 Approved Project comply with California Public Resources Code Section 5097.98, "Native American Historical, Cultural, and Historical Sites." These conditions would continue to be applied to the 2014 Modified Project. Thus, any resource, if discovered, would be assured proper treatment to avoid a substantial adverse change in the significance of archaeological resources pursuant to Section 15064.5. As concluded by the 2004 ND, no adverse impact would occur.

Finding: Because the proposed grading footprint and the grading characteristics would be nearly identical to the 2004 Approved Project and the old adobe structure would remain in an area designated as open space, the 2014 Modified Project would have no potential to result in a new or more severe impact to archaeological resources than disclosed in the 2004 ND. A City condition of approval would assure the proper treatment of any resource that may be discovered during the construction process to ensure that there would be no substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5. No adverse impact would occur as concluded by the 2004 ND.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				■

(Source: City of Moreno Valley General Plan Conservation Element; City of Moreno Valley General Plan FEIR, Chapter 5.10 – Cultural Resources; 2004 Approved Project; 2014 Modified Project)

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

2004 ND Conclusion: No Impact. The ruins of an old adobe structure are located in the proposed open space at the north end of the project. The ruins are described in the cultural resources survey that was prepared for the project by archeologist Aaron Gardner. The proposed amendment would have a positive effect on cultural resources in comparison to the existing land use plan because they will be retained within the proposed Open Space designation. There are no other cultural resources on the site.

Discussion of 2014 Modified Project: The grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. As with the 2004 Approved Project, the 2014 Modified Project would conserve open space in the eastern portion of the property. Because the proposed grading footprint and the grading characteristics would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no potential to create a new impact or more severe impact to paleontological resources than would the 2004 Approved Project. A condition of approval (Condition P15) was applied to the 2004 Approved Project that specified protocol should resources be discovered during ground-disturbing construction activities. This condition of approval would continue to be applied to the 2014 Modified Project. Thus, any resource, if discovered, would be assured proper treatment to avoid the destruction of a unique resource. As concluded by the 2004 ND, no adverse impact would occur.

Finding: Because the proposed grading footprint and the grading characteristics would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no potential to result in a new or more severe impact to paleontological resources than disclosed in the 2004 ND. A City condition of approval would assure the proper treatment of any resource that may be discovered during the construction process to ensure that there would be no destruction of a unique resource. No adverse impact would occur as concluded by the 2004 ND.

d) Disturb any human remains, including those interred outside of formal cemeteries?				■

(Source: 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The ruins of an old adobe structure are located in the proposed open space at the north end of the project. The ruins are described in the cultural resources survey that was prepared for the project by archeologist Aaron Gardner. The proposed amendment would have a positive effect on cultural resources in comparison to the existing land use plan because they will be retained within the proposed Open Space designation. There are no other cultural resources on the site.

Discussion of 2014 Modified Project: Human remains are not known to occur at the Project site. The grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. As with the 2004 Approved Project, the 2014 Modified Project would conserve the eastern portion of the property as open space. Because the proposed grading footprint and the grading characteristics would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no potential to create a new impact or more severe impact to human remains than would the 2004 Approved Project. A condition of approval (Condition P15) was applied to the 2004 Approved Project that required that the 2004 Approved Project comply with California Public Resources Code Section 5097.98, "Native American Historical, Cultural, and Historical Sites." This condition would continue to be applied to the 2014 Modified Project. Thus, any human remains, if discovered, would be assured proper treatment. As concluded by the 2004 ND, no adverse impact would occur.

Finding: Because the proposed grading footprint and the grading characteristics would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no potential to result in a new or more severe impact to human remains than disclosed in the 2004 ND. A City condition of approval would assure compliance with California Public Resources Code Section 5097.98, "Native American Historical, Cultural, and Historical Sites." No adverse impact would occur as concluded by the 2004 ND.

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.				■

(Source: City of Moreno Valley General Plan Safety Element; City of Moreno Valley General Plan FEIR, Chapter 5.6 – Geology and Soils; California Department of Conservation "Alquist-Priolo Earthquake Fault Zone Maps;" United States Geological Survey Earthquake Hazards Program; Google Earth; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The proposed amendment would be subject to seismic shaking similar to that of the rest of Moreno Valley. The developable portions of the site are not subject to the geologic and soil hazards described above.

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

Discussion of 2014 Modified Project: The Project site is not located within an Alquist-Priolo Earthquake Fault Zone. The 2014 Modified Project proposes to reduce the number of residential lots approved by TTM 31592 from 138 to 115, resulting in 23 fewer residential lots than the 2004 Approved Project. The grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. Because the number of homes would be reduced and the proposed grading footprint and grading characteristics would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no potential to create a new impact or more severe impact associated with fault rupture than would the 2004 Approved Project. Additionally, the 2014 Modified Project would be conditioned to comply with the City of Moreno Valley Building Code (City of Moreno Valley Ordinance No. 816) and California Code of Regulations, Title 24, Part 2, the California Green Building Standards Code, which provides minimum standards for building design. The 2014 Modified Project would also be conditioned to comply with all applicable requirements of the City of Moreno Valley grading and excavation code (City of Moreno Valley Ordinance No. 586).

Finding: The property is not subject to fault rupture because no geological faults are located on the property. Regardless, because the grading footprint and the grading characteristics proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving 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. As concluded by the 2004 ND, no impact would occur.

(ii) Strong seismic ground shaking?				■

(Source: City of Moreno Valley General Plan Safety Element; City of Moreno Valley General Plan FEIR, Chapter 5.6 – Geology and Soils; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The proposed amendment would be subject to seismic shaking similar to that of the rest of Moreno Valley. The developable portions of the site are not subject to the geologic and soil hazards described above.

Discussion of 2014 Modified Project: The 2014 Modified Project proposes to reduce the number of residential lots approved by TTM 31592 from 138 to 115, resulting in 23 fewer residential lots than the 2004 Approved Project. The grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. Because the number of homes would be reduced and the proposed grading footprint and grading characteristics would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no potential to create a new impact or more severe impact associated with seismic ground shaking than would the 2004 Approved Project. The 2014 Modified Project would be conditioned to comply with the City of Moreno Valley Building Code (City of Moreno Valley Ordinance No. 816) and California Code of Regulations, Title 24, Part 2, the California Green Building Standards Code, which provides minimum standards for building design. The 2014 Modified Project would also be conditioned to comply with all applicable requirements of the City of Moreno Valley grading and excavation code (City of Moreno Valley Ordinance No.586).

Finding: Because the grading footprint and the grading characteristics proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project, and 23 fewer residential homes would be constructed, the 2014 Modified Project would have no potential to result in a new or more severe impact to associated with seismic ground shaking than disclosed in the 2004 ND. As concluded by the 2004 ND, a less than significant impact would occur. Mandatory compliance with the City of Moreno Valley Building Code (City of Moreno Valley Ordinance No. 816) and California Code of Regulations, Title 24, Part 2, the California Green Building Standards Code, provide minimum standards for building design to ensure that impacts would be less than significant.

(iii) Seismic-related ground failure, including liquefaction?				■

(Source: City of Moreno Valley General Plan Safety Element; City of Moreno Valley General Plan FEIR, Chapter 5.6 – Geology and Soils; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The proposed amendment would be subject to seismic shaking similar to that of the rest of Moreno Valley. The developable portions of the site are not subject to the geologic and soil hazards described above.

Discussion of 2014 Modified Project: The 2014 Modified Project proposes to reduce the number of residential lots approved by TTM 31592 from 138 to 115, resulting in 23 fewer residential lots than the 2004 Approved Project. The grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. Because the number of homes would be reduced and the proposed grading footprint and grading characteristics would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no potential to create a new impact or more severe impact associated with liquefaction than would the 2004

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

Approved Project. The 2014 Modified Project would be conditioned to comply with the City of Moreno Valley Building Code (City of Moreno Valley Ordinance No. 816) and California Code of Regulations, Title 24, Part 2, the California Green Building Standards Code, which provides minimum standards for building design. The 2014 Modified Project would also be conditioned to comply with all applicable requirements of the City of Moreno Valley grading and excavation code (City of Moreno Valley Ordinance No.586).

Finding: Because the grading footprint and the grading characteristics proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project, and 23 fewer residential homes would be constructed, the 2014 Modified Project would have no potential to result in a new or more severe impact associated with seismic liquefaction than disclosed in the 2004 ND. As concluded by the 2004 ND, no impact would occur because the site does not possess soils that have a high liquefaction potential.

(iv) Landslides?				■

(Source: Project Application Materials; City of Moreno Valley General Plan Safety Element; City of Moreno Valley General Plan FEIR, Chapter 5.6 – Geology and Soils; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The proposed amendment would be subject to seismic shaking similar to that of the rest of Moreno Valley. The developable portions of the site are not subject to the geologic and soil hazards described above.

Discussion of 2014 Modified Project: The 2014 Modified Project proposes to reduce the number of residential lots approved by TTM 31592 from 138 to 115, resulting in 23 fewer residential lots than the 2004 Approved Project. The grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. Because the number of homes would be reduced, the eastern portion of the property containing sloping terrain would be preserved as open space, and the proposed grading footprint and grading characteristics would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no potential to create a new impact or more severe impact associated with landslides than would the 2004 Approved Project.

Finding: Because the proposed grading footprint and the grading characteristics would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving landslides. No areas subject to landslide have the potential to affect the residential development area approved by the 2004 Approved Project or proposed by the 2014 Modified Project. As concluded by the 2004 ND, impacts would be less than significant.

(b) Result in substantial soil erosion or the loss of topsoil?				■

(Source: Project Application Materials, USDA Natural Resources Conservation Service Web Soil Survey (Web Site); 2004 Approved Project; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The proposed amendment would be subject to seismic shaking similar to that of the rest of Moreno Valley. The developable portions of the site are not subject to the geologic and soil hazards described above.

Discussion of 2014 Modified Project: The grading footprint proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project and the 2014 Modified Project proposes improved water quality features as compared to the 2004 Approved Project. Specifically, the 2014 Modified Project proposes four (4) on-site water quality basins, one (1) off-site basin, and a constructed drainage channel along the eastern boundary of the proposed residential development area. As such, the 2014 Modified Project would have no potential to create a new impact or more severe impact associated with soil erosion or loss of topsoil than would the 2004 Approved Project. As with the 2004 Approved Project, the 2014 Modified Project would be required to comply with the requirements of the State Water Resources Control Board and obtain a National Pollutant Discharge Elimination System (NPDES) permit for construction activities. The NPDES permit is required for all projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one (1) acre of total land area. The NPDES Permit requires the Project Applicant to prepare and submit to the City for approval a Project-specific Storm Water Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP). The SWPPP and WQMP must identify and implement an effective combination of erosion control and sediment control measures (i.e., Best Management Practices) to reduce or eliminate discharge to surface water from storm water and non-storm water discharges. Adherence to the requirements noted in the Project's required WQMP and site-specific SWPPP would ensure that potential construction-related impacts associated with water erosion would be less than significant. During grading and other construction activities involving soil exposure or the transport of earth materials, City of Moreno Valley Ordinance No. 568, which establishes requirements for the control of erosion during construction (including wind erosion), also would apply to the 2014 Modified Project. In addition, requirements for the reduction of particulate matter in the air are addressed by SCAQMD Rule 403. With mandatory compliance to these regulatory requirements, the potential for soil erosion effects would be less than significant.

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

Finding: Because the grading footprint and the grading characteristics proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no potential to result in a new or more severe impact associated with soil erosion than disclosed in the 2004 ND. As concluded by the 2004 ND, a less than significant impact would occur.

(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?				■

(Source: Project Application Materials; City of Moreno Valley General Plan Safety Element; City of Moreno Valley General Plan FEIR, Chapter 5.6 – Geology and Soils; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The proposed amendment would be subject to seismic shaking similar to that of the rest of Moreno Valley. The developable portions of the site are not subject to the geologic and soil hazards described above.

Discussion of 2014 Modified Project: The residential development area approved by the 2004 Approved Project and proposed by the 2014 Modified Project is not 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. The 2014 Modified Project proposes to reduce the number of residential lots approved by TTM 31592 from 138 to 115, resulting in 23 fewer residential lots than the 2004 Approved Project. The grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. Because the number of homes would be reduced, the eastern portion of the property containing sloping terrain would be preserved as open space, and the proposed grading footprint and grading characteristics would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no potential to create a new impact or more severe impact associated with geologic instability than would the 2004 Approved Project.

Finding: There are no conditions of geological instability located in the area of the property proposed for residential development. Because the proposed grading footprint and the grading characteristics would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no greater potential to expose people or structures to conditions associated with geologic instability than the 2004 Approved Project. As concluded by the 2004 ND, no adverse impact would occur.

(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?				■

(Source: Project Application Materials; City of Moreno Valley General Plan Safety Element; City of Moreno Valley General Plan FEIR, Chapter 5.6 – Geology and Soils, 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No impact. The proposed amendment would be subject to seismic shaking similar to that of the rest of Moreno Valley. The developable portions of the site are not subject to the geologic and soil hazards described above.

Discussion of 2014 Modified Project: The residential development area approved by the 2004 Approved Project and proposed by the 2014 Modified Project is not located in an area of expansive soil. The 2014 Modified Project proposes to reduce the number of residential lots approved by TTM 31592 from 138 to 115, resulting in 23 fewer residential lots than the 2004 Approved Project. The grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. Because the number of homes would be reduced, and the proposed grading footprint and grading characteristics would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no potential to create a new impact or more severe impact associated with expansive soil than would the 2004 Approved Project.

Finding: There are no expansive soils located in the area of the property proposed for residential development. Because the proposed grading footprint and the grading characteristics would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no greater potential to create substantial risks to life and property associated with expansive soils. As concluded by the 2004 ND, no adverse impact would occur.

(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?				■

(Source: Project Application Materials; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The proposed amendment would be subject to seismic shaking similar to that of the rest of Moreno Valley. The developable portions of the site are not subject to the geologic and soil hazards described above.

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

Discussion of 2014 Modified Project: The 2004 Approved Project did not propose the use of septic or alternative wastewater systems, nor does the 2014 Modified Project propose the use of septic or alternative wastewater systems. The residential homes proposed on the Project site would be connected to the Eastern Municipal Water District (EMWD) sanitary sewer system. Thus, there is no potential for an impact to occur related to septic or alternative wastewater systems.

Finding: Because neither the 2004 Approved Project nor the 2014 Modified Project include the use of septic tanks or alternative waste water disposal systems, no impact would occur as concluded by the 2004 ND.

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?			■	

(Source: South Coast Air Quality Management District Air Quality Management Plan, 2012; City of Moreno Valley General Plan FEIR, Chapter 5.3 - Air Quality; 2004 Approved Project; 2014 Modified Project; Covey Ranch Greenhouse Gas Report (Urban Crossroads 2013))

2004 ND Conclusion: This question was not a part of the 2004 IS Environmental Checklist.

Discussion of 2014 Modified Project: The 2014 Modified Project proposes to reduce the number of residential lots approved by TTM 31592 from 138 to 115, resulting in 23 fewer residential lots than the 2004 Approved Project. The grading footprint and construction characteristics of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. Because the number of homes would be reduced and the proposed grading footprint and grading characteristics would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no potential to create a new greenhouse gas impact or more severe impact than would the 2004 Approved Project.

Although greenhouse gas (GHG) emissions effects on climate change were not specifically evaluated in the 2004 ND, the ND disclosed that 138 residential homes would be constructed on the property, which would generate a small increase in traffic levels in the area and that air emissions would be generated to meet the energy demands associated with a housing development. GHG emissions and the issue of global climate change (GCC) do not represent new information of substantial importance which was not known and could not have been known at the time the 2004 ND was approved. Information on the effect of GHG emissions on climate was known long before the City of Moreno Valley approved the 2004 ND. GCC and GHG emissions were identified as environmental issues since as early as 1978 when the U.S. Congress enacted the National Climate Program Act (Pub L 95-367, 92 Stat 601). In 1979, the National Research Council published "Carbon Dioxide and Climate: A Scientific Assessment," which concluded that climate change was an accelerating phenomenon partly due to human activity. Numerous studies conducted before and after the National Research Council report reached similar conclusions. Information also was widely published in a series of reports by the Intergovernmental Panel on Climate Change (IPPC) dating back to the 1990s, including IPPC's "2001 Third Assessment Report." California adopted legislation in 2002 requiring the California Air Resources Board to develop regulations limiting greenhouse gas emissions from automobiles. As such, information about GCC and GHG emissions was available with the exercise of reasonable diligence at the time the ND was approved in 2006. No objections or concerns were raised regarding GHG emissions or climate change and no legal challenge was filed within the statute of limitations period for the ND. Pursuant to CEQA case law and CEQA Guidelines Section 15162(a) (3), the issue of project-related GHG emissions does not provide new information of substantial importance or substantial evidence of a new impact to the environment that was not or could not have been known at the time the 2004 ND was approved; thus, minor additions are needed to make the previous ND adequate to cover the 2014 Modified Project.

To evaluate whether the proposed 2014 Modified Project would result in GHG emissions that are less than significant using currently accepted standards, a GHG study was prepared for the 2014 Modified Project by Urban Crossroads, Inc., which is appended to this Initial Study. Currently (as of January 2014), the SCAQMD has not adopted significance thresholds for GHG emissions for residential development projects within the SCAQMD region, although the SCAQMD is considering the adoption of a project-level efficiency threshold of 4.8 metric tons of carbon monoxide equivalent (MT CO2e) per service population. He City similarly has not adopted significance thresholds for GHG emissions. In any case, the SCAQMD uses a screening threshold of 3,000 MT CO2e per year to determine if a detailed analysis is even necessary (SCAQMD recommends a detailed analysis when emissions would exceed 3,000 MT CO2e). As specified in the GHG report appended to this Initial Study, the 2014 Modified Project would result in approximately 2,168.79 MT CO2e per year, which is below the SCAQMD's screening threshold; therefore, a less than significant would occur and no additional analysis is required.

Finding: Although the 2004 ND did not address this subject, the 2004 ND contained enough information about the 2004 Approved

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

Project's expected energy use and traffic generation that with the exercise of reasonable diligence, information about GHG emissions was readily available to the public. Because the grading footprint and the grading characteristics proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project, and 23 fewer residential homes would be constructed, the 2014 Modified Project would have no potential to result in a new or more severe GHG emissions impact than the 2004 Approved Project. The 2014 Modified Project would emit approximately 2,168.79 MT CO2e per year, which is below the SCAQMD's screening threshold; therefore, a less than significant would occur and no additional analysis is required.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			■	

(Source: South Coast Air Quality Management District Air Quality Management Plan, 2012; City of Moreno Valley General Plan FEIR, Chapter 5.3 - Air Quality; 2004 Approved Project; 2014 Modified Project; Covey Ranch Greenhouse Gas Report (Urban Crossroads 2013))

2004 ND Conclusion: This question was not a part of the 2004 IS Environmental Checklist.

Discussion of 2014 Modified Project: The City of Moreno Valley approved its Final Energy Efficiency and Climate Action Strategy on October 9, 2012.The overall goal of the Energy Efficiency and Climate Action Strategy is to ensure that the City is consistent with and would not otherwise conflict with the provisions of AB 32. Thus, a project that would otherwise be consistent with the goals and policies outlined in AB 32 would be deemed to be consistent with the City's Energy Efficiency and Climate Action Strategy Document. AB 32 is the State of California's primary GHG emissions regulation and the SCAQMD's GHG draft significance threshold is designed to ensure compliance with AB 32 emissions reductions requirements in the South Coast Air Basin. Therefore, if a proposed project emits below the draft significance threshold 4.8 MT CO2e per service population or the screening threshold of 3,000 MT CO2e per year, the project can be assumed to comply with AB 32 within the SCAQMD's jurisdiction. As the 2014 Modified Project would emit less than 3,000.00 MTCO2e per year, it would not conflict with the state's ability to achieve the reduction targets defined in AB 32. Additionally, the construction and operation of any project is required to comply with mandatory regulatory requirements including but not limited to:

- Global Warming Solutions Act of 2006 (AB32)
- Regional GHG Emissions Reduction Targets/Sustainable Communities Strategies (SB 375)
- Pavely Fuel Efficiency Standards (AB1493). 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 (AB1881). 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.

Finding: Although the 2004 ND did not address this subject, the 2004 ND contained enough information about the property's existing land uses and resultant air emissions that with the exercise of reasonable diligence, information about GHG impacts was readily available to the public. Because the grading footprint and the grading characteristics proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project, and 23 fewer residential homes would be constructed, the 2014 Modified Project would have no potential to result in a new or more severe GHG emissions impact than the 2004 Approved Project. The 2014 Modified Project would emit approximately 2,168.79 MT CO2e per year, which is below the SCAQMD's screening threshold; therefore, a less than significant would occur and no additional analysis is required.

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?				■

(Source: Results of Soil Sampling (Waterstone Environmental, 2005); 2004 Approved Project; 2014 Modified Project)

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

2004 ND Conclusion: No Impact. The proposed project would place people and structures along the urban-wildland interface where the fire hazard is higher than average. However, the proposed location of the future housing poses less of a safety hazard than the existing zoning, because the existing zoning would allow hillside residential development. The proposed project contains a recreation trail/fire road and a fuel modification zone along the interface with the adjacent hills to protect the future residences from wildland fire hazard.

Discussion of 2014 Modified Project: The environmental condition of the subject property has not been altered since approval of the 2004 Approved Project. Soil sampling conducted in 2005 by Waterstone Environmental and reported in documentation appended to this Initial Study revealed that that property's soils are not contaminated above state and federal levels of safety and no mitigating measures are necessary. The routine transport, use, and disposal of hazardous materials would be limited to common construction materials and substances used in a typical residential home (cleaning agents, paints, batteries, etc.). The 2014 Modified Project proposes to reduce the number of residential lots approved by TTM 31592 from 138 to 115, resulting in 23 fewer residential lots than the 2004 Approved Project and as analyzed by the 2004 ND. Because the number of homes would be reduced and associated sources of hazardous materials would be reduced commensurately, the 2014 Modified Project would have no potential to create a new impact or more severe hazardous materials impact than would the 2004 Approved Project. The 2014 Modified Project would be required to comply with all federal, state, and local, hazardous materials regulations, as overseen and enforced by the California Department of Toxic Substances Control, the Riverside County Department of Environmental Health, and the Moreno Valley Fire Department. As concluded by the 2004 ND, a significant hazard to the public would not be created and no adverse impact would occur

Finding: The 2014 Modified Project would have a reduced number of residential lots and an associated reduction in potential to transport, use, or dispose of common hazardous materials associated with residential construction and operation. The 2014 Modified Project has no potential to result in a new impact or more severe hazardous materials impact than the 2004 Approved Project. No adverse impact would occur as concluded by the 2004 ND.

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?				■

(Source: Project Application Materials; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impacts. The proposed project would place people and structures along the urban-wildland interface where the fire hazard is higher than average. However, the proposed location of the future housing poses less of a safety hazard than the existing zoning, because the existing zoning would allow hillside residential development. The proposed project contains a recreation trail/fire road and a fuel modification zone along the interface with the adjacent hills to protect the future residences from wildland fire hazard.

Discussion of 2014 Modified Project: The 2014 Modified Project proposes to reduce the number of residential lots approved by TTM 31592 from 138 to 115, resulting in 23 fewer residential lots than the 2004 Approved Project and as analyzed by the 2004 ND. Because the number of homes would be reduced and associated sources of hazardous materials would be reduced commensurately, the 2014 Modified Project would have no potential to create a new impact or more severe accidental upset condition than would the 2004 Approved Project, although no accidental upsets are foreseeable associated with a residential neighborhood development. As concluded by the 2004 ND, no accidental upset hazards would be created and no adverse impact would occur.

Finding: The 2014 Modified Project would have a reduced number of residential lots and an associated reduction in potential to be upset by or cause accidental release of hazardous materials into the environment. The 2014 Modified Project has no potential to result in a new impact or more severe hazardous materials impact than the 2004 Approved Project. No adverse impact would occur as concluded by the 2004 ND.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				■

(Source: Project Application Materials; Google Earth; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The proposed project would place people and structures along the urban-wildland interface where the fire hazard is higher than average. However, the proposed location of the future housing poses less of a safety hazard than the existing zoning, because the existing zoning would allow hillside residential development. The proposed project contains a recreation trail/fire road and a fuel modification zone along the interface with the adjacent hills to protect the future residences from wildland fire hazard.

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

Discussion of 2014 Modified Project: The closest school, Midland Elementary School, is located approximately 1.0 mile from the Project site. Therefore, there is no potential for either the 2004 Approved Project or the 2014 Modified Project to cause the emission or handling of hazardous or acutely hazardous materials, substances, or wastes within one-quarter mile of an existing or proposed school. As concluded by the 2004 ND, no impact would occur.

Finding: There are no existing or proposed schools within one-quarter mile of the Project site. Therefore, as concluded by the 2004 ND, there is no potential for the 2014 Modified Project to cause the emission or handling of hazardous or acutely hazardous materials, substance, or wastes within one-quarter mile of a school.

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?				■

(Source: Project Application Materials, California Department of Toxic Substances Control "Envirostor" Database; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The proposed project would place people and structures along the urban-wildland interface where the fire hazard is higher than average. However, the proposed location of the future housing poses less of a safety hazard than the existing zoning, because the existing zoning would allow hillside residential development. The proposed project contains a recreation trail/fire road and a fuel modification zone along the interface with the adjacent hills to protect the future residences from wildland fire hazard.

Discussion of 2014 Modified Project: The Project site is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962. Therefore, there is no potential for either the 2004 Approved Project or the 2014 Modified Project to create a significant hazard to the public or the environment as a result of listing. As concluded by the 2004 ND, no impact would occur.

Finding: The Project site is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962. Therefore, as concluded by the 2004 ND, there is no potential the 2014 Modified Project to create a significant hazard to the public or the environment as a result of listing.

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?				■

(Source: City of Moreno Valley General Plan Safety Element Figure 6-5, Air Crash Hazards; City of Moreno Valley General Plan FEIR, Chapter 5.5 – Hazards; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The proposed project would place people and structures along the urban-wildland interface where the fire hazard is higher than average. However, the proposed location of the future housing poses less of a safety hazard than the existing zoning, because the existing zoning would allow hillside residential development. The proposed project contains a recreation trail/fire road and a fuel modification zone along the interface with the adjacent hills to protect the future residences from wildland fire hazard.

Discussion of 2014 Modified Project: The Project site is not located within an airport land use plan or, where such a plan has not been adopted, or within two miles of a public airport or public use airport. Therefore, there is no potential for either the 2004 Approved Project or the 2014 Modified Project to result in an airport safety hazard to people residing or working in the project area. As concluded by the 2004 ND, no impact would occur.

Finding: The Project site is not located within an airport land use plan or within two miles of a public airport or public use airport. Therefore, there is no potential for either 2014 Modified Project to result in an airport safety hazard to people residing or working in the project area. As concluded by the 2004 ND, no impact would occur.

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?				■

(Source: City of Moreno Valley General Plan Safety Element; City of Moreno Valley General Plan FEIR, Chapter 5.5 – Hazards;

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

Google Earth; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The proposed project would place people and structures along the urban-wildland interface where the fire hazard is higher than average. However, the proposed location of the future housing poses less of a safety hazard than the existing zoning, because the existing zoning would allow hillside residential development. The proposed project contains a recreation trail/fire road and a fuel modification zone along the interface with the adjacent hills to protect the future residences from wildland fire hazard.

Discussion of 2014 Modified Project: The Project site is not located within the vicinity of a private airstrip. Therefore, there is no potential for either the 2004 Approved Project or the 2014 Modified Project to result in a private airstrip safety hazard to people residing or working in the project area. As concluded by the 2004 ND, no impact would occur.

Finding: The Project site is not located within the vicinity of a private airstrip. Therefore, there is no potential for either 2014 Modified Project to result in a private airstrip safety hazard to people residing or working in the project area. As concluded by the 2004 ND, no impact would occur.

g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				■

(Source: Project Application Materials; City of Moreno Valley General Plan Safety Element; City of Moreno Valley General Plan FEIR, Chapter 5.5 – Hazards; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The proposed project would place people and structures along the urban-wildland interface where the fire hazard is higher than average. However, the proposed location of the future housing poses less of a safety hazard than the existing zoning, because the existing zoning would allow hillside residential development. The proposed project contains a recreation trail/fire road and a fuel modification zone along the interface with the adjacent hills to protect the future residences from wildland fire hazard.

Discussion of 2014 Modified Project: The Project site does not contain any emergency facilities nor does it serve as an emergency evacuation route. Therefore, there is no potential for either the 2004 Approved Project or the 2014 Modified Project to interfere with an adopted emergency response plan or emergency evacuation plan. During construction and long-term operation, the 2014 Modified Project would be required to maintain adequate emergency access for emergency vehicles as required by the City. Because the Project would not impair implementation of, or physically interfere with an adopted emergency response or evacuation plan, the 2014 Modified Project would not result in any new or significant impact. As concluded by the 2004 ND, no impact would occur.

Finding: The 2004 ND did not identify the Project site as an emergency evacuation route documented in any emergency response plans or emergency evacuation plans. No evacuation routes have been identified on or near the Project site since the 2004 ND was approved; therefore, there has been no change in circumstance. As concluded by the 2004 ND, no impact would occur.

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?				■

(Source: Project Application Materials; City of Moreno Valley General Plan Safety Element; City of Moreno Valley General Plan FEIR Figure 5.5-2, Floodplains and High Fire Hazard Areas; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The proposed project would place people and structures along the urban-wildland interface where the fire hazard is higher than average. However, the proposed location of the future housing poses less of a safety hazard than the existing zoning, because the existing zoning would allow hillside residential development. The proposed project contains a recreation trail/fire road and a fuel modification zone along the interface with the adjacent hills to protect the future residences from wildland fire hazard.

Discussion of 2014 Modified Project: The grading footprint of the 2014 Modified Project is nearly identical to the 2004 Approved Project. The proposed CUP for a PUD proposes to revise the tract design to allow a reduction/variation for the required lot widths to accommodate reorientation of the lots and interior circulation system. The 2014 Modified Project provides a single-loaded street along a portion of the residential homes' eastern perimeter and a 20-foot multi-use and fire trail with adjacent drainage channel, on the residential homes' eastern perimeter, both of which assist in improving wildfire protection as compared to the 2004 Approved Project. As such, the 2014 Modified Project would not expose people or structures to any new or more significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

wildlands. With respect to conditions of approval, fire protection measures are required to be provided in accordance with Moreno Valley City Ordinances and/or fire protection standards.

Finding: The 2014 Modified Project provides a single-loaded street along a portion of the residential homes' eastern perimeter and a 20-foot multi-use and fire trail with adjacent drainage channel, on the residential homes' eastern perimeter, both of which would improve wildfire protection over the 2004 Approved Project. As concluded by the 2004 ND, impacts would be less than significant. No new or more severe wildfire hazard impacts would occur.

IX. HYDROLOGY **AND WATER QUALITY**. Would the project:

a) Violate any water quality standards or waste discharge requirements?				■

(Source: City of Moreno Valley General Plan FEIR, Chapter 5.7 – Hydrology/Water; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The proposed amendment would not expose people or property to flood hazards. Source: Moreno Valley General Plan and FEMA Flood Insurance Rate Maps. Although surface runoff from the project would contribute incrementally to surface water pollution, all of Moreno Valley is subject to a Storm Water Pollution Prevention Permit from the Santa Ana Regional Water Quality Control Board for the purpose of reducing the pollution of storm water. The tract includes four basins to remove water pollutants from the first flush of runoff coming from the development.

Discussion of 2014 Modified Project: The grading footprint proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project and the 2014 Modified Project proposes improved water quality features as compared to the 2004 Approved Project. As such, the 2014 Modified Project would have no potential to create a new impact or more severe water quality impact than would the 2004 Approved Project. As with the 2004 Approved Project, the 2014 Modified Project would be required to comply with the requirements of the State Water Resources Control Board and obtain a National Pollutant Discharge Elimination System (NPDES) permit for construction activities. The NPDES permit is required for all projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one (1) acre of total land area. The NPDES Permit requires the Project Applicant to prepare and submit to the City for approval a Project-specific Storm Water Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP) to meet water quality standards. Adherence to the requirements noted in the Project's required WQMP and site-specific SWPPP would ensure that potential construction- and operational-related water quality impacts would be less than significant. With mandatory compliance to these regulatory requirements, water quality impacts would be less than significant as concluded by the 2004 ND.

Finding: Because the grading footprint and the grading characteristics proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project, 23 fewer homes would be constructed, and the 2014 Modified Project is required to adhere to a SWPPP and WQMP to address water quality, the 2014 Modified Project would have no potential to result in a new or more severe water quality impact than disclosed in the 2004 ND. As concluded by the 2004 ND, a less than significant impact would occur.

b) Substantially degrade 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)?				■

(Source: City of Moreno Valley General Plan FEIR, Chapter 5.7 – Hydrology/Water; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The proposed amendment would not expose people or property to flood hazards. Source: Moreno Valley General Plan and FEMA Flood Insurance Rate Maps. Although surface runoff from the project would contribute incrementally to surface water pollution, all of Moreno Valley is subject to a Storm Water Pollution Prevention Permit from the Santa Ana Regional Water Quality Control Board for the purpose of reducing the pollution of storm water. The tract includes four basins to remove water pollutants from the first flush of runoff coming from the development.

Discussion of 2014 Modified Project: As with the 2004 Approved Project, the 2014 Modified Project would be served with potable water by the EMWD. No potable groundwater wells are proposed that could draw water directly from groundwater supplies. The 2014 Modified Project proposes to reduce the number of residential lots approved by TTM 31592 from 138 to 115, resulting in 23 fewer residential lots than the 2004 Approved Project and as analyzed by the 2004 ND. Because the number of homes would be reduced, water demand and impervious surface cover would be reduced commensurately. As such, the 2014 Modified Project would have no potential to create a new impact or more severe impact associated with groundwater supplies than the 2004 Approved

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

Project. As concluded by the 2004 ND, a less than significant impact would occur.

Finding: Because 23 fewer homes would be constructed under the 2014 Modified Project, water demand and impervious surface cover would be reduced commensurately, resulting in a lesser impact to groundwater supplies. The 2014 Modified Project would have no potential to result in a new or more severe groundwater impact than disclosed in the 2004 ND. As concluded by the 2004 ND, no adverse impact would occur.

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?				■

(Source: City of Moreno Valley General Plan FEIR, Chapter 5.7 – Hydrology/Water; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The proposed amendment would not expose people or property to flood hazards. Source: Moreno Valley General Plan and FEMA Flood Insurance Rate Maps. Although surface runoff from the project would contribute incrementally to surface water pollution, all of Moreno Valley is subject to a Storm Water Pollution Prevention Permit from the Santa Ana Regional Water Quality Control Board for the purpose of reducing the pollution of storm water. The tract includes four basins to remove water pollutants from the first flush of runoff coming from the development.

Discussion of 2014 Modified Project: The grading footprint and general drainage pattern proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project. As such, the 2014 Modified Project would have no potential to create a new impact or more severe impact associated with drainage pattern alteration or soil erosion siltation than would the 2004 Approved Project. As with the 2004 Approved Project, the 2014 Modified Project would be required to comply with the requirements of the State Water Resources Control Board and obtain a National Pollutant Discharge Elimination System (NPDES) permit for construction activities. The NPDES permit is required for all projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one (1) acre of total land area. The NPDES Permit requires the Project Applicant to prepare and submit to the City for approval a Project-specific Storm Water Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP). The SWPPP and WQMP must identify and implement an effective combination of erosion control and sediment control measures (i.e., Best Management Practices) to reduce or eliminate discharge to surface water from storm water and non-storm water discharges. Adherence to the requirements noted in the Project's required WQMP and site-specific SWPPP would ensure that potential construction-related impacts associated with erosion and siltation would be less than significant. During grading and other construction activities involving soil exposure or the transport of earth materials, City of Moreno Valley Ordinance No. 568, which establishes requirements for the control of erosion during construction, also would apply to the 2014 Modified Project. With mandatory compliance to these regulatory requirements, the potential for drainage pattern alteration and associated soil erosion and siltation effects would be less than significant.

Finding: Because the grading footprint, grading characteristics, and drainage pattern proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no potential to result in a new or more severe impact associated with soil erosion and siltation resulting from drainage pattern alteration than disclosed in the 2004 ND. As concluded by the 2004 ND, a less than significant impact would occur.

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?				■

(Source: City of Moreno Valley General Plan FEIR, Chapter 5.7 – Hydrology/Water; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The proposed amendment would not expose people or property to flood hazards. Source: Moreno Valley General Plan and FEMA Flood Insurance Rate Maps. Although surface runoff from the project would contribute incrementally to surface water pollution, all of Moreno Valley is subject to a Storm Water Pollution Prevention Permit from the Santa Ana Regional Water Quality Control Board for the purpose of reducing the pollution of storm water. The tract includes four basins to remove water pollutants from the first flush of runoff coming from the development.

Discussion of 2014 Modified Project: Under existing conditions, the drainage pattern of the site flows in various directions influenced by topography. The property's topography is dominated by a portion of the steep southwest-facing slope of Olive Peak, a northwest-southeast trending ridge that forms the divide between the Reche Canyon watershed to the east and Pigeon Pass Valley to

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

the west. This ridge dissects the northeast corner of the property. Because the 2014 Modified Project would retain the eastern portion of the property as open space, no impacts to the Reche Canyon watershed would occur. In the western portion of the property where residential development is proposed, the 2014 Modified Project would have a similar drainage pattern as the 2004 Approved Project. Specifically, the 2014 Modified Project proposes to install a subsurface drainage system that would outlet at four (4) on-site water quality basins, one (1) off-site basin, and a constructed drainage channel along the eastern boundary of the proposed residential development area. The system is designed to emulate the existing natural drainage pattern and would not substantially increase the rate of surface runoff that could result in flooding on- or off-site. The 2014 Modified Project would not result in a new impact or more severe impact to drainage patterns than the 2004 Approved Project. As concluded in the 2004 ND, drainage pattern impacts would be less than significant.

Finding: Because the drainage pattern proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no potential to result in a new or more severe impact associated with drainage pattern alterations that could result in flooding on- or off-site. As concluded by the 2004 ND, a less than significant impact would occur.

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?				■

(Source: City of Moreno Valley General Plan FEIR, Chapter 5.7 – Hydrology/Water; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The proposed amendment would not expose people or property to flood hazards. Source: Moreno Valley General Plan and FEMA Flood Insurance Rate Maps. Although surface runoff from the project would contribute incrementally to surface water pollution, all of Moreno Valley is subject to a Storm Water Pollution Prevention Permit from the Santa Ana Regional Water Quality Control Board for the purpose of reducing the pollution of storm water. The tract includes four basins to remove water pollutants from the first flush of runoff coming from the development.

Discussion of 2014 Modified Project: The grading footprint proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project and the 2014 Modified Project proposes 23 fewer residential lots and a concomitant reduction in pervious surface area. The 2014 Modified Project would have a nearly identical drainage pattern and stormwater drainage system as the 2004 Approved Project. Specifically, the 2014 Modified Project proposes to install a subsurface drainage system that would outlet at four (4) on-site water quality basins, one (1) off-site basin, and a constructed drainage channel along the eastern boundary of the proposed residential development area. The system is designed to emulate the existing natural drainage pattern and would not exceed the capacity of the existing or planned drainage system. Regarding water quality, the 2014 Modified Project proposes improved water quality features and less pervious surface coverage associated with a reduction of 23 residential lots as compared to the 2004 Approved Project. As such, the 2014 Modified Project would have no potential to create a new impact or more severe water quality impact than would the 2004 Approved Project. As concluded by the 2004 ND, impacts would be less than significant.

Finding: Because the drainage pattern proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project and the 2014 Modified Project proposes 23 fewer residential lots with an associated reduction of pervious surface area, the 2014 Modified Project would have no potential to result in a new or more severe impact to the drainage system or provide additional sources of polluted runoff compared to the 2004 Approved Project. As concluded by the 2004 ND, a less than significant impact would occur.

f) Otherwise substantially degrade water quality?				■

(Source: City of Moreno Valley General Plan FEIR, Chapter 5.7 – Hydrology/Water; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The proposed amendment would not expose people or property to flood hazards. Source: Moreno Valley General Plan and FEMA Flood Insurance Rate Maps. Although surface runoff from the project would contribute incrementally to surface water pollution, all of Moreno Valley is subject to a Storm Water Pollution Prevention Permit from the Santa Ana Regional Water Quality Control Board for the purpose of reducing the pollution of storm water. The tract includes four basins to remove water pollutants from the first flush of runoff coming from the development.

Discussion of 2014 Modified Project: As discussed in detail under the analysis of Threshold IX.a), above, mandatory compliance with regulatory requirements would reduce the 2014 Modified Project's potential to generate substantial amounts of polluted runoff, including polluted water runoff to less than significant levels similar to the 2004 Approved Project. Other than runoff from the site,

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

there are no other known sources of pollutants that could impact or degrade water quality. Accordingly, the 2014 Modified Project would have no potential to create a new impact or more severe water quality impact than would the 2004 Approved Project. As concluded by the 2004 ND, impacts would be less than significant.

Finding: Because the grading footprint and the grading characteristics proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project, 23 fewer homes would be constructed, and the 2014 Modified Project is required to adhere to mandatory regulatory requirements to address water quality, the 2014 Modified Project would have no potential to result in a new or more severe water quality impact than disclosed in the 2004 ND. As concluded by the 2004 ND, a less than significant impact would occur.

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?				■

(Source: City of Moreno Valley General Plan FEIR, Chapter 5.7 – Hydrology/Water; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The proposed amendment would not expose people or property to flood hazards. Source: Moreno Valley General Plan and FEMA Flood Insurance Rate Maps. Although surface runoff from the project would contribute incrementally to surface water pollution, all of Moreno Valley is subject to a Storm Water Pollution Prevention Permit from the Santa Ana Regional Water Quality Control Board for the purpose of reducing the pollution of storm water. The tract includes four basins to remove water pollutants from the first flush of runoff coming from the development.

Discussion of 2014 Modified Project: The subject property is not located in a 100-year floodplain. Additionally, the grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. As such, neither the 2004 Approved Project or the 2014 Modified Project would have any potential to place housing in a 100-year floodplain, because no 100-year floodplains occur on the property. As concluded by the 2004 ND, no impact would occur.

Finding: The 2014 Modified Project is proposed on property that does not contain a 100-year floodplain. Therefore, there is no potential to place housing in a 100-year floodplain. No impact would occur as concluded by the 2004 ND.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				■

(Source: City of Moreno Valley General Plan FEIR Figure 5.5-2, Floodplains and High Fire Hazards; City of Moreno Valley General Plan Figure 6-4, *Flood Hazards; 2004 Approved Project; 2014 Modified Project)*

2004 ND Conclusion: No Impact. The proposed amendment would not expose people or property to flood hazards. Source: Moreno Valley General Plan and FEMA Flood Insurance Rate Maps. Although surface runoff from the project would contribute incrementally to surface water pollution, all of Moreno Valley is subject to a Storm Water Pollution Prevention Permit from the Santa Ana Regional Water Quality Control Board for the purpose of reducing the pollution of storm water. The tract includes four basins to remove water pollutants from the first flush of runoff coming from the development.

Discussion of 2014 Modified Project: The subject property is not located in a 100-year floodplain. Additionally, the grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. As such, neither the 2004 Approved Project or the 2014 Modified Project would have any potential to place structures in a 100-year floodplain, because no 100-year floodplains occur on the property. As concluded by the 2004 ND, no impact would occur.

Finding: The 2014 Modified Project is proposed on property that does not contain a 100-year floodplain. Therefore, there is no potential to place structures in a 100-year floodplain. No impact would occur as concluded by the 2004 ND.

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?				■

(Source: City of Moreno Valley General Plan FEIR, Chapter 5.7 – Hydrology/Water; Google Earth; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The proposed amendment would not expose people or property to flood hazards. Source: Moreno Valley General Plan and FEMA Flood Insurance Rate Maps. Although surface runoff from the project would contribute incrementally to surface water pollution, all of Moreno Valley is subject to a Storm Water Pollution Prevention Permit from the Santa Ana Regional Water Quality Control Board for the purpose of reducing the pollution of storm water. The tract includes four

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

basins to remove water pollutants from the first flush of runoff coming from the development.

Discussion of 2014 Modified Project: The subject property is not located in an area subject to flooding, including a dam or levee inundation area. Additionally, the grading footprint and drainage system design of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. As such, neither the 2004 Approved Project or the 2014 Modified Project would have any potential to expose people or structures to flooding. As concluded by the 2004 ND, no impact would occur.

Finding: The 2014 Modified Project is proposed on property that does not contain flood hazards. Because the grading footprint, development characteristics, and stormwater drainage design proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project, and 23 fewer homes would be constructed, the 2014 Modified Project would have no potential to result in a new or more severe flooding impact than disclosed in the 2004 ND. As concluded by the 2004 ND, no adverse impact would occur.

j) Inundation by seiche, tsunami, or mudflow?				■

(Source: City of Moreno Valley General Plan Safety Element, Figure 6-4, Flood Hazards, Google Earth; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The proposed amendment would not expose people or property to flood hazards. Source: Moreno Valley General Plan and FEMA Flood Insurance Rate Maps. Although surface runoff from the project would contribute incrementally to surface water pollution, all of Moreno Valley is subject to a Storm Water Pollution Prevention Permit from the Santa Ana Regional Water Quality Control Board for the purpose of reducing the pollution of storm water. The tract includes four basins to remove water pollutants from the first flush of runoff coming from the development.

Discussion of 2014 Modified Project: The Project site is located more than 40 miles from the nearest portion of the Pacific Ocean, which is the only body of water within the region capable of producing tsunamis. Additionally, the property is separated from the Pacific Ocean by the Santa Ana Mountains. Accordingly, there is no potential for the site to be affected by a tsunami, and no impact would occur. Seiches are a temporary disturbance or oscillation in the water level of a body of water (e.g., lake), which can result in inundation of lands surrounding the body of water. Seiches with the potential for inundating surrounding lands with flood waters are most frequently caused by seismic activity. The property is not located in close proximity to any bodies of water capable of producing a seiche. The nearest large body of water is the Perris Reservoir, located approximately 7.3 miles southeast of the Project site, which is too far from the Project site to pose a seiche inundation hazard. To the east of the proposed residential development area are the southwest-facing slopes of Olive Peak. The grading footprint proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project. As such, the 2014 Modified Project would have no potential to be affected by a new or more severe mudflow impact than would the 2004 Approved Project. As concluded by the 2004 ND, no adverse impacts would occur.

Finding: The 2014 Modified Project is proposed on a property that is not subject to impact by seiche, tsunami, or mudflow. Because the grading footprint, development characteristics, and stormwater drainage design proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project with the exception that lots would be reoriented within the development footprint and 23 fewer homes would be constructed, the 2014 Modified Project would have no potential to result in a new or more severe impact associated with seiche, tsunami, or mudflow than disclosed in the 2004 ND. As concluded by the 2004 ND, no adverse impact would occur.

X. **LAND USE AND PLANNING**. Would the project:

a) Physically divide an established community?				■

(Source: Google Earth; City of Moreno Valley General Plan; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The proposal will amend the land use plan for the area, but it will not conflict with an applicable plan or regulation to avoid or mitigate an environmental effect or any habitat conservation plan. The site is not one of the designated "criteria areas" for potential conservation under the Riverside County Multiple-Species Habitat Conservation Plan (MSHCP), dated March 7, 2002.

Discussion of 2014 Modified Project: The 2014 Modified Project proposes to reduce the number of residential lots previously approved by TTM 31592 from 138 to 115, resulting in 23 fewer residential lots than the 2004 Approved Project. The development footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project, which proposes development adjacent to the edge of a single-family development to the west. To the east is open space. The Modified Project would not modify the existing General Plan land use or zoning designations for the property. Therefore, the 2014 Modified Project has no potential to

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

divide an established community and would not result in any new or more severe impacts associated with community division than the 2004 Approved Project. As concluded by the 2004 ND, no impact would occur.

Finding: Because the development footprint proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project, the 2014 Modified Project would have no potential to result in a new or more severe community division impact than disclosed in the 2004 ND. As concluded by the 2004 ND, no impact would occur.

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?				■

(Source: Google Earth; City of Moreno Valley General Plan; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The proposal will amend the land use plan for the area, but it will not conflict with an applicable plan or regulation to avoid or mitigate an environmental effect or any habitat conservation plan. The site is not one of the designated "criteria areas" for potential conservation under the Riverside County Multiple-Species Habitat Conservation Plan (MSHCP), dated March 7, 2002.

Discussion of 2014 Modified Project: The 2014 Modified Project would be consistent with the land use and zoning designations applied to the property, as established by the 2004 Approved Project. Furthermore, the 2014 Modified Project proposes to reduce the number of previously approved residential lots from 138 to 115, resulting in 23 fewer residential homes and proportionally lessening environmental effects associated with construction and operation. Therefore, the 2014 Modified Project has no potential to cause a new or more severe conflict with an applicable plan, policy, or regulation of any agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. In fact, the 2014 Modified Project would result in a reduction in environmental effects.

Finding: Because the 2014 Modified Project would be consistent with the land use and zoning designations applied to the property , the development footprint proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project, and 23 fewer residential homes would be constructed, the 2014 Modified Project has no potential to cause a new or more severe conflict with an applicable plan, policy, or regulation of any agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. As concluded by the 2004 ND, no adverse impact would occur.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				■

(Source: City of Moreno Valley General Plan Conservation Element; City of Moreno Valley General Plan FEIR, Chapter 5.9 – Biological Resources; Western Riverside County Multiple Species Habitat Conservation Plan; 2004 Approved Project; 2014 Modified Project; Biological Technical Report (GLA, 2013))

2004 ND Conclusion: No Impact. The proposal will amend the land use plan for the area, but it will not conflict with an applicable plan or regulation to avoid or mitigate an environmental effect or any habitat conservation plan. The site is not one of the designated "criteria areas" for potential conservation under the Riverside County Multiple-Species Habitat Conservation Plan (MSHCP), dated March 7, 2002.

Discussion of 2014 Modified Project: The grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project, which is located outside of MSHCP Plan designated Criteria Cells or Cell groups. Additionally, the 2014 Modified Project is required to comply with all conditions required by the City of Moreno Valley to ensure compliance with the MSHCP. The 2014 Modified Project is conditioned to comply with City of Moreno Valley Municipal Code Title 3, Chapter 3.48, *Western Riverside County Multiple Species Habitat Conservation Plan Fee Program*, which requires a per-acre local development fee that will assist in providing revenue to acquire and preserve vegetation communities and natural areas within the City and western Riverside County which are known to support threatened, endangered or key sensitive populations of plant and wildlife species. The 2014 Modified Project is also conditioned to comply with the City of Moreno Valley Municipal Code Title 3, Chapter 8.60. Threatened and Endangered Species, which requires a per-acre local development mitigation fee pursuant to the City's adopted, *"The Habitat Conservation Plan for the Stephen's Kangaroo Rat in Western Riverside, California,"* and as established pursuant to Fee Resolution 89-92. Because the grading footprint of the 2014 Modified Project is nearly identical to the 2004 Approved Project and compliance with these applicable habitat conservation plans (HCPs) is assured by regulatory requirements, there is no potential for the 2014 Modified Project to result in a new or more severe conflict with HCPs than the 2004 Approved Project. As concluded by the 2004 ND, no adverse impact would occur.

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

Finding: The 2014 Modified Project would have a nearly identical grading footprint as the 2004 Approved Project. As such, the 2014 Modified Project has no potential result in a new or more severe conflict with applicable HCPs than the 2004 Approved Project. As concluded by the 2004 ND, no adverse impact would occur. Regulatory requirements imposed by the City would ensure that fee payments occur in compliance with applicable HCPs.

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?				■

(Source: City of Moreno Valley General Plan Conservation Element; City of Moreno Valley General Plan FEIR, Chapter 5.14 – Mineral Resources; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The proposed amendment would have no effect on mineral resources. There are no known mineral resources in the area.

Discussion of 2014 Modified Project: The grading footprint of the 2014 Modified Project is nearly identical to the 2004 Approved Project. As such, the 2014 Modified Project has no potential result in a new or more severe impact to mineral resources than the 2004 Approved Project. As concluded by the 2004 ND, no adverse impact would occur. The Project site is not located within an area known to be underlain by regionally- or locally-important mineral resources or within an area that has the potential to be underlain by regionally- or locally-important mineral resources, as disclosed by the City's General Plan and the associated General Plan FEIR. Accordingly, implementation of either the 2004 Approved Project or 2014 Modified Project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State of California. In addition, the City's General Plan does not identify any locally-important mineral resource recovery sites on-site or within close proximity to the Project site.

Finding: The 2014 Modified Project would have a nearly identical grading footprint as the 2004 Approved Project. As such, the 2014 Modified Project has no potential result in a new or more severe impact to mineral resources than the 2004 Approved Project. As concluded by the 2004 ND, no adverse impact would occur. The Project site is not located within an area known to be underlain by regionally- or locally-important mineral resources, or within an area that has the potential to be underlain by regionally- or locally-important mineral resources, as disclosed by the City's General Plan and the associated General Plan FEIR.

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?				■

(Source: City of Moreno Valley General Plan Conservation Element, City of Moreno Valley General Plan FEIR, Chapter 5.14 – Mineral Resources; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The proposed amendment would have no effect on mineral resources. There are no known mineral resources in the area.

Discussion of 2014 Modified Project: The grading footprint of the 2014 Modified Project is nearly identical to the 2004 Approved Project. As such, the 2014 Modified Project has no potential result in a new or more severe impact to mineral resources than the 2004 Approved Project. As concluded by the 2004 ND, no adverse impact would occur. The Project site is not located within an area known to be underlain by regionally- or locally-important mineral resources or within an area that has the potential to be underlain by regionally- or locally-important mineral resources, as disclosed by the City's General Plan and the associated General Plan FEIR. Accordingly, implementation of either the 2004 Approved Project or 2014 Modified Project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State of California. In addition, the City's General Plan does not identify any locally-important mineral resource recovery sites on-site or within close proximity to the Project site.

Finding: The 2014 Modified Project would have a nearly identical grading footprint as the 2004 Approved Project. As such, the 2014 Modified Project has no potential result in a new or more severe impact to mineral resources than the 2004 Approved Project. As concluded by the 2004 ND, no adverse impact would occur. The Project site is not located within an area known to be underlain by regionally- or locally-important mineral resources, or within an area that has the potential to be underlain by regionally- or locally-important mineral resources, as disclosed by the City's General Plan and the associated General Plan FEIR.

XII. NOISE**.** Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards				■

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

established in the local general plan or noise ordinance, or applicable standards of other agencies?				

(Source: Project Application Materials; City of Moreno Valley General Plan Safety Element; City of Moreno Valley Municipal Code, Chapter 11.80 – Noise Regulation; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The additional housing will generate a small increase noise levels in the area due to the addition of people, pets, equipment and vehicles. There will also be a temporary increase in noise levels due primarily to the operation of construction equipment.

Discussion of 2014 Modified Project: The 2014 Modified Project proposes to reduce the number of residential lots approved with TTM 31592 from 138 to 115, resulting in 23 fewer residential lots than the 2004 Approved Project. The reduction in lot count would result in a concomitant reduction in noise levels associated with residential development and associated vehicular traffic. Therefore, in long-term operating condition, the 2014 Modified Project would result in a lesser generation of noise levels than the 2004 Approved Project. The grading footprint and construction characteristics of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. Thus, noise levels associated with the short-term construction process would be largely the same; except for noise level reductions captured by building 23 fewer homes under the 2014 Modified Project. In any case, any development on the Project site would be required comply with the City of Moreno Valley Noise Ordinance (Moreno Valley Municipal Code Chapter 11.80). For these reasons, the 2014 Modified Project has no potential to result in a new or more severe noise impact than the 2004 Approved Project. As concluded by the 2004 ND, no adverse noise impact would occur.

Finding: Because the grading footprint and construction characteristics of the 2014 Modified Project would be nearly identical to the 2004 Approved Project and the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, the 2014 Modified Project would generate lower noise levels than the 2004 Approved Project. Therefore, the 2014 Modified Project would have no potential to cause a new noise impact or increase exposure of persons to or generation of noise levels in excess of standards established by the local general plan or noise ordinance, or applicable standards of other agencies as compared to the 2004 Approved Project. Consistent with the conclusion made by the 2004 ND, no adverse impact would occur.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				■

(Source: Project Application Materials; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The additional housing will generate a small increase noise levels in the area due to the addition of people, pets, equipment and vehicles. There will also be a temporary increase in noise levels due primarily to the operation of construction equipment.

Discussion of 2014 Modified Project: The 2014 Modified Project proposes to reduce the number of residential lots approved with TTM 31592 from 138 to 115, resulting in 23 fewer residential homes than the 2004 Approved Project. A residential project like the one proposed has no potential to generate groundborne vibration or noise, except for the potential for vibration to occur during the construction phase from the use of large construction equipment. Construction activities necessary to implement the 2014 Modified Project would be nearly identical to the 2004 Approved Project. As such, the 2014 Modified Project has no potential to result in a new or more severe impact associated with groundborne vibration or noise than the 2004 Approved Project. Under long-term conditions, operational activities of the proposed Project would not include nor require equipment, facilities, or activities that would result in perceptible groundborne vibration, thus creating no groundborne vibration impacts in the long-term. As concluded by the 2004 ND, no adverse groundborne vibration or noise impacts would occur.

Finding: Because the grading footprint and construction characteristics of the 2014 Modified Project would be nearly identical to the 2004 Approved Project and the construction process is the only aspect of the Project with potential to generate groundborne vibration or noise, the 2014 Modified Project would have no potential to cause a new or more severe groundborne vibration or noise impact. Consistent with the conclusion made by the 2004 ND, no adverse impact would occur.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				■

(Source: Project Application Materials; City of Moreno Valley General Plan Safety Element; City of Moreno Valley Municipal Code, Chapter 11.80 – Noise Regulation; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The additional housing will generate a small increase noise levels in the area due to the addition of people, pets, equipment and vehicles. There will also be a temporary increase in noise levels due primarily to the operation of construction equipment.

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

Discussion of 2014 Modified Project: As with any new development project that generates vehicle traffic, the 2014 Modified Project has the potential to increase traffic noise levels over existing conditions during long-term operation. The 2014 Modified Project proposes to reduce the number of residential lots approved with TTM 31592 from 138 to 115, resulting in 23 fewer residential lots than the 2004 Approved Project. The reduction in residential lots would result in a concomitant reduction in ambient noise levels associated with residential development and generated vehicle traffic. Therefore, in long-term operating condition, the 2014 Modified Project would generate lower noise levels than the 2004 Approved Project. As concluded by the 2004 ND, noise impacts would be less than significant.

Finding: Noise generated by residential development on the property would not be substantial. Because the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, the 2014 Modified Project would generate lower operational noise levels than the 2004 Approved Project. Therefore, the 2014 Modified Project would have no potential to cause a new or more severe noise impact associated with a permanent increase in ambient noise levels. Consistent with the conclusion made by the 2004 ND, noise impacts would be less than significant.

d) A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				■

(Source: Project Application Materials; City of Moreno Valley General Plan Safety Element; City of Moreno Valley Municipal Code, Chapter 11.80 – Noise Regulation; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The additional housing will generate a small increase noise levels in the area due to the addition of people, pets, equipment and vehicles. There will also be a temporary increase in noise levels due primarily to the operation of construction equipment.

Discussion of 2014 Modified Project: The only potential for substantial temporary or periodic increases in noise levels to occur from a residential project like the one proposed is during the construction process. Construction activities necessary to implement the 2014 Modified Project would be nearly identical to the 2004 Approved Project. As such, the 2014 Modified Project has no potential to result in a new or more severe temporary or periodic increase in noise levels than the 2004 Approved Project. Also, there would likely be some construction-related noise level reduction realized by building 23 fewer homes under the 2014 Modified Project. In any case, temporary construction activities on the Project site would be required comply with the City of Moreno Valley Noise Ordinance Section 11.80.030.D.7, Construction and Demolitions, which states: "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." As concluded by the 2004 ND, temporary noise impacts would be less than significant.

Finding: Because the grading footprint and construction characteristics of the 2014 Modified Project would be nearly identical to the 2004 Approved Project and the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, the 2014 Modified Project would not have any potential to cause a new construction-related temporary noise impact as compared to the 2004 Approved Project. Additionally, construction activities would be required comply with the City of Moreno Valley Noise Ordinance Section 11.80.030.D.7. Consistent with the conclusion made by the 2004 ND, temporary noise impacts would be less than significant.

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?				■

(Source: City of Moreno Valley General Plan Safety Element; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The additional housing will generate a small increase noise levels in the area due to the addition of people, pets, equipment and vehicles. There will also be a temporary increase in noise levels due primarily to the operation of construction equipment.

Discussion of 2014 Modified Project: The Project site is not located within an airport land use plan or, where such a plan has not been adopted, or within two miles of a public airport or public use airport. Therefore, there is no potential for residential development on the Project site to be exposed to excessive airport-related noise. As concluded by the 2004 ND, no impact would occur.

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

Finding: The Project site is not located within an airport land use plan or within two miles of a public airport or public use airport. Therefore, there is no potential the 2014 Modified Project to be exposed to excessive airport-related noise. As concluded by the 2004 ND, no adverse impact would occur.

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?				■

(Source: City of Moreno Valley General Plan Safety Element; Google Earth; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The additional housing will generate a small increase noise levels in the area due to the addition of people, pets, equipment and vehicles. There will also be a temporary increase in noise levels due primarily to the operation of construction equipment.

Discussion of 2014 Modified Project: The Project site is not located within the vicinity of a private airstrip. Therefore, there is no potential for residential development on the Project site to be exposed to excessive noise from a private airstrip. As concluded by the 2004 ND, no impact would occur.

Finding: The Project site is not located within the vicinity of a private airstrip. Therefore, there is no potential for the 2014 Modified Project to be exposed to airstrip-related noise. As concluded by the 2004 ND, no adverse impact would occur.

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)?				■

(Source: Project Application Materials; City of Moreno Valley General Plan Land Use Map; City of Moreno Valley General Plan FEIR, Chapter 5.12 – Population and Housing; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. Although the project would allow for a small amount of new housing, it would have no effect on housing growth, displacement of existing housing, or the need for replacement housing.

Discussion of 2014 Modified Project: The 2014 Modified Project proposes to reduce the number of residential lots approved by TTM 31592 from 138 to 115, resulting in 23 fewer residential lots than the 2004 Approved Project and as analyzed by the 2004 ND. Because the Modified Project would result in a smaller population than would the 2004 Approved Project, the 2014 Modified Project has no potential to create a new impact or more severe impact related to substantial population growth. The population generated by constructing 115 residential homes on the property is not considered substantial and is consistent with the land use and zoning designations applied to the property, as established by the 2004 Approved Project.

Finding: Because the 2014 Modified Project would be consistent with the land use and zoning designations applied to the property and 23 fewer residential homes would be constructed, the 2014 Modified Project would generate less population than the 2004 Approved Project. As such, the 2014 Modified Project has no potential to induce additional population growth in the area, either directly or indirectly, compared to the 2004 Approved Project. As concluded by the 2004 ND, population impacts would be less than significant.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				■

(Source: 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. Although the project would allow for a small amount of new housing, it would have no effect on housing growth, displacement of existing housing, or the need for replacement housing.

Discussion of 2014 Modified Project: The Project site is vacant and contains no housing units under existing conditions. As such, the 2014 Modified Project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. The 2014 Modified Project has no potential to create a new or more severe housing displacement impact than the 2004 Approved Project, which also would not have displaced any existing housing units. As concluded by the 2004 ND, no housing displacement impacts would occur.

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

Finding: Because the Project site is vacant, the 2014 Modified Project would not displace any existing housing, necessitating the construction of replacement housing elsewhere. As concluded by the 2004 ND, no impact would occur.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				■

(Source: 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. Although the project would allow for a small amount of new housing, it would have no effect on housing growth, displacement of existing housing, or the need for replacement housing.

Discussion of 2014 Modified Project: The Project site is vacant and contains no structures housing a population under existing conditions. As such, the 2014 Modified Project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. The 2014 Modified Project has no potential to create a new or more severe population displacement impact than the 2004 Approved Project, which also would not have displaced any people. As concluded by the 2004 ND, no population displacement impacts would occur.

Finding: Because the Project site is vacant, the 2014 Modified Project would not displace any existing people, necessitating the construction of replacement housing elsewhere. As concluded by the 2004 ND, no impact would occur.

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?				■

(Source: Project Application Materials; City of Moreno Valley General Plan Safety Element; City of Moreno Valley General Plan FEIR; Chapter 5.13-Public Services and Utilities; Riverside County Fire Protection Master Plan; Riverside County Fire Department GIS; City of Moreno Valley Municipal Code, Chapter 3.42, Commercial and Development Impact Fees (Ordinance No. 695); 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The project would create an incremental increase in the demand for public services. The demand is mitigated because every new residential unit must pay impact fees that are used to provide additional public facilities.

Discussion of 2014 Modified Project: The grading construction characteristics proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project and the 2014 Modified Project proposes 23 fewer residential lots, resulting in a concomitant reduction in demand for fire protection services. The 2014 Modified Project is required to provide a minimum of fire safety and support fire suppression activities, including fuel modification zones, type of building construction, a fire hydrant system and paved access. Furthermore, the 2014 Modified Project is required to comply with the provisions of the City of Moreno Valley's Development Impact Fee (DIF) Ordinance (Ordinance No. 695), which requires a fee payment that the City applies to the funding of public facilities, including fire protection facilities. Mandatory compliance with the DIF Ordinance would be required prior to the issuance of building permits. As would have occurred under the 2004 Approved Project, the 2014 Modified Project would receive adequate fire protection service, and would not result in the need for new or physically altered fire protection facilities. No new or more severe fire services impact would occur from the 2014 Modified Project as compared to the 2004 Approved Project analyzed in the 2004 ND. As concluded by the 2004 ND, impacts to fire protection facilities would be less than significant.

Finding: Because the construction characteristics of the 2014 Modified Project would be nearly identical to the 2004 Approved Project and the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, the 2014 Modified Project would not have any potential to cause a or more severe impact to fire protection facilities as compared to the 2004 Approved Project. As was required of the 2004 Approved Project, the 2014 Modified Project is required to comply with the provisions of the City of Moreno Valley's DIF Ordinance (Ordinance No. 695), which requires a fee payment that the City applies to the funding of public facilities, including fire protection facilities. As concluded by the 2004 ND, with fee payment, impacts to fire protection facilities would be less than significant.

b) Police protection?				■

(Source: Project Application Materials; Moreno Valley General Plan Safety Element; City of Moreno Valley General Plan FEIR, Chapter 5.13-Public Services and Utilities; City of Moreno Valley Municipal Code, Chapter 3.42, Commercial and Development Impact Fees (Ordinance No. 695; 2004 Approved Project; 2014 Modified Project)

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

2004 ND Conclusion: Less than Significant Impact. The project would create an incremental increase in the demand for public services. The demand is mitigated because every new residential unit must pay impact fees that are used to provide additional public facilities.

Discussion of 2014 Modified Project: The grading construction characteristics proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project and the 2014 Modified Project proposes 23 fewer residential lots, resulting in a concomitant reduction in demand for police protection services. The 2014 Modified Project is required to comply with the provisions of the City of Moreno Valley's Development Impact Fee (DIF) Ordinance (Ordinance No. 695), which requires a fee payment that the City applies to the funding of public facilities, including police protection facilities. Mandatory compliance with the DIF Ordinance would be required prior to the issuance of building permits. As with the 2014 Approved Project, the 2014 Modified Project would receive adequate police protection service, and would not result in the need for new or physically altered police protection facilities. No new or more severe police services impact would occur from the 2014 Modified Project as compared to the 2004 Approved Project analyzed in the 2004 ND. As concluded by the 2004 ND, impacts to police protection facilities would be less than significant.

Finding: Because the construction characteristics of the 2014 Modified Project would be nearly identical to the 2004 Approved Project and the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, the 2014 Modified Project would not have any potential to cause a or more severe impact to police protection facilities as compared to the 2004 Approved Project. As was required of the 2004 Approved Project, the 2014 Modified Project is required to comply with the provisions of the City of Moreno Valley's DIF Ordinance (Ordinance No. 695), which requires a fee payment that the City applies to the funding of public facilities, including police protection facilities. As concluded by the 2004 ND, with fee payment, impacts to police protection facilities would be less than significant.

c) Schools?				■

(Source: California Senate Bill 50 (Greene); California Government Code Section 65995; City of Moreno Valley General Plan FEIR, Chapter 5.1, Land Use; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The project would create an incremental increase in the demand for public services. The demand is mitigated because every new residential unit must pay impact fees that are used to provide additional public facilities.

Discussion of 2014 Modified Project: The 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, resulting in a fewer number of school-aged children placing demand on public school services and facilities. As was required of the 2004 Approved Project, the 2014 Modified Project Applicant would be required to contribute development impact fees to the Moreno Valley Unified School District, in compliance with California Senate Bill 50 (Greene). Mandatory payment of school fees would be required prior to the issuance of a building permit. No new or more severe school services impact would occur from the 2014 Modified Project as compared to the 2004 Approved Project analyzed in the 2004 ND. As concluded by the 2004 ND, with fee payment, impacts to school facilities would be less than significant.

Finding: Because the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, the 2014 Modified Project would not have any potential to generate more school-aged students or cause a new or more severe impact to school facilities as compared to the 2004 Approved Project. As was required of the 2004 Approved Project, the 2014 Modified Project is required to contribute development impact fees to the Moreno Valley Unified School District, in compliance with California Senate Bill 50 (Greene). As concluded by the 2004 ND, with fee payment, impacts to school facilities would be less than significant.

d) Parks?				■

(Source: 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The project would create an incremental increase in the demand for public services. The demand is mitigated because every new residential unit must pay impact fees that are used to provide additional public facilities.

Discussion of 2014 Modified Project: Identical to the 2004 Approved Project, the 2014 Modified Project does not propose to construct any recreational parks; therefore, no direct impact to parks would occur. The 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, resulting in a lesser demand placed on public park facilities. As was required of the 2004 Approved Project, the 2014 Modified Project is required to comply with the provisions of the City of Moreno Valley's Development Impact Fee (DIF) Ordinance (Ordinance No. 695), which requires a fee payment that the City applies to the funding of

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

public facilities, including recreation. Mandatory compliance with the DIF Ordinance would be required prior to the issuance of building permits. No new or more severe impacts to recreational parks would occur from the 2014 Modified Project as compared to the 2004 Approved Project analyzed in the 2004 ND. As concluded by the 2004 ND, impacts to park facilities would be less than significant.

Finding: Because the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, the 2014 Modified Project would not have any potential cause a new or more severe impact to park facilities as compared to the 2004 Approved Project. As was required of the 2004 Approved Project, the 2014 Modified Project is required to comply with the provisions of the City of Moreno Valley's Development Impact Fee (DIF) Ordinance (Ordinance No. 695), which requires a fee payment that the City applies to the funding of public facilities, including recreation. As concluded by the 2004 ND, with fee payment, impacts to park facilities would be less than significant.

e) Other public facilities?				■

(Source: 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The project would create an incremental increase in the demand for public services. The demand is mitigated because every new residential unit must pay impact fees that are used to provide additional public facilities.

Discussion of 2014 Modified Project: The 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project. Therefore, the 2014 Modified Project would result in less demand for other public facilities/services, including libraries, community recreation centers, post offices, and animal shelters. As such, implementation of the 2014 Modified Project would not result in a new or more severe impact to other public facilities as compared to the 2004 Approved Project analyzed in the 2004 ND. As concluded by the 2004 ND, impacts to public facilities would be less than significant.

Finding: Because the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, the 2014 Modified Project would not have any potential cause a new or more severe impact to public facilities as compared to the 2004 Approved Project. As concluded by the 2004 ND impacts to public facilities would be less than significant.

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?				■

(Source: 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The project would create an incremental increase in the demand for parks and recreation services. The demand is mitigated because every new residential unit must pay fees that are used to acquire park land and install park facilities. The project will also dedicate land and install part of a recreational trail system.

Discussion of 2014 Modified Project: Identical to the 2004 Approved Project, the 2014 Modified Project does not propose to construct any recreational parks, but does propose to construct recreational trails. Because the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, less people would reside on the property and place less demand on existing recreational facilities. As was required of the 2004 Approved Project, the 2014 Modified Project is required to comply with the provisions of the City of Moreno Valley's Development Impact Fee (DIF) Ordinance (Ordinance No. 695), which requires a fee payment that the City applies to the funding recreation facilities. Mandatory compliance with the DIF Ordinance would be required prior to the issuance of building permits. No new or more severe impacts to existing recreational facilities would occur from the 2014 Modified Project as compared to the 2004 Approved Project analyzed in the 2004 ND. As concluded by the 2004 ND, impacts to recreational facilities would be less than significant.

Finding: Because the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, the 2014 Modified Project would not have any potential cause a new or more severe impact to existing recreational facilities as compared to the 2004 Approved Project. As was required of the 2004 Approved Project, the 2014 Modified Project is required to comply with the provisions of the City of Moreno Valley's Development Impact Fee (DIF) Ordinance (Ordinance No. 695), which requires a fee payment that the City applies to the funding of public facilities, including recreation. As concluded by the 2004 ND, with fee payment, impacts to existing recreation facilities would be less than significant.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on				■

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

the environment?				

(Source: 2004 Approved Project; 2014 Modified Project; Google Earth)

2004 ND Conclusion: No Impact. The project would create an incremental increase in the demand for parks and recreation services. The demand is mitigated because every new residential unit must pay fees that are used to acquire park land and install park facilities. The project will also dedicate land and install part of a recreational trail system.

Discussion of 2014 Modified Project: Identical to the 2004 Approved Project, the 2014 Modified Project proposes to construct on-site recreational trails and trail connections. The impacts of trail construction and use would be the same as evaluated by the 2004 ND for the 2004 Approved Project. The 2014 Modified Project has no potential to result in new or more severe physical impacts associated with trail construction and use. As concluded by the 2004 ND, no adverse impacts would occur associated with the proposed trails.

Finding: Because the 2014 Modified Project proposes the same on-site recreational trail system and connections compared to the 2004 Approved Project, the 2014 Modified Project has no potential to result in new or more severe physical impacts associated with trail construction and use. As concluded by the 2004 ND, no adverse impacts would occur associated with the proposed trails.

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?				■

(Source: 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The additional housing will generate a small increase in traffic levels in the area above what would be allowed under the existing zoning. The impact is mitigated because every new residential unit must pay fees that are used to install traffic signals and improve arterial streets. Kunzman Associates prepared a traffic impact analysis for the project. It was found that intersections in the area at build out, including planning improvements in the area would operate a Level Service C or better.

Discussion of 2014 Modified Project: The 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project. Therefore, the 2014 Modified Project would generate less vehicular traffic than the 2004 Approved Project. As the 2004 Approved Project would not have degraded the level of service (LOS) of any intersection to below LOS C, neither would the 2014 Modified Project that would generate less traffic. As was required of the 2004 Approved Project, the 2014 Modified Project is required to comply with the provisions of the City of Moreno Valley's DIF Ordinance (Ordinance No. 695), which requires a fee payment that the City applies to the funding of transportation improvements in the City of Moreno Valley. Similarly, the 2014 Modified Project is required to participate in funding of off-site regional transportation improvements through the payment of Transportation Uniform Mitigation Fees (TUMF). As concluded by the 2004 ND, with fee payments, traffic impacts would be less than significant.

Finding: Because the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, the 2014 Modified Project would generate less vehicle traffic and would not have any potential cause a new or more severe transportation impact as compared to the 2004 Approved Project. As was required of the 2004 Approved Project, the 2014 Modified Project is required to comply with the provisions of TUMF and the City of Moreno Valley's DIF Ordinance (Ordinance No. 695), which require fee payments applied to regional and local transportation improvements. As concluded by the 2004 ND, with fee payment, traffic impacts would be less than significant.

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?				■

(Source: Project Application Materials; Riverside County Congestion Management Plan; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The additional housing will generate a small increase in traffic levels in the area above what would be allowed under the existing zoning. The impact is mitigated because every new residential unit must pay fees that are used to install traffic signals and improve arterial streets. Kunzman Associates prepared a traffic impact analysis for the project. It was

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

found that intersections in the area at build out, including planning improvements in the area would operate a Level Service C or better.

Discussion of 2014 Modified Project: The Riverside County Congestion Management Plan (CMP) prepared by the Riverside County Transportation Commission (RCTC) is the applicable CMP for the Project site. SR-60 and I-215 are CMP Roadways in the vicinity of the Project site. The 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project. Therefore, the 2014 Modified Project would generate less vehicular traffic than the 2004 Approved Project and would have no potential to cause a new or more severe traffic impact on CMP facilities. As concluded by the 2004 ND, traffic impacts would be less than significant.

Finding: Because the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, the 2014 Modified Project would generate less vehicle traffic and would not have any potential cause a new or more severe transportation impact in CMP facilities as compared to the 2004 Approved Project. As concluded by the 2004 ND, traffic impacts would be less than significant.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				■

(Source: 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The additional housing will generate a small increase in traffic levels in the area above what would be allowed under the existing zoning. The impact is mitigated because every new residential unit must pay fees that are used to install traffic signals and improve arterial streets. Kunzman Associates prepared a traffic impact analysis for the project. It was found that intersections in the area at build out, including planning improvements in the area would operate a Level Service C or better.

Discussion of 2014 Modified Project: As with the 2014 Modified Project, the 2014 Modified Project does not include an air travel component and people traveling to and from the Project site would not do so by direct air. Accordingly, neither the 2004 Approved Project nor the 2013 Modified Project would have an effect on air traffic patterns, including an increase in traffic levels or a change in flight path location that results in substantial safety risks. As concluded by the 2004 ND, no impact would occur.

Finding: Neither the 2004 Approved Project nor the 2014 Modified Project would result in a change in air traffic patterns. As concluded by the 2004 ND, no impact related to air traffic patterns would occur.

d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				■

(Source: 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The additional housing will generate a small increase in traffic levels in the area above what would be allowed under the existing zoning. The impact is mitigated because every new residential unit must pay fees that are used to install traffic signals and improve arterial streets. Kunzman Associates prepared a traffic impact analysis for the project. It was found that intersections in the area at build out, including planning improvements in the area would operate a Level Service C or better.

Discussion of 2014 Modified Project: The development footprint proposed by the 2014 Modified Project would be nearly identical to the 2004 Approved Project and the 2014 Modified Project proposes the same land uses (residential and open space) as the 2004 Approved Project, which is a compatible use in the area. The 2014 Modified Project would have a similar internal circulation system as the 2004 Approved Project and would not introduce a hazardous transportation design feature. The 2014 Modified Project slightly modifies the internal transportation design to provide a single-loaded street along a portion of the residential homes' eastern perimeter, which assists in improving protection of the proposed residential homes from wildfire hazards. The 2014 Modified Project would not create a new or more severe transportation design feature impact as compared to the 2004 Approved Project. As concluded by the 2004 ND, no adverse impact would occur.

Finding: Neither the 2004 Approved Project nor the 2014 Modified Project would result in transportation design feature impact. As concluded by the 2004 ND, no adverse impact would occur.

e) Result in inadequate emergency access?				■

(Source: 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. The additional housing will generate a small increase in traffic levels in the area above what

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

would be allowed under the existing zoning. The impact is mitigated because every new residential unit must pay fees that are used to install traffic signals and improve arterial streets. Kunzman Associates prepared a traffic impact analysis for the project. It was found that intersections in the area at build out, including planning improvements in the area would operate a Level Service C or better.

Discussion of 2014 Modified Project: The access points proposed by the 2014 Modified Project are identical to the 2004 Approved Project. Adequate emergency access would be provided and the 2014 Modified Project would not create a new or more severe emergency access impact as compared to the 2004 Approved Project. As concluded by the 2004 ND, no adverse impact would occur.

Finding: Neither the 2004 Approved Project nor the 2014 Modified Project would result in an emergency access impact. As concluded by the 2004 ND, no adverse impact would occur.

f) Conflict with adopted policies or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				■

(Source: Moreno Valley General Plan Figure 9-4, Bikeway Plan; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: No Impact. No Impact. The additional housing will generate a small increase in traffic levels in the area above what would be allowed under the existing zoning. The impact is mitigated because every new residential unit must pay fees that are used to install traffic signals and improve arterial streets. Kunsman Associates prepared a traffic impact analysis for the project. It was found that intersections in the area at build out, including planning improvements in the area would operate a Level Service C or better.

Discussion of 2014 Modified Project: According to General Plan Figure 9-4, *Bikeway Plan*, the proposed Project site does not abut any roadways that are planned for any bicycle facilities. Identical to the 2004 Approved Project, the 2014 Modified Project proposes to construct on-site recreational trails and trail connections. As concluded by the 2004 ND, no adverse impacts would occur associated with the proposed trails. Neither the 2004 Approved Project nor the 2014 Modified Project would conflict with adopted policies or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance of safety of such facilities. As such, the 2014 Modified Project would not create a new or more severe impact as compared to the 2004 Approved Project. As concluded by the 2004 ND, no adverse impact would occur.

Finding: Neither the 2004 Approved Project nor the 2014 Modified Project would result in a conflict with adopted policies or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance of safety of such facilities emergency access impact. As concluded by the 2004 ND, no adverse impact would occur.

XVII. UTILITIES **AND SERVICE SYSTEMS.** Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				■

(Source: EMWD 2000 Water Master Plan; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The proposed amendment would allow the development of housing that will generate an incremental increase in the demand for water supplies, wastewater treatment, storm water drainage capacity and solid waste disposal capacity. However, the project would not affect the rate of growth. The local service providers have the capacity to serve continued growth for the foreseeable future.

Discussion of 2014 Modified Project: Wastewater service is provided to the Project site by Eastern Municipal Water District (EMWD). EMWD is required to operate all of its treatment facilities in accordance with the waste treatment and discharge standards and requirements set forth by the Regional Water Quality Control Board (RWQCB). The 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project. Therefore, the 2014 Modified Project would generate less wastewater requiring conveyance and treatment than the 2004 Approved Project. As such, the 2014 Modified Project would not create a new or more severe wastewater treatment impact as compared to the 2004 Approved Project analyzed in the 2004 ND. As concluded by the 2004 ND, wastewater treatment service impacts would be less than significant.

Finding: Because the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, the 2014 Modified Project would generate less wastewater requiring treatment as compared to the 2004 Approved Project and has no potential to result in new or more severe impacts. As concluded by the 2004 ND, wastewater treatment impacts would be less than significant.

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND
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?				■

(Source: 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The proposed amendment would allow the development of housing that will generate an incremental increase in the demand for water supplies, wastewater treatment, storm water drainage capacity and solid waste disposal capacity. However, the project would not affect the rate of growth. The local service providers have the capacity to serve continued growth for the foreseeable future.

Discussion of 2014 Modified Project: Domestic water and wastewater services are provided to the Project site by EMWD. Similar to the 2004 Approved Project, the 2014 Modified Project includes the installation of subsurface water and wastewater conveyance lines to connect to EMWD's off-site system. There is no component of the 2014 Modified Project that would result in a new or more severe environmental effect associated with the installation and operation of on-site water and wastewater subsurface infrastructure. As concluded by the 2004 ND, impacts would be less than significant.

Finding: The required installation of subsurface water and wastewater conveyance lines to connect to EMWD's off-site system would not result in any new or more severe environmental effect than would have occurred under the 2004 Approved Project. As concluded by the 2004 ND, impacts would be less than significant.

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?				■

(Source: 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The proposed amendment would allow the development of housing that will generate an incremental increase in the demand for water supplies, wastewater treatment, storm water drainage capacity and solid waste disposal capacity. However, the project would not affect the rate of growth. The local service providers have the capacity to serve continued growth for the foreseeable future.

Discussion of 2014 Modified Project: Similar to the 2004 Approved Project, the 2014 Modified Project includes the installation of an on-site drainage infrastructure system (on-site and one (1) basin located off-site). There is no component of the 2014 Modified Project that would result in a new or more severe environmental effect associated with the installation and operation of on-site storm water drainage infrastructure. As concluded by the 2004 ND, impacts would be less than significant.

Finding: The required installation of on- and off-site storm water drainage infrastructure as part of the 2014 Modified Project would not result in any new or more severe environmental effect than would have occurred under the 2004 Approved Project. As concluded by the 2004 ND, impacts would be less than significant.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				■

(Source: EMWD 2010 Urban Water Management Plan; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The proposed amendment would allow the development of housing that will generate an incremental increase in the demand for water supplies, wastewater treatment, storm water drainage capacity and solid waste disposal capacity. However, the project would not affect the rate of growth. The local service providers have the capacity to serve continued growth for the foreseeable future.

Discussion of 2014 Modified Project: Domestic water service is provided to the Project site by EMWD. The proposed 2014 Modified Project is fully consistent with the assumptions made in EMWD's 2010 Urban Water Management Plan, which relies on land use designations of adopted General Plans**.** EMWD's 2010 Urban Water Management Plan concludes that the EMWD has sufficient water supplies available to serve planned land uses within its service area through at least 2035. The 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project. Therefore, the 2014 Modified Project would generate less domestic water demand than the 2004 Approved Project. As such, the 2014 Modified Project would not create a new or more severe water demand impact as compared to the 2004 Approved Project analyzed in the 2004 ND. As concluded by the 2004 ND, water demand impacts would be less than significant.

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

Finding: Because the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, the 2014 Modified Project would generate less domestic water demand as compared to the 2004 Approved Project and has no potential to result in new or more severe impacts. As concluded by the 2004 ND, water demand impacts would be less than significant.

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?				■

(Source: 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The proposed amendment would allow the development of housing that will generate an incremental increase in the demand for water supplies, wastewater treatment, storm water drainage capacity and solid waste disposal capacity. However, the project would not affect the rate of growth. The local service providers have the capacity to serve continued growth for the foreseeable future.

Discussion of 2014 Modified Project: Wastewater service is provided to the Project site by EMWD. The 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project. Therefore, the 2014 Modified Project would generate less wastewater requiring treatment capacity than the 2004 Approved Project. As such, the 2014 Modified Project would not create a new or more severe wastewater treatment capacity impact as compared to the 2004 Approved Project analyzed in the 2004 ND. As concluded by the 2004 ND, wastewater treatment capacity impacts would be less than significant.

Finding: Because the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, the 2014 Modified Project would generate less wastewater requiring treatment capacity as compared to the 2004 Approved Project and has no potential to result in new or more severe impacts. As concluded by the 2004 ND, wastewater treatment capacity impacts would be less than significant.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				■

(Source: Countywide Disposal Tonnage Tracking System; Solid Waste Information System; City of Moreno Valley Ordinance No. 706, Recycling and Diversion of Construction Waste; 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The proposed amendment would allow the development of housing that will generate an incremental increase in the demand for water supplies, wastewater treatment, storm water drainage capacity and solid waste disposal capacity. However, the project would not affect the rate of growth. The local service providers have the capacity to serve continued growth for the foreseeable future.

Discussion of 2014 Modified Project: The 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project. Therefore, the 2014 Modified Project would generate less solid waste requiring disposal than the 2004 Approved Project. As such, the 2014 Modified Project would not create a new or more severe landfill capacity impact as compared to the 2004 Approved Project analyzed in the 2004 ND. As concluded by the 2004 ND, landfill capacity impacts would be less than significant.

Finding: Because the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, the 2014 Modified Project would generate less solid waste requiring disposal as compared to the 2004 Approved Project and has no potential to result in new or more severe impacts. As concluded by the 2004 ND, landfill capacity impacts would be less than significant.

g) Comply with federal, state, and local statues and regulations related to solid waste?				■

(Source: 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The proposed amendment would allow the development of housing that will generate an incremental increase in the demand for water supplies, wastewater treatment, storm water drainage capacity and solid waste disposal capacity. However, the project would not affect the rate of growth. The local service providers have the capacity to serve continued growth for the foreseeable future.

Discussion of 2014 Modified Project: Signed into law in 1991, the California Solid Waste Reuse and Recycling Access Act (AB 1327) added Chapter 18 to Part 3 of Division 30 of the Public Resources Code. Chapter 18 required the California Integrated Waste Management Board (CIWMB) to develop a model ordinance for adoption of recyclable materials in development projects (It should be noted that the CIWMB no longer exists and its duties have been assumed by CalRecycle). Local agencies were then required to adopt the model, or an ordinance of their own, in order to govern adequate areas for collection and loading of recyclable materials in

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

development projects. As was required of the 2004 Approved Project, the 2014 Modified Project is required to comply with all applicable provisions of the City of Moreno Valley Municipal Code Chapter 6.02 "Refuse Collection, Transfer and Disposal" and Chapter 8.80 "Recycling and Diversion of Construction and Demolition Waste." The 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project. Therefore, the 2014 Modified Project would generate less solid waste than the 2004 Approved Project. As such, the 2014 Modified Project would not create a new or more severe impact related to solid waste regulatory compliance as compared to the 2004 Approved Project analyzed in the 2004 ND. As concluded by the 2004 ND, solid waste regulatory compliance impacts would be less than significant.

Finding: Because the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project, the 2014 Modified Project would generate less solid waste requiring compliance with regulatory requirements as compared to the 2004 Approved Project and has no potential to result in new or more severe impacts. As was required of the 2004 Approved Project, the 2014 Modified Project is required to comply with all applicable provisions of the City of Moreno Valley Municipal Code Chapter 6.02 "Refuse Collection, Transfer and Disposal" and Chapter 8.80 "Recycling and Diversion of Construction and Demolition Waste." As concluded by the 2004 ND, solid waste regulatory compliance impacts would be less than significant.

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?				■

(Source: 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The project allows for the development of single-family homes in a part of the property, which would result in removal of natural habitat. However, the project provides for the conservation of about two-thirds of the area as open space and would result in the loss of less habitat than the existing land use plan. A recent focused study by Principe and Associates determined that the area proposed for development was unoccupied by the Coastal California Gnatcatcher. The property will be subject to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Moreno Valley became a signatory to the MSHCP Implementing Agreement on January 13, 2004. The MSHCP will conserve about 500,000 acres of habitat, funded in part by develop mitigation fees. The project is not within of the areas identified for conservation. The MSHCP would allow incidental take of listed (threatened and endangered) species as well as unlisted species that might one day become listed. The ruins of an old adobe structure, a historical resource, are located in the proposed open space designation and will not be eliminated.

Discussion of 2014 Modified Project: Refer to the analysis under Section IV, Biological Resources, and V, Cultural Resources. In summary, the grading footprint of the 2014 Modified Project would be nearly identical to the 2004 Approved Project. As such, the 2014 Modified Project would have no potential to create a new impact or more severe impact to biological resources (including the habitat of a fish or wildlife species, plant or animal community, and rare or endangered plant or animal) or cultural resources (including examples of the major periods of California history or prehistory) than would the 2004 Approved Project. Further, the 2014 Modified Project's consistency and compliance with the Western Riverside County MSHCP constitutes adequate mitigation for the various Covered Species and related habitats covered under the MSHCP.

Finding: As the 2014 Modified Project would have the same grading footprint and grading characteristics as the 2004 Approved Project the 2014 Modified Project would have no potential to create a new impact or more severe impact than would the 2004 Approved Project. As concluded by the 2004 ND, a less than significant impact would occur.

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)?				■

(Source: 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The cumulative impacts, including traffic and water supply impacts are not significant.

Issues and Supporting Information	Potentially Significant New Impact	Less than Significant Impact With Mitigation Incorporated	Less than Significant Impact	Impact Fully Analyzed in 2004 ND

Discussion of 2014 Modified Project: The grading footprint and construction characteristics of the 2014 Modified Project would be nearly identical to the 2004 Approved Project and the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project. As such, the 2014 Modified Project would result in a less intense contribution to cumulative effects that would the 2004 Approved Project analyzed in the 2004 ND. Consistent with the conclusion made by the 2004 ND, the 2014 Modified Project's contribution to cumulative effects would be less than cumulatively considerable.

Finding: As the 2014 Modified Project would have the same grading footprint and grading characteristics as the 2004 Approved Project and proposes 23 fewer residential homes, the 2014 Modified Project would have no potential new or more severe cumulatively considerable contribution to cumulative effect than would the 2004 Approved Project. As concluded by the 2004 ND, the 2014 Modified Project's contribution to cumulative effects would be less than cumulatively considerable.

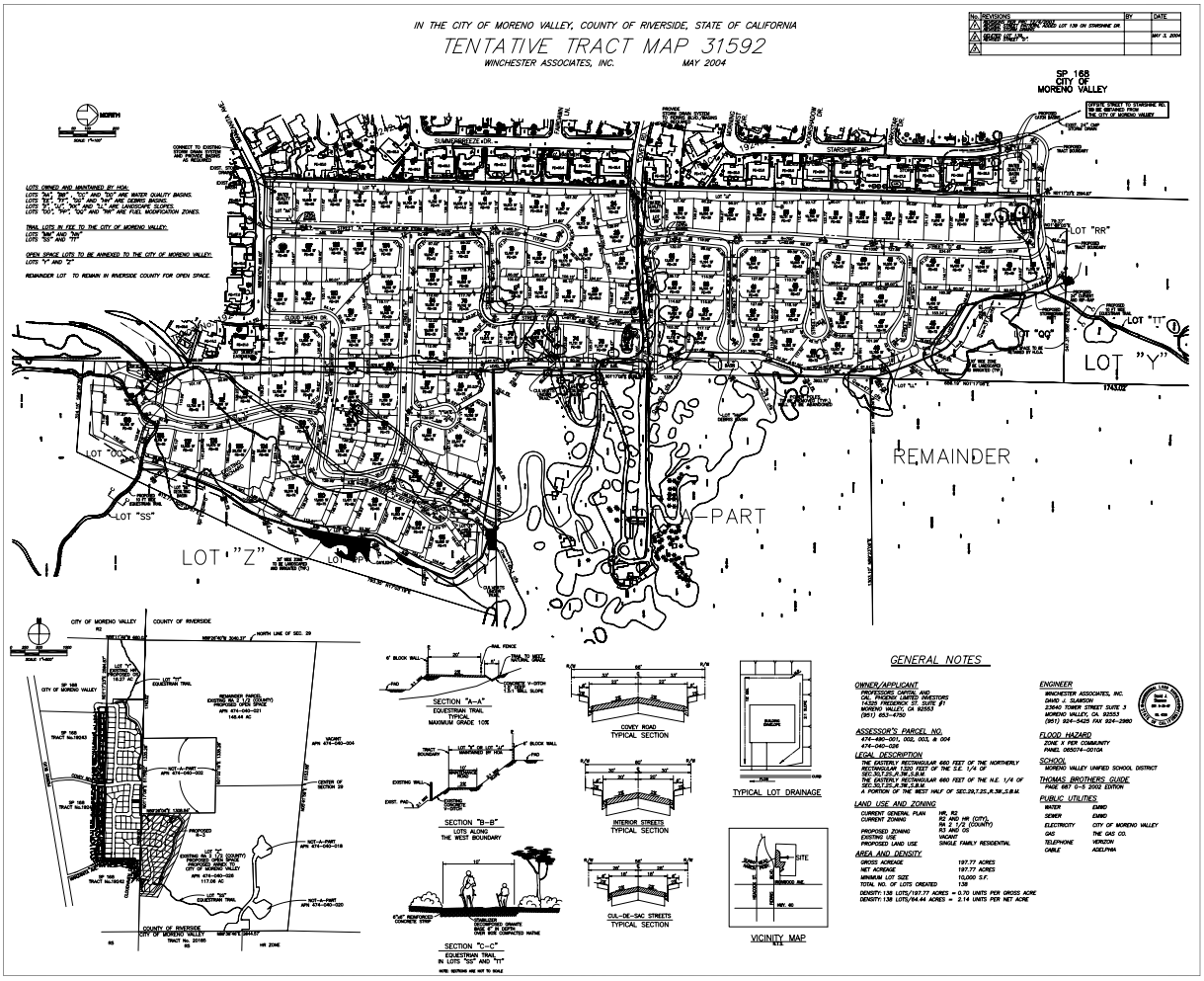
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				■

(Source: 2004 Approved Project; 2014 Modified Project)

2004 ND Conclusion: Less than Significant Impact. The project does not have the potential to cause a substantial adverse effect on human beings.

Discussion of 2014 Modified Project: The grading footprint and construction characteristics of the 2014 Modified Project would be nearly identical to the 2004 Approved Project and the 2014 Modified Project proposes 23 fewer residential lots than the 2004 Approved Project. As such, and for the reasons discussed throughout this Initial Study, the 2014 Modified Project has no potential to cause a new or greater effect on human beings, either directly or indirectly, as compared to the 2004 Approved Project analyzed in the 2004 ND. As concluded by the 2004 ND, impacts to human beings would be less than significant.

Finding: As the 2014 Modified Project would have the same grading footprint and grading characteristics as the 2004 Approved Project and proposes 23 fewer residential homes, the 2014 Modified Project would have no potential to cause a new or greater effect on human beings as compared to the 2004 Approved Project. As concluded by the 2004 ND, direct and indirect impacts to human beings would be less than significant.

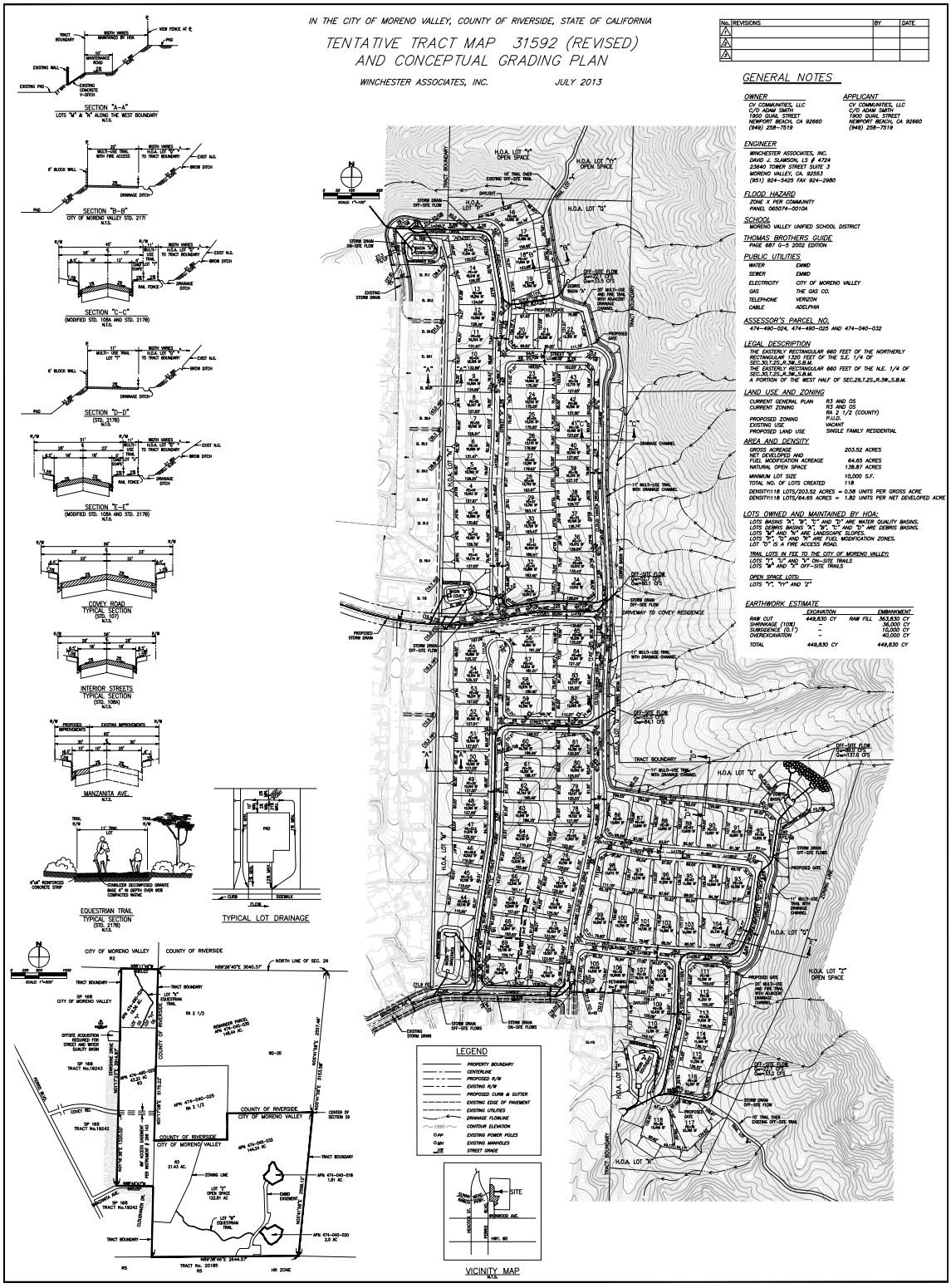


Source: Winchester Associates, Inc. (05-03-2004)

Figure 1

NOT TO SCALE

2004 Approved Project

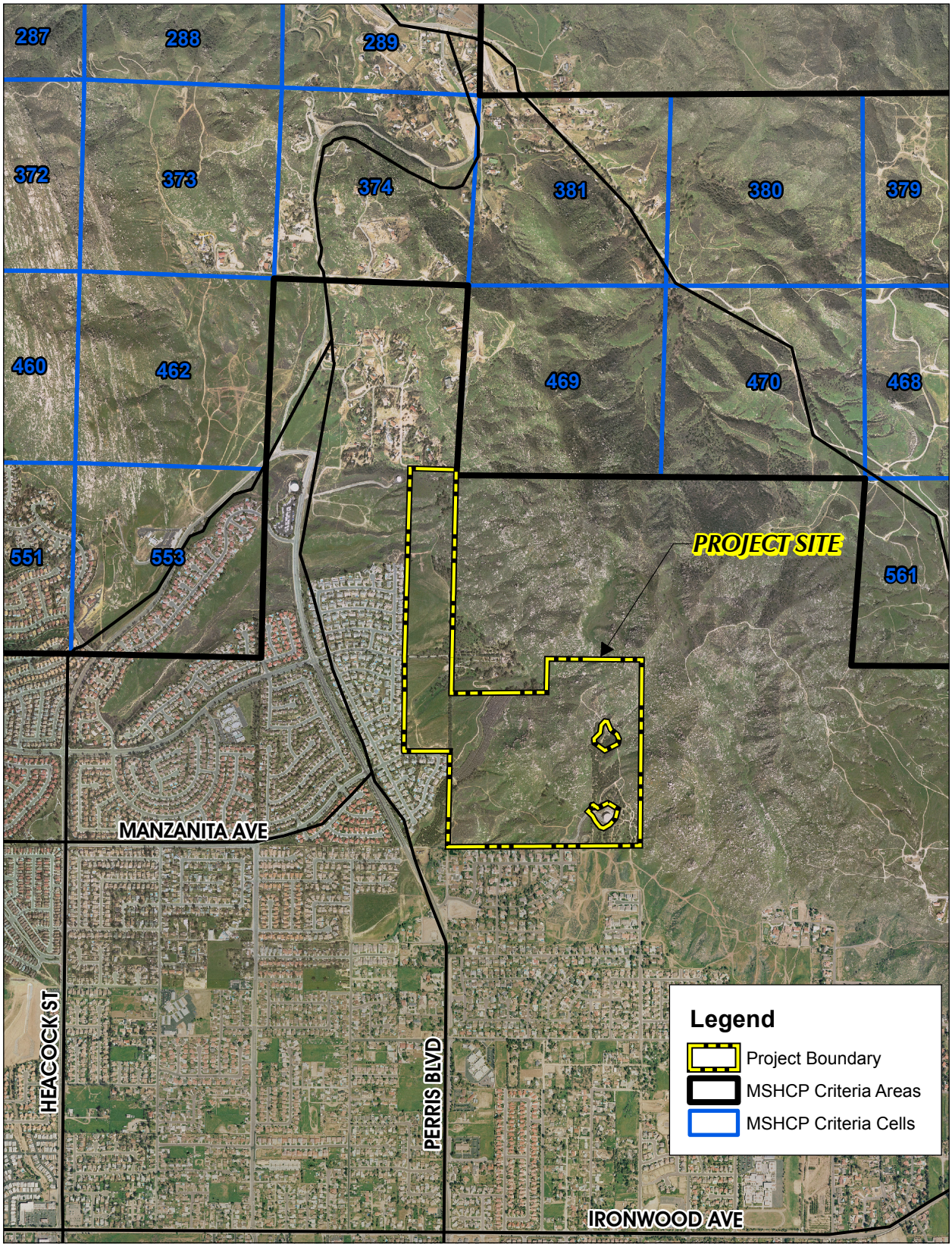


Source: Winchester Associates, Inc. (July 2013)

Figure 2

NOT TO SCALE

2014 Modified Project



Source: RCTLMA (2014), Google Earth (2012)

Figure 3

MSHCP Criteria Area Species Survey Area

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APPENDICES

The following documents are appended to this Initial Study and ND Addendum:

A. 2004 Negative Declaration (ND) for City of Moreno Valley Case Numbers PA00-0035, PA00-0036, PA00-0037, and PA03-0086.

B. Glenn Lukos Associates, 2013
Biological Technical Report for the Covey Ranch Development Project. November 21, 2013.

C. Urban Crossroads, 2013a.
Covey Ranch Air Quality Impact Analysis. May 1, 2013.

D. Urban Crossroads, 2013b.
Covey Ranch Greenhouse Gas Analysis. May 1, 2013.

E. Waterstone Environmental Inc. 2005
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