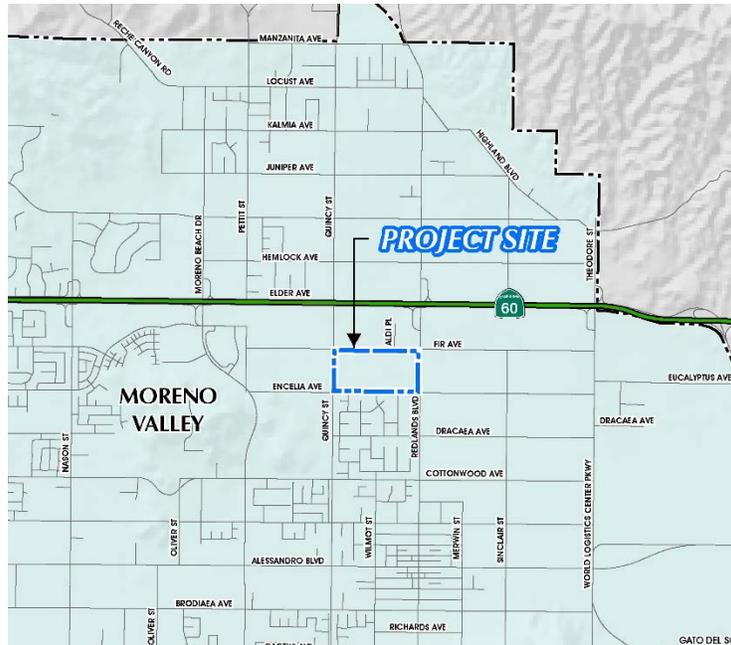




CITY OF MORENO VALLEY

INITIAL STUDY FOR THE MORENO VALLEY TRADE CENTER PROJECT



**Moreno Valley Trade Center Project:
General Plan Amendment (PEN19-0191)
Change of Zone (PEN19-0192)
Tentative Parcel Map (PEN19-0234)
Plot Plan (PEN19-0193)**

March 16, 2020

**Lead Agency
CITY OF MORENO VALLEY
14177 Frederick Street
Moreno Valley, CA 92552**

**Prepared By
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Irvine, CA, 92602**

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INITIAL STUDY (IS) FOR MORENO VALLEY TRADE CENTER PROJECT

BACKGROUND INFORMATION AND PROJECT DESCRIPTION:

1. **Project Case Number(s):** General Plan Amendment (PEN19-0191); Change of Zone (PEN19-0192); Tentative Parcel Map (PEN19-0234); Plot Plan (PEN19-0193).
2. **Project Title:** Moreno Valley Trade Center
3. **Public Comment Period:** March 16, 2020 to April 14, 2020
4. **Lead Agency:** City of Moreno Valley
Gabriel Diaz, Planning Department
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gabriel@moval.org
5. **Documents Posted At:** <http://www.moval.org/cdd/documents/about-projects.html>
6. **Prepared By:** T&B Planning, Inc.
Tracy Zinn
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(714) 505-6360 x 350
tzinn@tbplanning.com
7. **Project Sponsor:**

Applicant/Developer John Grace, Development Director Hillwood 901 Via Piemonte, Suite 175 (909) 256-5924 John.Grace@hillwood.com	Property Owner Same as Applicant/Developer
--	--
8. **Project Location:** The Project site is located in the eastern portion of the City of Moreno Valley, Riverside County, California. The Project site is south of Eucalyptus Avenue, west of Redlands Boulevard, and north of Encelia Avenue. (APNs: 488-340-002 through 488-340-012). Refer to Figure 1, *Regional Map*; Figure 2, *Vicinity Map*; and Figure 3, *USGS Topographic Map*.
9. **General Plan Designation:** Residential: Max 2 dwelling units per acre (R2). Refer to Figure 4, *Existing General Plan*.
10. **Specific Plan Name and Designation:** N/A
11. **Existing Zoning:** Residential Agriculture (RA2) District and Primary Animal Keeping Overlay Zone (PAKO). Refer to Figure 5, *Existing Zoning*.

12. **Surrounding Land Uses and Setting** (Refer to Figure 6, *Aerial Photograph*):

	Land Use	General Plan	Zoning
Project Site	Undeveloped; nursery and residences in southeast corner	Residential 2	Residential Agriculture 2 (RA2) District and Primary Animal Keeping Overlay Zone (PAKO)
North	Industrial, Undeveloped	Business Park/Light Industrial and Commercial	Light Industrial (LI) District and Community Commercial (CC) District
South	Residential, Undeveloped	Residential 2	Residential Agriculture 2 (RA2) District and "Primary Animal Keeping Overlay Zone (PAKO)"
East	Undeveloped	Business Park/Light Industrial	Specific Plan Area – World Logistics Center
West	Undeveloped	Residential 2 and Residential 5	Residential Agriculture 2 (RA2) District, Residential 5 (R5) District, and "Primary Animal Keeping Overlay Zone (PAKO)"

13. **Project Description:** The Moreno Valley Trade Center project (hereafter, "Project") comprises several discretionary proposals that would provide for the development of a light industrial building with 1,332,380 square feet of building floor area on property located at the southwest corner of the Eucalyptus Avenue and Redlands Boulevard intersection. The specific discretionary actions associated with the proposed Project are summarized below.

General Plan Amendment (PEN19-0191) would amend the City of Moreno Valley General Plan Land Use Map to change the land use designation for all parcels within the Project site from "Residential: Max 2 du/ac (R2)" to "Business Park/Light Industrial (BP)." Refer to Figure 7.

Change of Zone (PEN19-0192) would amend the City of Moreno Valley Zoning Map to change the zoning designation for all parcels within the Project site from "Residential Agriculture, (RA2) District" and "Primary Animal Keeping Overlay Zone (PAKO)" to "Light Industrial (LI) District." Refer to Figure 8.

Plot Plan (PEN19-0193) provides a development plan for a light industrial building with 1,332,380 square feet of building floor area, inclusive of warehouse/storage space and supporting office space. Refer to Figure 9. The proposed building would operate as a cross-dock warehouse with 104 loading docks and 128 truck trailer parking spaces within the truck court/loading area on the north side of the building and 120 loading docks and 150 truck trailer parking spaces within the truck court/loading area on the south side of the building. The truck courts/loading areas would be enclosed and screened from public viewing areas by solid screen walls. Automobile parking areas would be provided on the western and eastern sides of the building; a total of 637 automobile parking spaces would be provided on-site. Access to the Project site would be provided by up to eight (8) driveways: two (2) driveways from Eucalyptus Avenue, two (2) driveways from Redlands Avenue, and at least two (2) or no more than four (4) driveways from Encelia Avenue. The proposed driveways to Encelia Avenue would be restricted to automobile traffic only; no heavy trucks would be permitted to enter/exit the site from the proposed Encelia Avenue driveways.

The Project Applicant is pursuing the proposed building on a speculative basis and the future occupant(s) of the Project are unknown at this time. The Project Applicant expects that the proposed light industrial building would be occupied by either a warehouse distribution/logistics operator(s) or a fulfillment center use. (In the event that the building is

occupied by a fulfillment center use, the truck court/loading area on the south side of the building would be used for up to 1,449 automobile parking spaces in lieu of the 120 loading docks and 150 truck trailer parking spaces described in the preceding paragraph. Refer to Figure 10 for an optional/conceptual parking plan for a fulfillment center occupant.) Regardless of the occupant(s) of the proposed building, the building is expected to operate 24 hours a day, seven days per week.

Tentative Parcel Map (PEN19-0234) would consolidate the Project site's 11 existing parcels (Assessor Parcels Numbers 488-340-002 through -012) into one, approximately 71.65-acre (net) parcel. In addition, Tentative Parcel Map provides for the dedication of public right-of-way to the City of Moreno Valley for Redlands Boulevard, Encelia Avenue, and Eucalyptus Avenue. The Tentative Parcel Map also provides for the vacation of public right-of-way for Redlands Boulevard that is no longer needed by the City and the vacation of an on-site paper street segment (Quincy Street).

14. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

The City of Moreno Valley is required to consult with interested California Native American tribes regarding the Project pursuant to Senate Bill 18 (SB18) and Assembly Bill 52 (AB52). Consultation efforts are on-going and results of the consultation will be disclosed in the Draft Environmental Impact Report.

15. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**

The Project may require discretionary and/or administrative approvals from the Santa Ana Regional Water Quality Control Board and Riverside County Flood Control and Water Conservation District. Approvals from public agencies, if required, will be disclosed in the Draft Environmental Impact Report.

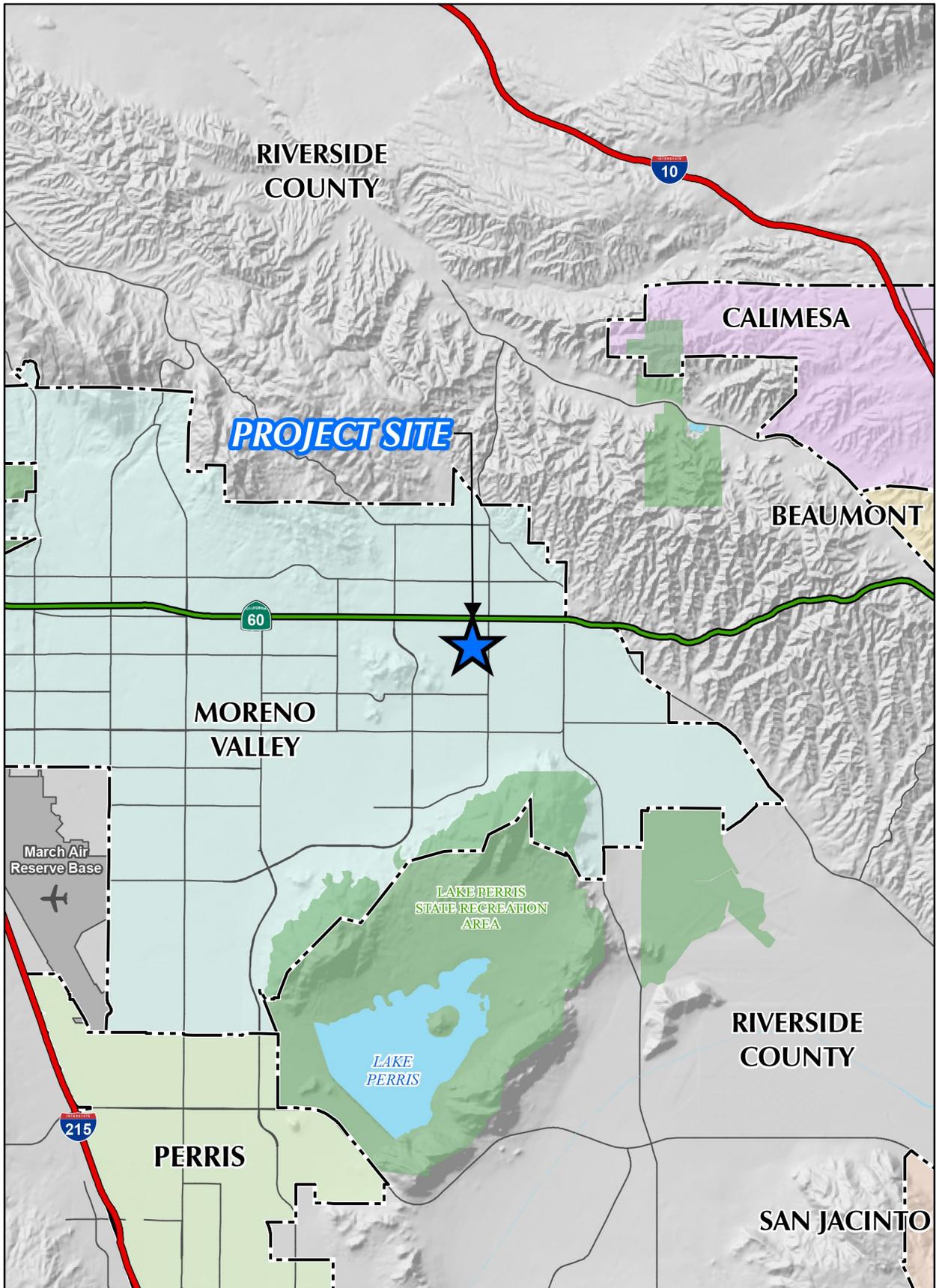
16. **Other Technical Studies Referenced in this Initial Study (Provided as Appendices):**

Technical studies are under preparation to evaluate the potential impacts to the environment that could result from implementation of the Project. The findings of the technical studies will be disclosed in the Draft Environmental Impact Report (and the technical studies will be appended to the Draft Environmental Impact Report).

17. **Acronyms:**

ADA -	American with Disabilities Act
ALUC -	Airport Land Use Commission
ALUCP -	Airport Land Use Compatibility Plan
AQMP -	Air Quality Management Plan
CEQA -	California Environmental Quality Act
CIWMD -	California Integrated Waste Management District
CMP -	Congestion Management Plan
DTSC -	Department of Toxic Substance Control
DWR -	Department of Water Resources
EIR -	Environmental Impact Report
EMWD -	Eastern Municipal Water District
EOP -	Emergency Operations Plan
FEMA -	Federal Emergency Management Agency
FMMP -	Farmland Mapping and Monitoring Program

GIS -	Geographic Information System
GHG -	Greenhouse Gas
GP -	General Plan
HCM	Highway Capacity Manual
HOA -	Home Owners' Association
IS -	Initial Study
LHMP -	Local Hazard Mitigation Plan
LOS -	Level of Service
LST -	Localized Significance Threshold
MARB -	March Air Reserve Base
MARB/IPA-	March Air Reserve Base/Inland Port Airport
MSHCP -	Multiple Species Habitat Conservation Plan
MVFP -	Moreno Valley Fire Department
MVPD -	Moreno Valley Police Department
MVUSD -	Moreno Valley Unified School District
MWD -	Metropolitan Water District
NCCP -	Natural Communities Conservation Plan
NPDES -	National Pollutant Discharge Elimination System
OEM -	Office of Emergency Services
OPR -	Office of Planning & Research, State
PEIR -	Program Environmental Impact Report
PW -	Public Works
RCEH -	Riverside County Environmental Health
RCFCWCD -	Riverside County Flood Control & Water Conservation District
RCP -	Regional Comprehensive Plan
RCTC -	Riverside County Transportation Commission
RCWMD -	Riverside County Waste Management District
RTA -	Riverside Transit Agency
RTIP -	Regional Transportation Improvement Plan
RTP -	Regional Transportation Plan
SAWPA -	Santa Ana Watershed Project Authority
SCAG -	Southern California Association of Governments
SCAQMD -	South Coast Air Quality Management District
SCE -	Southern California Edison
SCH -	State Clearinghouse
SKRHCP -	Stephens' Kangaroo Rat Habitat Conservation Plan
SWPPP -	Storm Water Pollution Prevention Plan
SWRCB -	State Water Resources Control Board
USFWS -	United States Fish and Wildlife
USGS -	United States Geologic Survey
VMT -	Vehicle Miles Traveled
VVUSD -	Valley Verde Unified School District
WQMP -	Water Quality Management Plan
WRCOG -	Western Riverside Council of Government

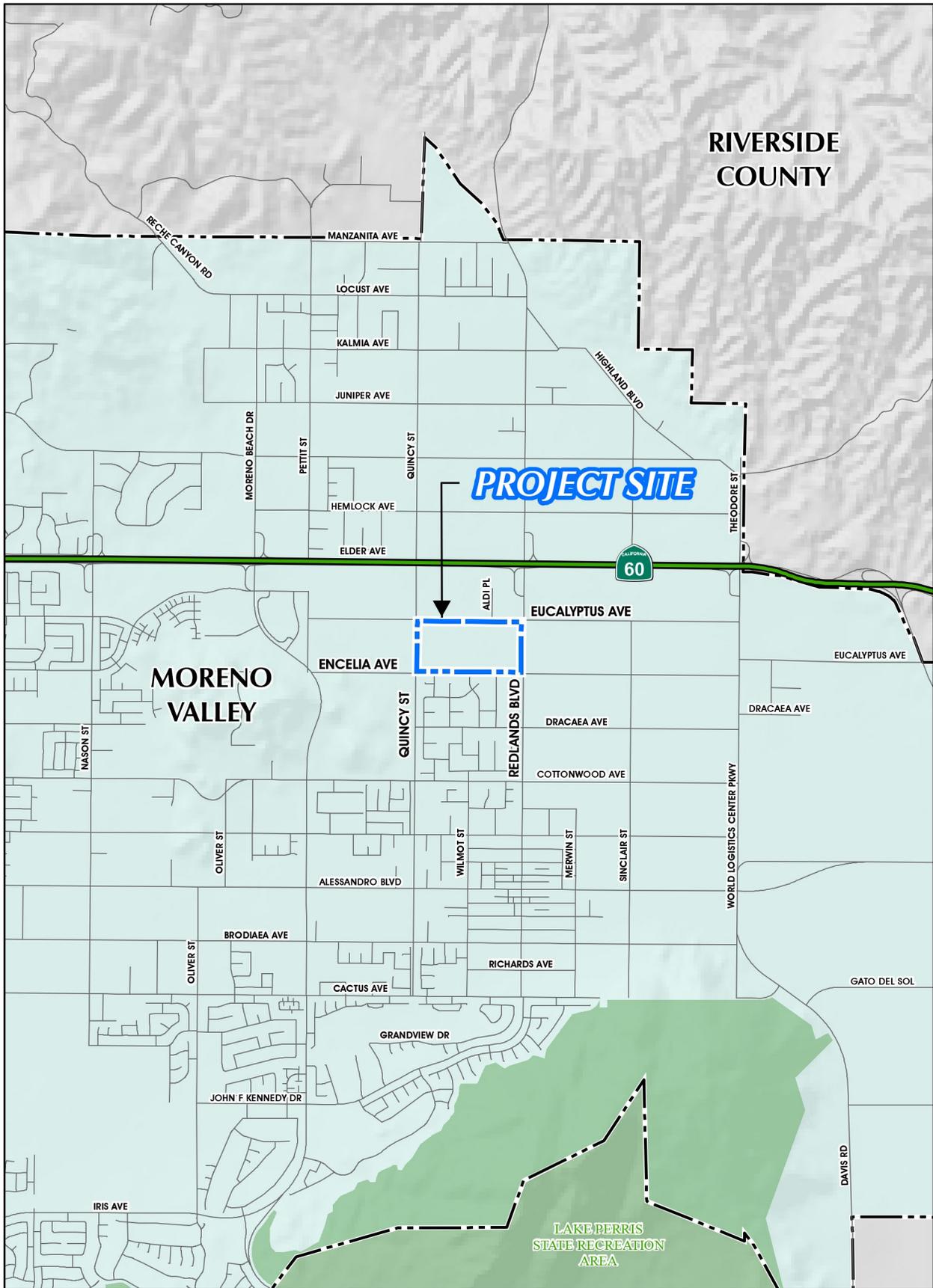


Source(s): ESRI, RCTLMA (2019)

Figure 1

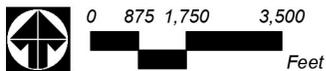


Regional Map

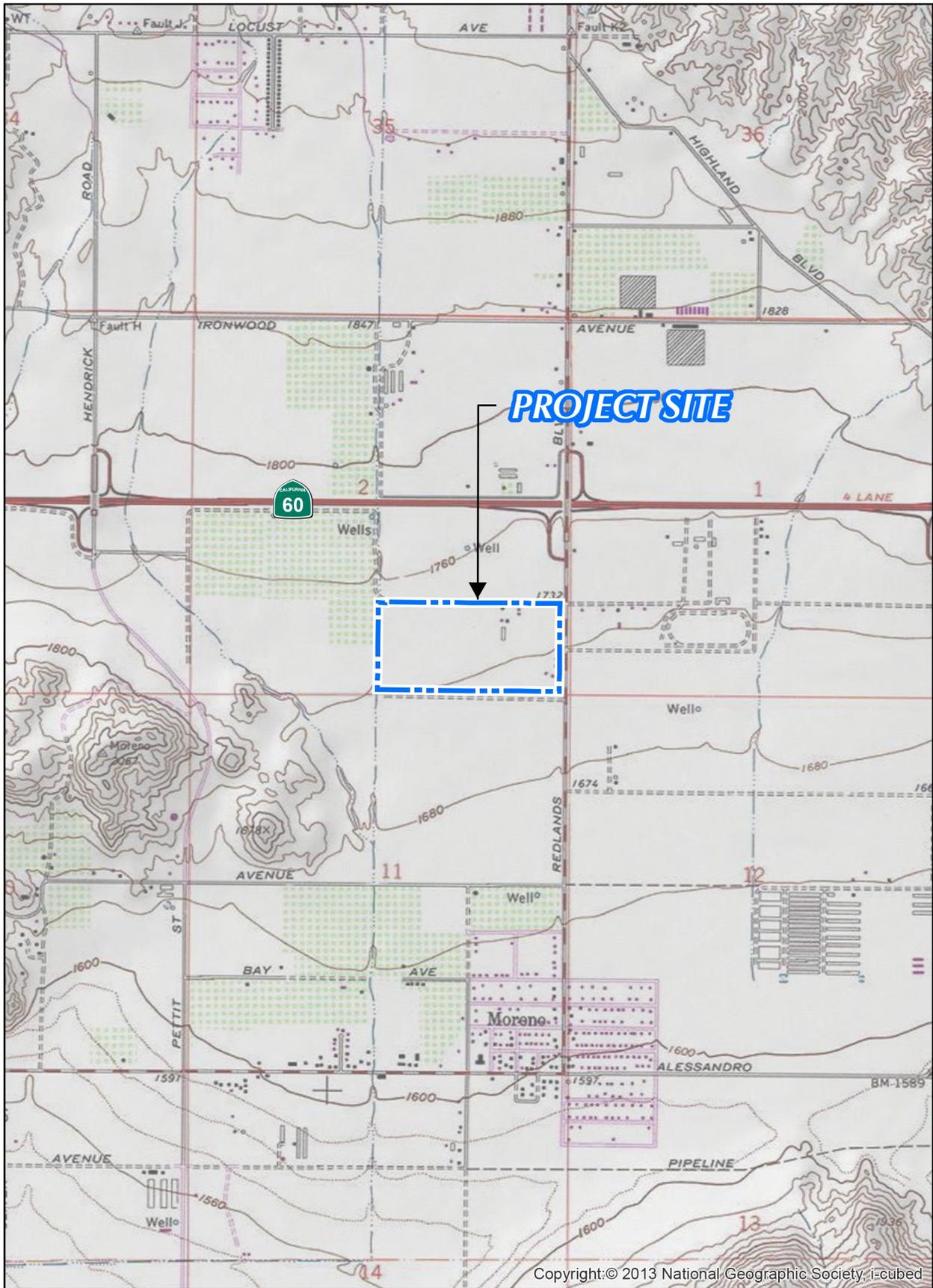


Source(s): ESRI, RCTLMA (2019)

Figure 2



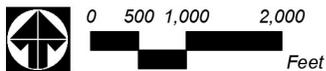
Vicinity Map



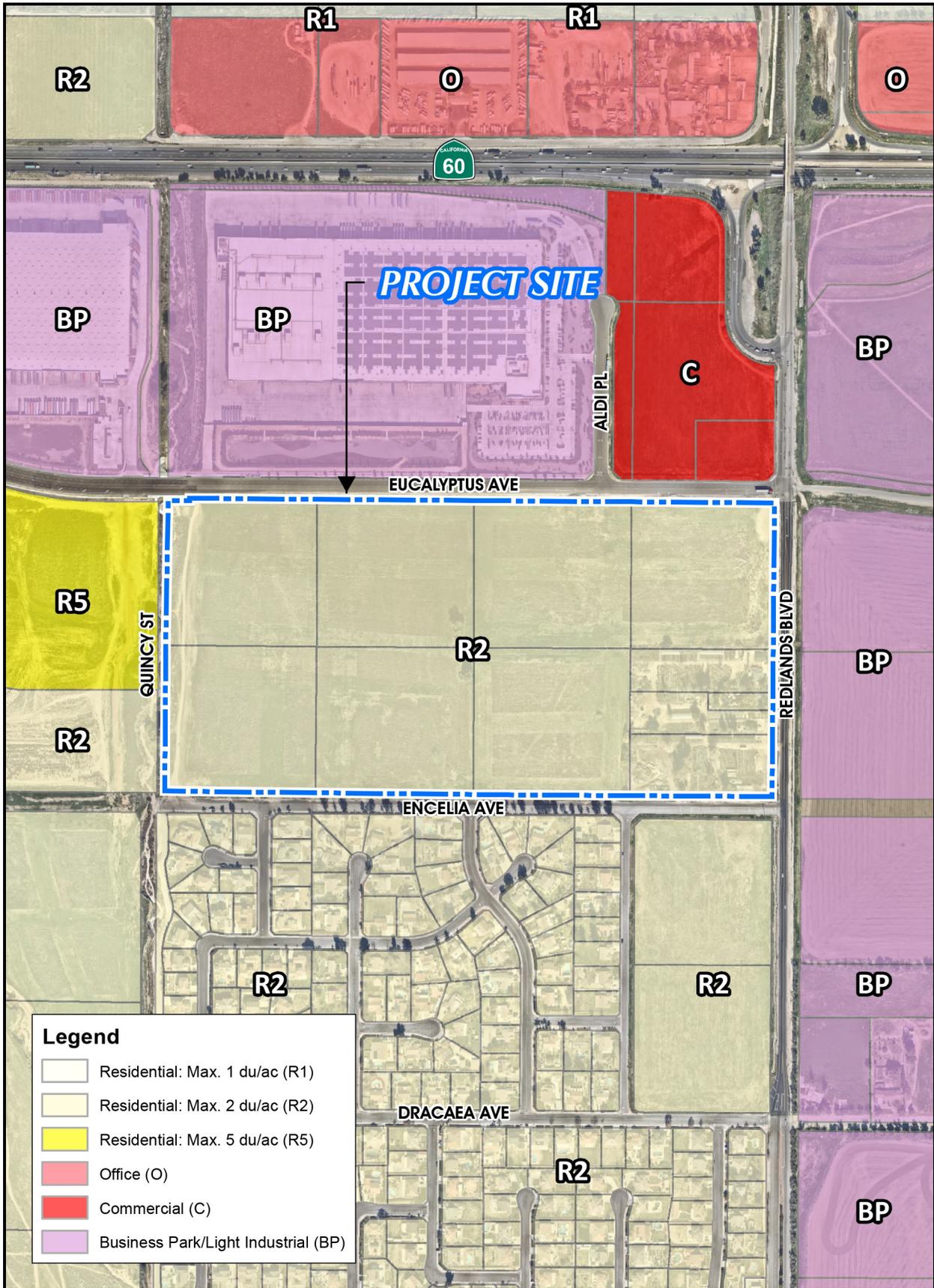
Copyright: © 2013 National Geographic Society, i-cubed

Source(s): USGS (2013)

Figure 3



USGS Topographic Map

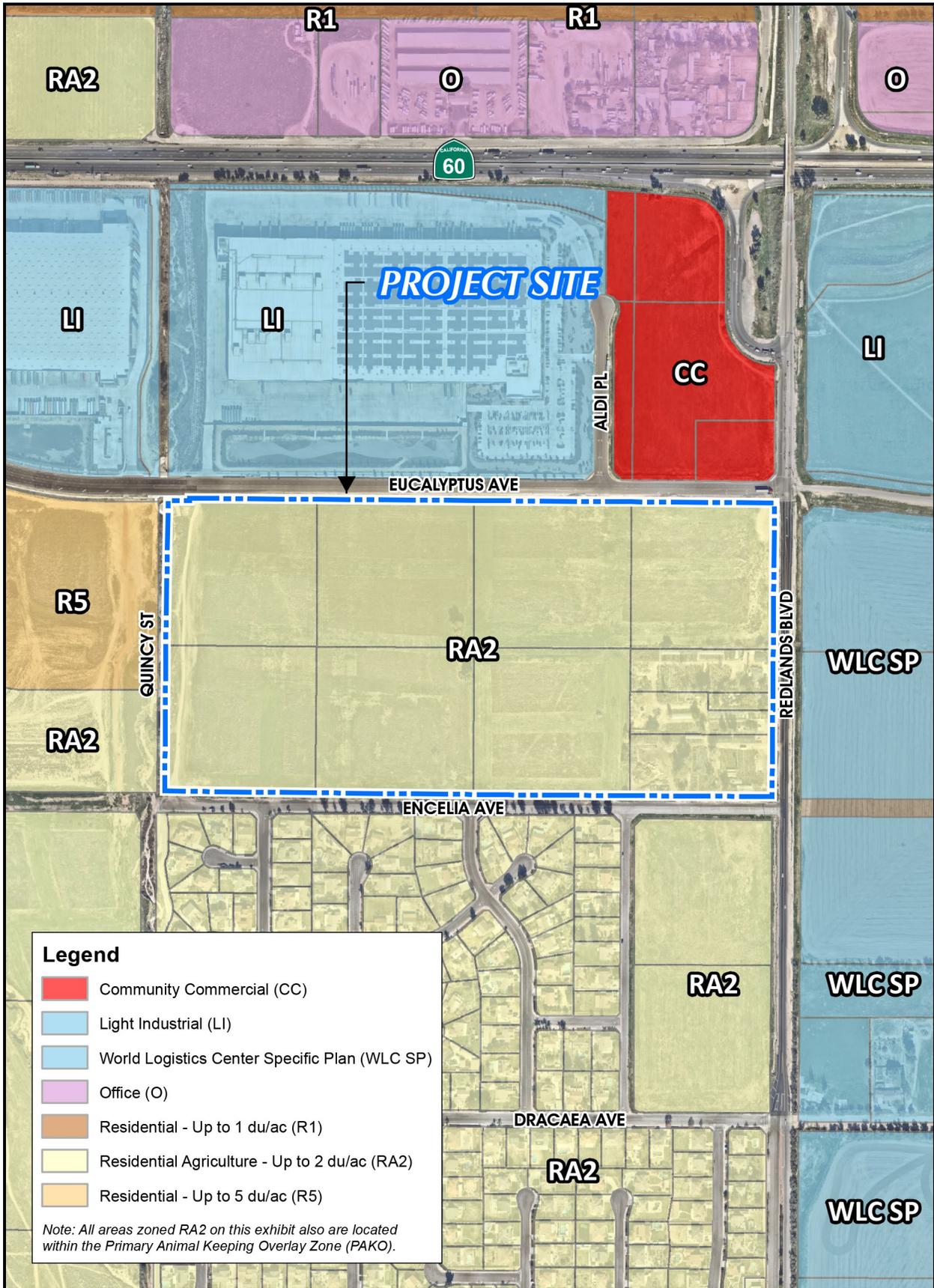


Source(s): City of Moreno Valley (2019), ESRI, Nearmap Imagery (2019), RCTLMA (2019)

Figure 4



Existing General Plan

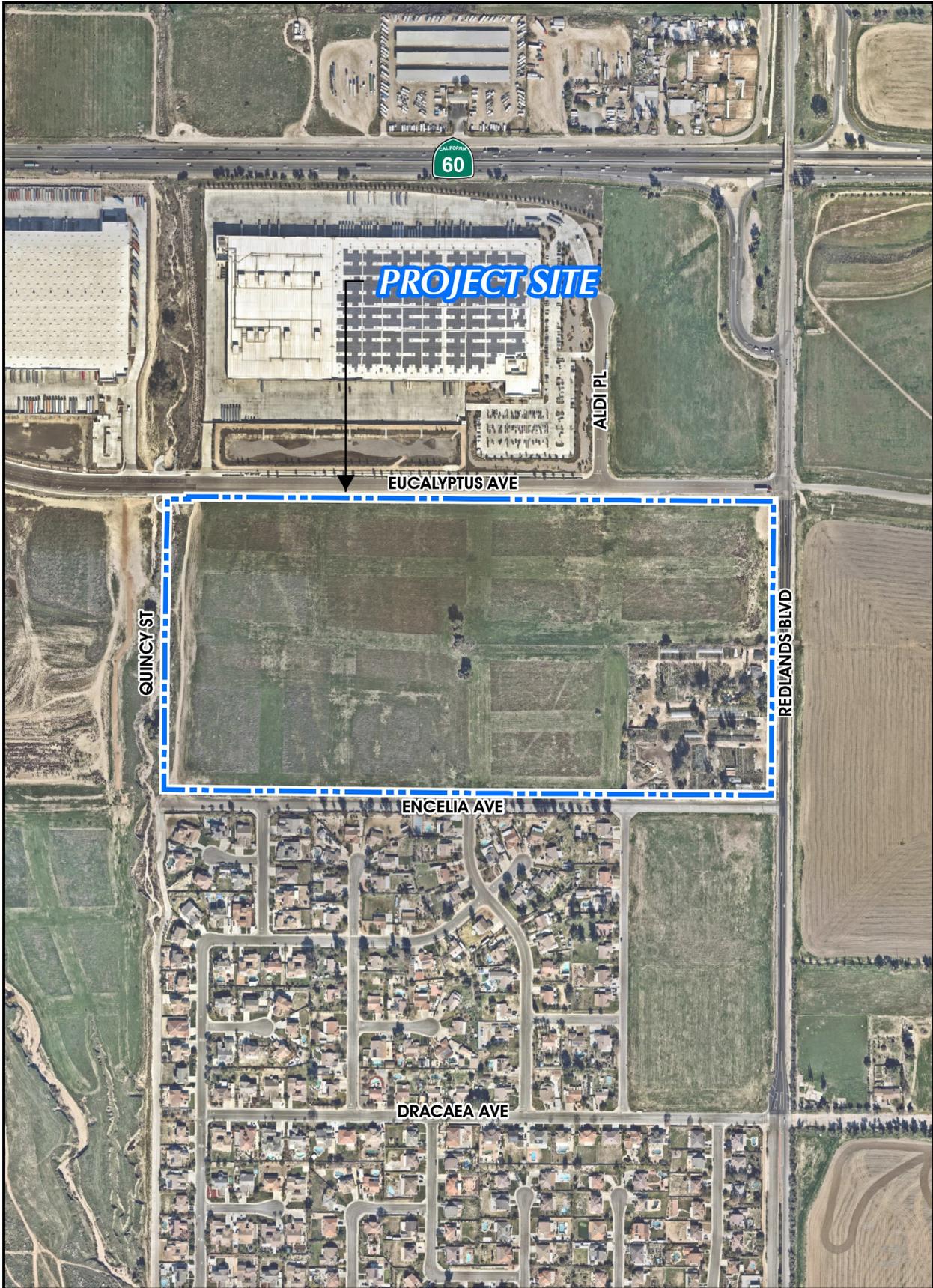


Source(s): City of Moreno Valley (2019), ESRI, Nearmap Imagery (2019), RCTLMA (2019)

Figure 5



Existing Zoning

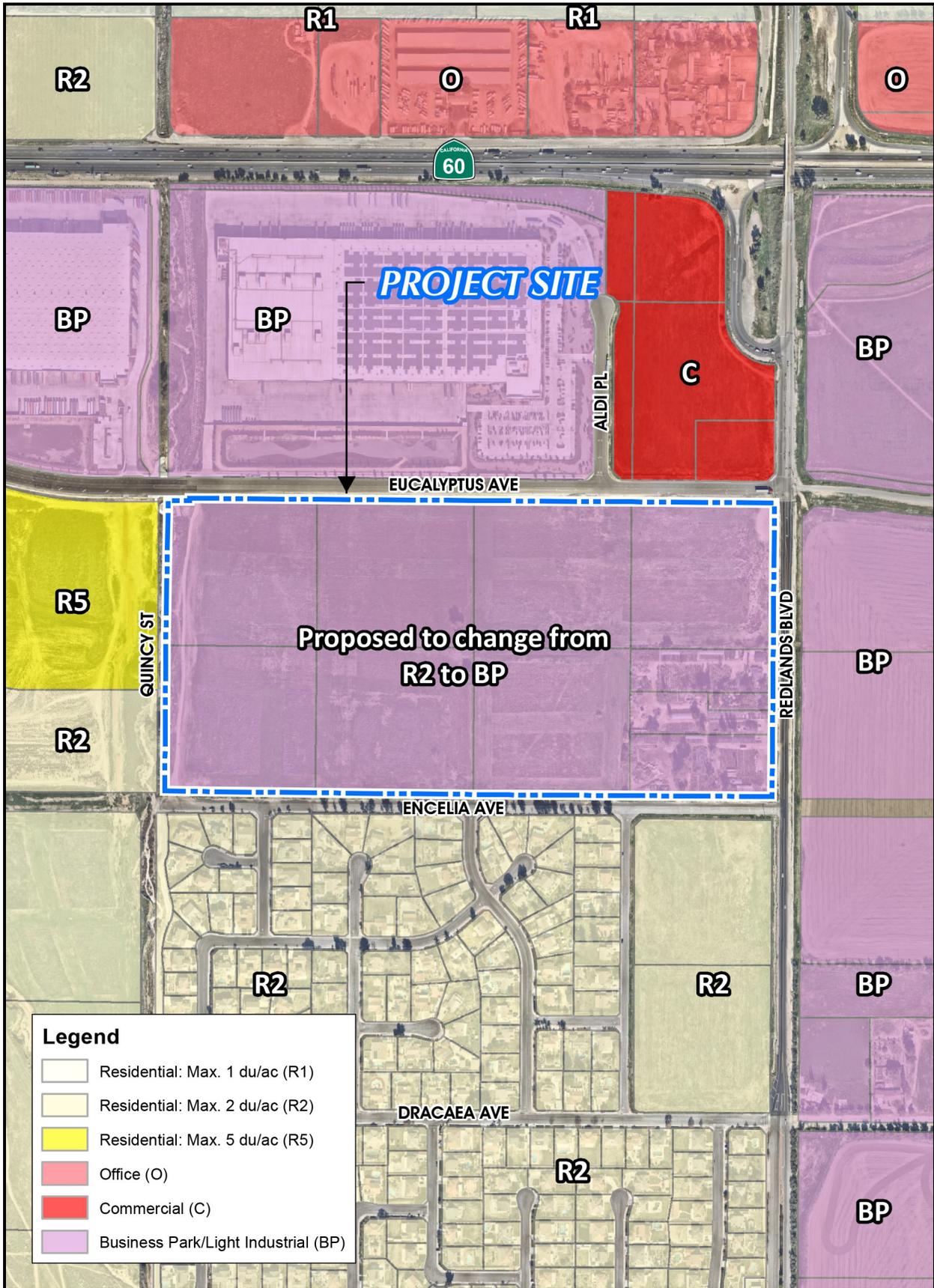


Source(s): ESRI, Nearmap Imagery (2019), RCTLMA (2019)

Figure 6



Aerial Photograph

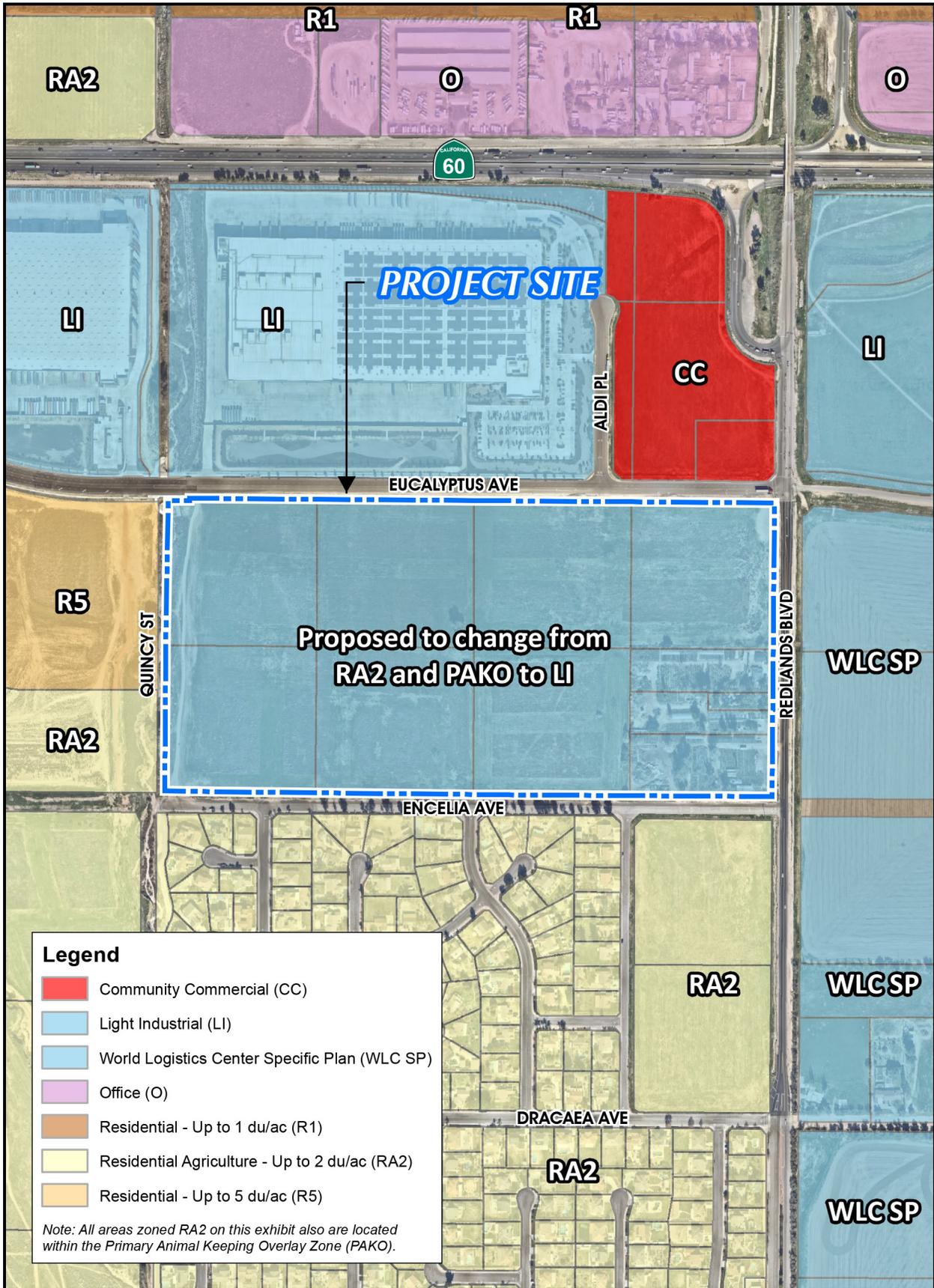


Source(s): City of Moreno Valley (2019), ESRI, Nearmap Imagery (2019), RCTLMA (2019)

Figure 7



General Plan Amendment (PEN19-0191)

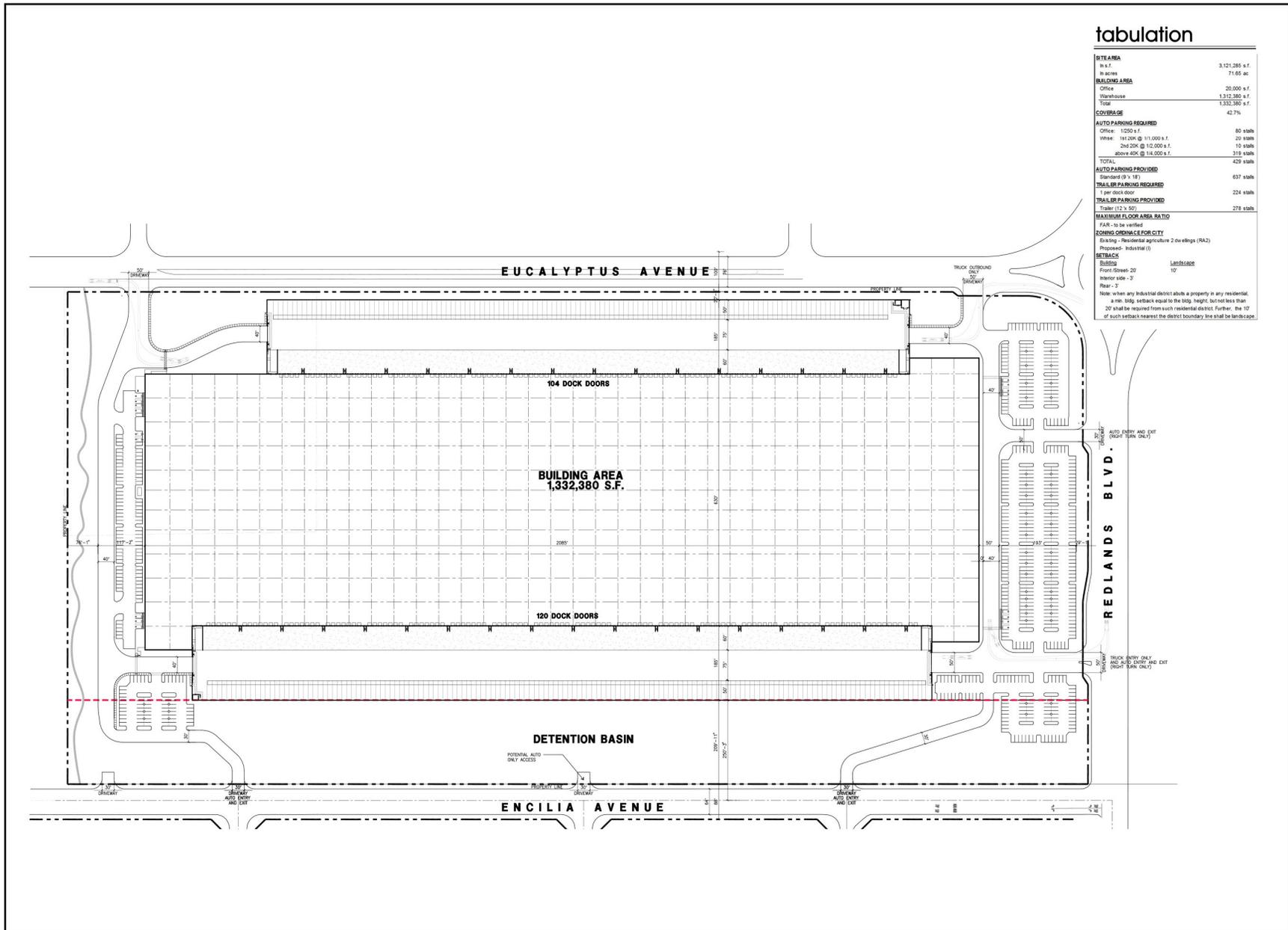


Source(s): City of Moreno Valley (2019), ESRI, Nearmap Imagery (2019), RCTLMA (2019)

Figure 8



Change of Zone (PEN19-0192)

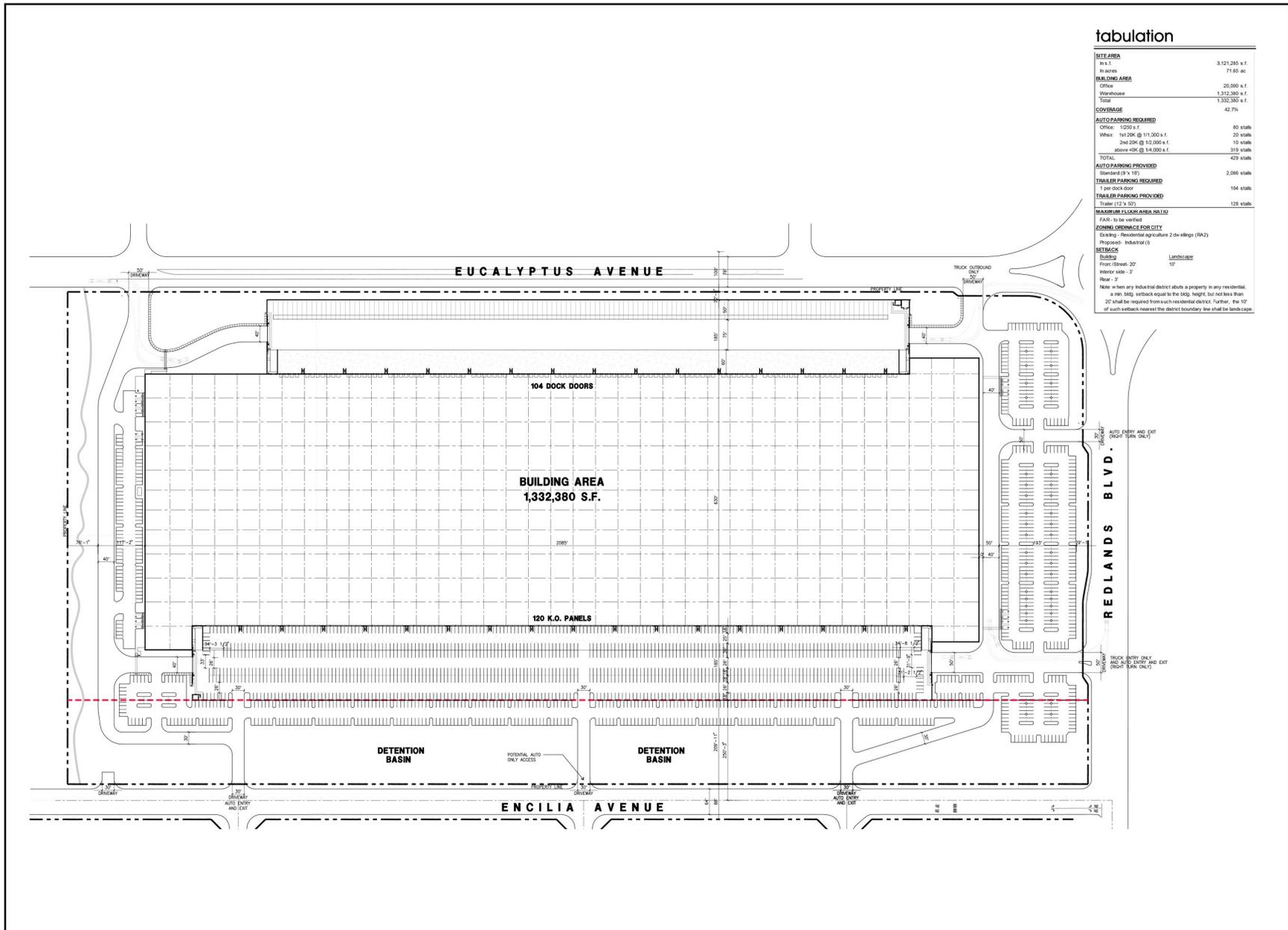


Source(s): HPA (09-16-2019)

Figure 9



Preliminary Site Plan (PEN19-0193)



Source(s): HPA (10-03-2019)

Figure 10



Optional Site Parking Layout

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.

- | | | | | | |
|-------------------------------------|-----------------------------|-------------------------------------|----------------------------------|-------------------------------------|------------------------------------|
| <input checked="" type="checkbox"/> | Aesthetics | <input type="checkbox"/> | Agriculture & Forestry Resources | <input checked="" type="checkbox"/> | Air Quality |
| <input checked="" type="checkbox"/> | Biological Resources | <input checked="" type="checkbox"/> | Cultural Resources | <input checked="" type="checkbox"/> | Energy |
| <input checked="" type="checkbox"/> | Geology & Soils | <input checked="" type="checkbox"/> | Greenhouse Gas Emissions | <input checked="" type="checkbox"/> | Hazards & Hazardous Materials |
| <input checked="" type="checkbox"/> | Hydrology & Water Quality | <input checked="" type="checkbox"/> | Land Use & Planning | <input type="checkbox"/> | Mineral Resources |
| <input checked="" type="checkbox"/> | Noise | <input type="checkbox"/> | Population & Housing | <input type="checkbox"/> | Public Services |
| <input type="checkbox"/> | Recreation | <input checked="" type="checkbox"/> | Transportation | <input checked="" type="checkbox"/> | Tribal Cultural Resources |
| <input checked="" type="checkbox"/> | Utilities & Service Systems | <input type="checkbox"/> | Wildfire | <input checked="" type="checkbox"/> | 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 "potentially significant" 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 adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

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 is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than 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 Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or another 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 Analyses 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 explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS – Except as provided in Public Resources Code §21099 – Modernization of Transportation Analysis for Transit-Oriented Infill Projects – Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project site is located in the City of Moreno Valley, which lies on relatively flat and gently sloping topography. According to General Plan Figure 7-2, <i>Major Scenic Resources</i>, the Project site is not located within a view corridor for any of the designated scenic resources in the City: the Box Springs Mountains, the Foothills, the Badlands, or Mount Russell and its foothills (Moreno Valley, 2006, Figure 7-2). Due to intervening development and their distance and orientation in relation to the Project site, prominent, distinct views of the Box Springs Mountain and Mount Russell are not available from public viewing areas abutting the Project site under existing conditions. Distant views of the Foothills to the north and Badlands (and beyond, San Gorgonio Mountain) to the east are available from public viewing areas in the Project site vicinity; however, these views are not prominent from the Project area and are available in numerous locales in the City. (Google Earth Pro, 2020) The Project entails the conversion of mainly vacant land and a plant nursery that includes residences and ancillary support structures/outbuildings to a light industrial land use. The EIR will evaluate the potential for implementation of the Project to adversely affect views of the Foothills, Badlands, and San Gorgonio Mountain from public viewing areas adjacent to the Project site.</p>				
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project site is not located within or adjacent to a scenic highway corridor and there are no State-designated or eligible scenic highways within the vicinity of the Project site. (Caltrans, 2017) The nearest State-eligible scenic highway from the Project site is a segment of Interstate 215 located approximately 7.0 miles southwest of the Project site and the Project site would not be visible from this Interstate 215 segment due to distance and intervening development/topography (Caltrans, 2017; Google Earth Pro, 2020). Accordingly, the Project site is not located within a State scenic highway corridor and implementation of the proposed Project would not have a substantial effect on scenic resources within a State scenic highway corridor. Thus, no impact to a State scenic highway would occur.</p>				
<p>The segment of State Route 60 that is located approximately 1,300 feet north of the Project site is identified in the City of Moreno Valley General Plan as a local scenic route (Moreno Valley, 2006, Figure 7-2). The Project site is mostly hidden from view from the adjacent segment of State Route 60 due to intervening development and topography – a large warehouse (Aldi), which is located on property with a higher ground elevation than the Project site, mostly blocks views of the site from passersby on State Route 60. Notwithstanding, there is an approximately 700-foot-long segment of State Route 60 where an undeveloped lot lies between the boundary of the Aldi property and the Redlands Avenue on-ramp/off-ramp and where distant views of the Project site would be possible (and only for about 8 seconds when traveling at 60 miles per hour). The segment of State Route 60 between Nason Street and Theodore Street – a 3-mile stretch that is generally adjacent to the Project area – does not contain a substantial scenic value, as the freeway immediately abuts two large commercial retail centers, several car dealerships, and four large warehouses. Development on the Project site, which is located approximately 0.25-mile from State Route 60, would not substantially detract from the scenic qualities of State Route 60 any more than the existing commercial and industrial development that already abuts the freeway. Accordingly, implementation of the Project would not adversely affect the scenic qualities of State Route 60.</p>				
<p>No further analysis is required; therefore, this issue will not be addressed in detail in the EIR.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project site is located within an urbanized area, as defined by U.S. Census bureau and determined as part of the 2010 Census (U.S. Census Bureau, 2012). Thus, pursuant to this threshold, a potentially significant impact to visual character only would occur if the Project were to conflict with applicable zoning and/or other City of Moreno Valley regulations governing scenic quality. Implementation of the proposed Project would result in the visual conversion of the site from vacant land and a plant nursery to a light industrial building with associated improvements including parking lots, drive aisles, utility infrastructure, landscaping, exterior lighting, and signage. The Project would be compatible with the size, scale, and aesthetic/decorative architectural and landscaping features of other light industrial/warehouse buildings constructed to the north, northeast and northwest of the Project site; the Project also would be compatible with planned light industrial development to the east of the Project site. The Project proposes to change the Project site's zoning designation from "Residential Agriculture 2 (RA2)" to "Light Industrial (LI)" and the Project will be required to comply with the applicable LI development standards and design guidelines contained in the Moreno Valley Zoning Ordinance, which regulate the visual quality of new development and ensure that new development does not detract from any scenic attributes/qualities in the surrounding area. Because the Project site is located in an urbanized area and because the Project would not conflict with applicable regulations governing scenic quality, a less-than-significant impact would occur. No further analysis is required; therefore, this issue will not be addressed in detail in the EIR.</p>				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: City of Moreno Valley Municipal Code Sections 9.10.110 and 9.16.280 includes design standards for outdoor lighting that apply to all development in the City. The Municipal Code lighting standards govern the placement and design of outdoor lighting fixtures to ensure adequate lighting for public safety while also minimizing light pollution and glare and precluding public nuisances (e.g., blinking/flashing lights, unusually high intensity, or needlessly bright lighting). Compliance with the Municipal Code would ensure that all light and glare impacts associated with the Project are less than significant. No further analysis is required; therefore, this issue will not be addressed in detail in the EIR.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Moreno Valley General Plan, adopted July 11, 2006 <ul style="list-style-type: none"> • Chapter 7 – Conservation Element <ul style="list-style-type: none"> - Figure 7-2 – Major Scenic Resources 2. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code <ul style="list-style-type: none"> • Section 9.10.110 – Performance Standards, Light and Glare • Chapter 9.16 – Design Guidelines 3. Google Earth Pro, https://earth.google.com/web/ 4. California Department of Transportation (Caltrans) Scenic Highway Program, https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways 5. U.S. Census Bureau Urbanized Area Reference Maps, https://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/ua75340_riverside--san_bernardino_ca/DC10UA75340.pdf 				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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 Dept. 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:</p>				
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: According to mapping information available from the California Department of Conservation’s (CDC) Farmland Mapping and Monitoring Program (FMMP), the Project site contains “Farmland of Local Importance” and “Other Land” (CDC, 2016). Accordingly, the Project site does not contain any lands mapped by the FMMP as “Prime Farmland,” “Unique Farmland,” or “Farmland of Statewide Importance” and, thus, implementation of the Project would not convert such Farmland to a non-agricultural use. No impact would occur. No further analysis is required; therefore, this issue will not be addressed in detail the EIR.</p>				
<p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: Under existing conditions, the Project site is zoned for “Residential Agriculture 2 (RA2) District” and “Primary Animal Keeping Overlay (PAKO).” According to Section 9.03.020(E) City of Moreno Valley Municipal Code, “[t]he primary purpose of the RA2 district is to provide for suburban life-styles on residential lots larger than are commonly available in suburban subdivisions and to provide for and protect the rural and agricultural atmosphere, including the keeping of animals, that have historically characterized these areas.” Accordingly, the City of Moreno Valley considers the RA2 designation to be a residential zone, first and foremost, where limited animal keeping and the growing of crops are permitted secondary uses. Accordingly, the Project would not conflict with existing zoning for agricultural use.</p> <p>As disclosed in the City of Moreno Valley General Plan Final EIR, no land within the City – including the Project site – is under a Williamson Act Contract (Moreno Valley, 2006, p. 5.8-6). As such, no impact would occur.</p> <p>Based on the foregoing analysis, implementation of the Project would not conflict with existing zoning or agricultural use or a Williamson Act contract. No further analysis is required; therefore, this issue will not be addressed in detail in the EIR.</p>				
<p>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))?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: The Project site is not zoned as forest land, timberland, or Timberland Production, nor is it surrounded by forest land, timberland, or Timberland Production land. According to the City of Moreno Valley Zoning Map, there are no lands located within the City of Moreno Valley that are zoned for forest land, timberland, or timberland zoned Timberland Production. Therefore, the Project has no potential to conflict with any areas currently zoned as forest, timberland, or Timberland Production and would not</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
result in the rezoning of any such lands. As such, no impact would occur. No further analysis is required; therefore, this issue will not be addressed in detail in the EIR.				
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Response: The Project site does not contain a forest and is not designated as forest land; therefore, the Project would not result in the loss of forest land or the conversion of forest land to non-forest use. As such, no impact would occur. No further analysis is required; therefore, this issue will not be addressed in detail in the EIR.				
e) Involve other changes in the existing environment which, due to their location or nature, could result in the conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Response: "Farmland" is defined in Section II (a) of Appendix G of the State CEQA Guidelines as "Prime Farmland," "Unique Farmland" or "Farmland of Statewide Importance" ("Farmland"). As disclosed above under Response II(a), the Project would not result in the conversion of Farmland to non-agricultural use. As discussed under Responses II(c) and II(d), the Project would not convert forest land to non-forest use.				
Sources: <ol style="list-style-type: none"> 1. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006 <ul style="list-style-type: none"> • Section 5.8 – Agricultural Resources 2. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code <ul style="list-style-type: none"> • Chapter 9.03 – Residential District 3. Moreno Valley Zoning Map, http://www.moreno-valley.ca.us/cdd/pdfs/ZoningMap.pdf 4. California Department of Conservation – California Important Farmland Finder, https://maps.conservation.ca.gov/DLRP/CIFF/ 				
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management district 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Response: The Project site is located in the South Coast Air Basin. Air quality within the South Coast Air Basin is regulated by the South Coast Air Quality Management District (SCAQMD). Standards for air quality are documented in the SCAQMD's Air Quality Management Plan (AQMP). Construction and operational activities associated with the Project would emit pollutants into the Air Basin that have the potential to conflict with or obstruct implementation of the AQMP. As such, an air quality technical report will be prepared to evaluate the potential for Project construction and/or operation to conflict with the SCAQMD AQMP. The EIR will include a detailed analysis of the Project's potential to result in a conflict with the AQMP and will incorporate the findings and conclusions of the air quality technical report.				
b) 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Response: The South Coast Air Basin is a non-attainment area for various State and federal air quality standards. The Project site is located in a portion of the South Coast Air Basin that is designated as a "Non-Attainment" area for the federal 8-hour ozone standard, the State 1-hour and 8-hour ozone standards, and federal and State particulate matter standards. (SCAQMD, 2016) Project construction and operational activities would generate particulate matter and gaseous emissions, including those that				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>contribute to ozone formation. An air quality technical report will be prepared that quantifies the air pollutant emissions that are expected to be generated during the construction and operating life of the Project. The report will determine if implementation of the Project would result in air pollutant emissions that exceed applicable SCAQMD emissions thresholds. The findings of the air quality technical report will be disclosed in the EIR and the EIR will make a conclusion as to whether or not implementation of the Project would result in a cumulatively considerable net increase of any criteria pollutant for which the South Coast Air Basin is non-attainment under an applicable federal or state ambient air quality standard.</p>				
<p>c) Expose sensitive receptors to substantial pollutant concentrations?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: Construction and operation of the Project has the potential to expose sensitive receptors located near the Project site and/or along its primary truck route(s) to localized criteria pollutant emissions and/or diesel particulate matter (DPM) emissions from mobile sources (i.e., automobile/truck exhaust). These pollutants pose risks to human health. The air quality technical report will quantify the localized criteria pollutant emissions and DPM emissions that result from the Project and will determine if any of the emissions exceed applicable SCAQMD emissions thresholds. The findings of the air quality technical report will be disclosed in the EIR and the EIR will make a conclusion as to whether or not implementation of the Project would expose sensitive receptors to substantial pollutant concentrations.</p>				
<p>d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: Any temporary odor impacts generated during Project-related construction activities, such as asphalt paving and the application of architectural coatings, would be short-term and cease upon completion of the construction phase of the Project. The industrial uses proposed for the Project site are not expected to involve uses or activities that generate substantial or noticeable amounts of odor during long-term operation. Nonetheless, the required EIR will evaluate the Project's potential to expose substantial numbers of people to objectionable odors during both near-term construction and long-term operation.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. South Coast Air Quality Management District – National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) Attainment Status for South Coast Air Basin, http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/naaqs-caoqs-feb2016.pdf 				
<p>IV. BIOLOGICAL RESOURCES – Would the project:</p>				
<p>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?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project site has the potential to contain species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service. A biological resource assessment will be prepared for the Project, which will include evaluation of the presence or absence of any sensitive species. The results of the biological resources assessment will be disclosed in the EIR and the EIR will make a conclusion regarding the potential for Project implementation to result in substantial adverse effects to sensitive species.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Response: As part of the biological resources assessment, a qualified biologist will evaluate the Project site to determine if the site contains riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. The findings from the biological resources assessment will be disclosed and evaluated in the EIR.				
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Response: As part of the biological resources assessment, a qualified biologist will evaluate the Project's potential to impact State and/or federally protected wetlands. The findings from the biological resources assessment will be disclosed and evaluated in the EIR.				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Response: Wildlife movement corridors in western Riverside County and the City of Moreno Valley are addressed by the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The Project site is not identified for permanent conservation or as a wildlife movement corridor/linkage by the MSHCP. Accordingly, the site is not considered to contribute substantially to wildlife movement. Notwithstanding, development of the Project site has some potential to impact nesting and migratory birds that are protected by federal and State legislation. The Project's potential to impact wildlife movement and migratory and/or nesting birds during construction and long-term operation will be evaluated in the EIR.				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Response: The EIR will evaluate the potential for implementation of the Project to conflict with local policies or ordinances protecting biological resources.				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or another approved local, regional, or state habitat conservation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Response: The Project site is subject to the provisions of the Western Riverside County MSHCP, including special survey requirements. The biological resources assessment will address all applicable standard and special survey requirements for the Project site. The results of the biological resources assessment will be disclosed in the EIR and the EIR will make a conclusion regarding the potential for Project implementation to conflict with the MSHCP.				
Sources: 1. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006 <ul style="list-style-type: none"> • Section 5.9 – Biological Resources - Figure 5.9-2 – Planning Area Vegetation Community 				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
2. Moreno Valley Municipal Code Chapter 3.48 – Western Riverside County Multiple Species Habitat Conservation Plan Fee Program 3. Moreno Valley Municipal Code Chapter 8.60 – Threatened and Endangered Species 4. Moreno Valley Municipal Code Section 14.40.040 – Public Tree Care 5. Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), http://www.wrc-rca.org/about-rca/multiple-species-habitat-conservation-plan/ 6. Riverside County Information Technology – Map My County, https://gis.countyofriverside.us/Html5Viewer/?viewer=MMC_Public 7. Regional Conservation Agency – MSHCP Information Map, http://wrcrca.maps.arcgis.com/apps/webappviewer/index.html?id=a73e69d2a64d41c29ebd3acd67467abd				
V. CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Response: Although the Project site is not known to be associated with any important people or events in California history, a professional archaeologist will conduct a comprehensive site survey and archival research and document their findings in a cultural resources report. The cultural resources report will evaluate whether Project implementation would cause a substantial adverse change in the significance of any historical resources that may be identified on-site as part of the site-specific investigation. The results of the evaluation will be disclosed in the EIR.				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Response: A professional archaeologist will perform a comprehensive site survey and conduct archival research to determine whether the Project site contains an important archaeological resource. The results of their work will be documented in a cultural resources report and disclosed in the EIR.				
c) Disturb any human remains, including those interred outside of formally dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Response: The Project site does not contain a cemetery and no known formal cemeteries are located within the immediate vicinity. Nevertheless, the remote potential exists that human remains may be unearthed during grading and excavation activities associated with Project construction. If human remains are unearthed during Project construction, the construction contractor would be required by law to comply with California Health and Safety Code, Section 7050.5 “Disturbance of Human Remains.” According to Section 7050.5(b) and (c), if human remains are discovered, the County Coroner must be contacted 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, the Coroner is required to contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC). Pursuant to California Public Resources Code Section 5097.98, whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants will complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. According to Public Resources Code Section 5097.94(k), the NAHC is authorized to mediate disputes arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials.				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
With mandatory compliance to California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, any potential impacts to human remains, including human remains of Native American ancestry, would be less than significant.				
Sources: <ol style="list-style-type: none"> 1. California Health Code Section 7050.5 – Dead Bodies 2. Public Resources Code Section 5097.94(k) – Powers and Duties 3. Public Resources Code Section 5097.98 – Native American Historical, Cultural, and Sacred Sites 				
VI. ENERGY – Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Response: Project-related construction and operational activities would consume energy resources, including gasoline, diesel fuel, and electricity. An energy analysis will be prepared to quantify the Project's energy demands and evaluate whether such demands are wasteful, inefficient and/or unnecessary. The information from the energy analysis will be disclosed in the EIR and the EIR will make a determination regarding the potential for the Project's energy use to result in significant adverse environmental impacts.				
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Response: The Project's potential to conflict with applicable plans, policies, or regulations related to renewable energy or energy efficiency will be analyzed in a Project-specific energy analysis, the results of which will be disclosed in the EIR.				
Sources: No information sources were used in the preparation of the responses for "Energy."				
VII. GEOLOGY AND SOILS – Would the project:				
a) Directly or indirectly cause 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 https://www.conservation.ca.gov/cgs/Documents/SP_042.pdf	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Response: There are no Alquist-Priolo Earthquake Fault Zones affecting the Project site. The nearest Earthquake Fault Zone is the San Jacinto Fault, which occurs approximately 1.1 miles northeast of the Project site. (Google Earth Pro, 2020; Moreno Valley, 2006, Figure 5.6-2) Because there are no known faults located on the Project site, there is no potential for the Project to expose people or structures to adverse effects related to ground rupture.				
ii) Strong seismic ground shaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Response: The Project site is located in a seismically active area of southern California and is expected to experience moderate to severe ground shaking during the Project's lifetime. This risk is not considered substantially different than that of other similar properties in the southern California area. As a mandatory condition of Project approval, the City of Moreno Valley will require the Project Applicant to construct the Project in accordance with the California Building Standards Code (CBSC), also known as California Code of Regulations (CCR), Title 24 (Part 2), and the Moreno Valley Building Code, which is based on the CBSC with local amendments. The CBSC and Moreno Valley Building Code have been specifically				

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<p>tailored for California earthquake conditions and provide standards that must be met to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures. In addition, the CBSC and the City require development projects to prepare geologic engineering reports to identify site-specific geologic and seismic conditions and implement the site-specific recommendations contained therein to preclude adverse effects involving unstable soils and strong seismic ground-shaking, including, but not limited to, recommendations related to ground stabilization, selection of appropriate foundation type and depths, and selection of appropriate structural systems. A geotechnical report will be prepared for the Project site and its findings will be disclosed in the EIR. The EIR will contain mitigation measures, if needed, to attenuate any site-specific geologic or seismic conditions that could adversely affect the Project.</p>				
<p>iii) Seismic-related ground failure, including liquefaction?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: According to General Plan FEIR Figure 5.6-2, <i>Seismic Hazards</i>, the Project site is not located in an area with the potential for liquefaction. To confirm the liquefaction potential, a geotechnical report will be prepared for the Project site that will evaluate the Project site's potential to be subject to seismic-related ground failure, including liquefaction. The results of the Project site's geotechnical evaluation will be incorporated into the EIR.</p>				
<p>iv) Landslides?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project site is relatively flat. No hillsides or steep slopes are present on or abutting the Project site. Implementation of the Project will create manufactured slopes on the Project site. The proposed manufactured slopes are not expected to be subject to landslide during a seismic event because they would be designed and constructed in accordance with the design recommendations contained within the Project site's geotechnical report and in accordance with best engineering practices. Notwithstanding, the EIR shall provide a detailed analysis of the susceptibility of proposed on-site slopes to seismic-related landslides.</p>				
<p>b) Result in substantial soil erosion or the loss of topsoil?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: Project construction activities would involve earth movement and the exposure of soil, which would temporarily increase erosion susceptibility. The Project Applicant would be required to adhere to standard regulatory requirements, including, but not limited to, requirements imposed by the City of Moreno Valley's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit and a Project-specific Stormwater Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP) to minimize water pollutants including sedimentation in stormwater runoff. The EIR will evaluate the Project's potential to result in substantial soil erosion and/or the loss of topsoil.</p>				
<p>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?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: Refer to Responses VII(a)(iii) and (iv) for a discussion of hazards associated with liquefaction and landslide hazards. The Project site's potential for lateral spreading or collapse is currently unknown but will be evaluated in a site-specific geotechnical evaluation. The geotechnical evaluation also will evaluate the Project site's potential for subsidence hazards. The EIR will address the proposed Project's potential to cause soil subsidence, lateral spreading, liquefaction, and collapse hazards, which could pose a threat to the future structures and workers on-site.</p>				
<p>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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<p>Response: According to USDA’s Web Soil Survey, the Project site is underlain with Metz Sandy Loam, San Emigdio Fine Sandy Loam, and San Emigdio Loam, which all generally have a “Low” shrink swell potential (USDA, n.d.). However, historic disturbances on the Project site may have altered the site’s mapped soil characteristics at or near the ground surface. The Project’s geotechnical evaluation will analyze the Project site’s specific soil conditions and determine the site’s potential for containing expansive soils. The Project’s potential to expose the future structures and workers on-site to hazards associated with expansive soils will be evaluated in the required EIR.</p>				
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: The Project would not install any septic tanks or alternative waste water disposal systems. No impact would occur.</p>				
<p>f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project site is identified by the City’s General Plan Final EIR as having a “Low Potential” to contain unique paleontological resources but is identified by the County of Riverside General Plan as having a “high” potential to contain paleontological resources (Moreno Valley, 2006, Figure 5.10-3; Riverside County, 2015, Figure 4.9.3). Although the Project site is not known to contain unique paleontological resources or unique geologic features, there is nonetheless the potential that Project-related grading activities could uncover and impact paleontological resources. This issue will be evaluated in the EIR.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006 <ul style="list-style-type: none"> • Section 5.6 – Geology and Soils <ul style="list-style-type: none"> - Figure 5.6-2 – Seismic Hazards • Section 5.10 – Cultural Resources <ul style="list-style-type: none"> - Figure 5.10-3 – Paleontological Resource Sensitive Areas 2. Riverside County General Plan Draft Environmental Impact Report, recirculated February 2015 <ul style="list-style-type: none"> • Section 4.9 – Cultural and Paleontological Resources <ul style="list-style-type: none"> - Figure 4.9.3 – Paleontological Sensitivity 3. United States Department of Agriculture – Websoil Survey, https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx 				
<p>VIII. GREENHOUSE GAS EMISSIONS – Would the project:</p>				
<p>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: Project-related construction and operational activities would emit air pollutants, several of which are regarded as greenhouse gasses (GHGs). A GHG emissions assessment will be prepared to quantify the GHG emissions resulting from implementation of the Project. The results of the GHG emissions assessment will be disclosed in the EIR and the EIR will make a determination whether the Project-related GHG emissions have the potential to result in a significant impact on the environment.</p>				
<p>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project’s potential to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases will be analyzed in the GHG emissions analysis, the results of which will be discussed in the EIR.</p>				

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<p>Sources:</p> <p>No information sources were used in the preparation of the responses for “Greenhouse Gas Emissions.”</p>				
<p>IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:</p>				
<p>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: During Project construction, a limited amount of hazardous materials typical of construction activities would be transported to, stored, and used on the Project site (fuel, architectural coatings, etc.). Although future building user(s) are unknown at this time, hazardous materials may be used and stored on the Project site as part of routine building occupant operations. The EIR will evaluate the Project’s potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials during short-term construction and long-term operation activities.</p> <p>Furthermore, the Project site may contain contaminants from historical activities on the site that could pose a hazard to the public or the environment. An environmental site assessment (ESA) will be prepared for the Project site to evaluate the site for potential sources of contamination. The findings of the ESA will be incorporated into the EIR.</p>				
<p>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?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: See Response IX(a), above. An ESA will be prepared for the Project and the results of the analysis will be incorporated into the EIR.</p>				
<p>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: There are no schools located within one-quarter mile of the Project site. The nearest school to the Project site is the Moreno Elementary School, located approximately 1.9 miles southwest of the Project site. (Google Earth Pro, 2020) Accordingly, the proposed Project has no potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No impact would occur.</p>				
<p>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?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: According to preliminary information provided by the California Department of Toxic Substances Control, the Project site is not located on the list of hazardous materials sites pursuant to Government Code Section 65962.5 (CDTSC, 2020). Notwithstanding, the ESA prepared for the Project site will include the results of a detailed governmental database search. The results of the ESA’s database search will be disclosed in the required EIR.</p>				
<p>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 or excessive noise for people residing or working in the project area?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Response: The Project site is located approximately 5.7 miles northeast of March Air Reserve Base (MARB)/Inland Port Airport. The Project site is not located within the MARB airport influence area (AIA) and it not included on the MARB Land Use Compatibility Plan as a property that may be exposed to safety or noise hazards from operations at the MARB (Riverside County Airport Land Use Commission, Map MA-1). Accordingly, implementation of the proposed Project would not result in an airport-related noise or safety hazard for people working on the Project site. Impacts would be less than significant.</p>				
<p>f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project site does not contain any emergency facilities under existing conditions nor does it serve as an emergency evacuation route. During construction of the Project, temporary, partial closure of one or more public streets that abut the Project site may be necessary; however, in this instance a traffic control plan would be required to comply with the California Manual on Uniform Traffic Control Devices and provide adequate access for emergency vehicles to ensure safe and efficient circulation around the Project site. There is no potential for the Project to result in a substantial adverse effect to an existing emergency response or evacuation plan.</p>				
<p>g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: According to the California Department of Forestry and Fire Protection (CalFire), the Project site is not located within a fire hazard severity zone (CalFire, 2007). Accordingly, the proposed Project has no potential to expose people or structures to a significant risk of loss, injury, or death involving wildland fires. No impact would occur. No further analysis is required; therefore, this impact will not be analyzed in the EIR.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006 <ul style="list-style-type: none"> • Section 5.5 – Hazards and Hazardous Materials <ul style="list-style-type: none"> - Figure 5.5-3 – City Areas Affected by Aircraft Hazard Zones 2. Google Earth Pro 3. Riverside County Airport Land Use Commission, March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, http://www.rcaluc.org/Portals/13/17%20-%20Vol.%201%20March%20Air%20Reserve%20Base%20Final.pdf?ver=2016-08-15-145812-700 4. California Department of Toxic Substances Control – Hazardous Waste and Substances Site List (Cortese), https://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=CORTESE&site_type=CSITES,FUDS&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29 5. California Department of Forestry and Fire Protection (CalFire), https://osfm.fire.ca.gov/media/5917/moreno_valley.pdf 				
<p>X. HYDROLOGY AND WATER QUALITY – Would the project:</p>				
<p>a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: Implementation of the Project would involve demolition, clearing, grading, paving, utility installation, building construction, and landscaping activities, which could result in the generation of water quality pollutants such as silt, debris, chemicals, paints, and other substances with the potential to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during construction of the Project in the absence of any protective or avoidance measures. Additionally, Project site runoff under post-development conditions could contain pollutants in the absence of</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
protective or avoidance measures. The Project's potential to violate any water quality standards or waste discharge requirements during short-term construction and/or long-term operational activities, and the protective and avoidance measures proposed by the Project to address water quality will be fully analyzed in the EIR.				
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Within the City of Moreno Valley, there are few domestic uses for groundwater due to salinity/water quality issues; therefore, the City primarily relies on imported water from the Eastern Municipal Water District (EMWD) for its domestic water supply. The Project does not propose the installation of any water wells that would directly extract groundwater; however, the proposed increase in impervious surface cover (e.g., building area, pavement) that would be installed on the Project site would reduce the amount of water percolating down into the underground aquifer that underlies the site – although it should be noted that the Project would provide design features such as pervious landscaped areas and a water quality/detention basin that would maximize percolation on-site. As noted in the City's General Plan FEIR (Moreno Valley, 2006, p. 5.7-12), "the impact of an incremental reduction in groundwater would not be significant as domestic water supplies are not reliant on groundwater as a primary source." Accordingly, with buildout of the Project, the local groundwater levels would not be substantially affected. As such, impacts to groundwater supplies and recharge would be less than significant.</p>				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: During construction of the Project, soils would be exposed and subject to erosion at the Project site. The Project Applicant would be required to adhere to standard regulatory requirements to minimize water pollutants including sedimentation in stormwater runoff, including, but not limited to, requirements imposed by the City of Moreno Valley's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit and a Project-specific Stormwater Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP). Mandatory compliance with these standard regulatory requirements are expected to preclude substantial adverse environmental effects related to erosion or siltation. Notwithstanding, the EIR will evaluate the Project's potential to result in substantial soil erosion.</p>				
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: A site-specific hydrology study will be prepared to evaluate whether the Project would result in a substantial change in the rate or amount of runoff from the site. Any increase in the rate or amount of runoff from the site could result in increased potential for flooding on downstream properties. The results of the site-specific hydrology study will be documented in the EIR.</p>				
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: As indicated under Response X(a), the Project's potential to result in sources of polluted runoff will be disclosed and evaluated in the required EIR. A hydrology study will be prepared for the Project to evaluate the Project's proposed stormwater drainage system; the hydrology study will identify if the existing stormwater drainage system can adequately accept stormwater runoff from the Project site or if improvements are needed. The findings of the hydrology study will be disclosed in the EIR.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: According to FEMA Flood Insurance Rate Map (FIRM) No. 06065C0770G, the Project site is located within “Zone X (unshaded)”, which are areas determined to be an area with a 0.2% chance of annual flood (FEMA, 2008). The Zone X (unshaded) designation is considered to be an area of minimal flood hazard and is not considered a special flood hazard area. Accordingly, the Project site is not expected to be inundated by flood flows during the lifetime of the Project and the Project would not impede flood flows.</p>				
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: The Pacific Ocean is located over 46 miles southwest of the Project site; consequently, there is no potential for the Project site to be impacted by a tsunami as tsunamis typically only reach up to a few miles inland. The Project site also is not subject to flooding hazards associated with a seiche because the nearest large body of surface water (Lake Perris) is located approximately 4.2 miles south of the Project site. (Google Earth Pro, 2020) Furthermore, as noted in the City of Moreno Valley General Plan EIR, the Project site is not located within any mapped dam inundation area (Moreno Valley, 2006, Figure 5.5-2). Accordingly, the Project would not release water pollutants due to inundation. No impact would occur.</p>				
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: As noted under Response X(b), the Project would not substantially decrease groundwater supplies nor interfere substantially with groundwater recharge and, therefore, is not expected to conflict with or obstruct a sustainable groundwater management plan. The EIR will evaluate the Project’s potential to conflict with or obstruct with an applicable water quality control plan.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Federal Emergency Management Agency (FEMA) – Flood Map Service Center: Flood Insurance Rate Map No. 06065C0770G, https://p4.msc.fema.gov/arcgis/rest/directories/arcgisjobs/nfhl_print/nfhlprinttool2_gpserver/jd8bf96c758b94cbd842b8c71fabbb0a5/scratch/FIRMETTE_380f4d4f-381f-11ea-b91a-0050569c5fb0.pdf 2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006 <ul style="list-style-type: none"> • Section 5.5 – Hazards and Hazardous Materials <ul style="list-style-type: none"> - Figure 5.5-2 – Floodplains and High Fire Hazard Areas • Section 5.7 – Hydrology and Water Quality 3. Google Earth Pro 				
<p>XI. LAND USE AND PLANNING – Would the project:</p>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: No established communities are located on the Project site. The Project site does not provide access to established communities and would not isolate any established communities or residences from neighboring communities. The Project would re-zone the Project site from a residential land use district to a light industrial land use district; however, this change would represent a continuation/extension of the existing land uses to the north and planned land uses to the east. The proposed light industrial use would be different than the planned residential land uses to the west and the existing residential land uses to the south; but, these areas are already physically separated from the Project site by an existing drainage channel and an existing street, respectively, and development of the Project site with industrial land uses would not physically divide these residential areas. Development and operation of the Project would thus not physically disrupt or divide the arrangement of an established community.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project includes a General Plan Amendment to change the land use designation for the Project site from “Residential: Max 2 du/ac (R2)” to “Business Park/Light Industrial (BP).” The Project also includes a Change of Zone to change the zoning designation of the Project site from “Residential Agriculture, 2 du/ac (RA2)” and “Primary Animal Keeping Overlay Zone (PAKO)” to “Light Industrial (LI).” The EIR will evaluate the Project for consistency with the General Plan, Zoning Ordinance, and other applicable land use plans, policies, and/or regulations. If any inconsistencies are identified, the EIR will determine if the inconsistency will result in a substantial environmental effect.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Moreno Valley Zoning Map, http://www.moreno-valley.ca.us/cdd/pdfs/ZoningMap.pdf 2. Moreno Valley Adopted Land Use Map, http://www.moreno-valley.ca.us/city_hall/general-plan/landuse-map.pdf 3. Google Earth Pro 				
<p>XII. MINERAL RESOURCES – Would the project:</p>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: The Project site is not located within an area known to be underlain by regionally- or locally-important mineral resources. Thus, implementation of the proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region 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. (Moreno Valley, 2006, p. 5.14-2) Accordingly, no impact would occur and no further analysis of this subject is required.</p>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: Refer to Response XII(a), above. No impact would occur and no further analysis of this subject is required.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006 <ul style="list-style-type: none"> • Section 5.14 – Mineral Resources 				
<p>XIII. NOISE – Would the project result in:</p>				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: Project construction and operational activities may expose persons in the vicinity of the Project site and/or its primary truck route to noise levels in excess of standards established by the City’s General Plan and/or Chapter 11.80, “Noise Regulation,” of the City’s Municipal Code for residential and/or worker receptors. An acoustical analysis will be prepared to quantify the noise effects associated with the Project and the results of the analysis will be disclosed in the EIR.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: Construction activities on the Project site may produce groundborne vibration or groundborne noise levels during demolition, earthwork/grading and/or during the operation of heavy machinery. The acoustical analysis will quantify the vibration/groundborne noise levels expected from Project construction and the EIR will determine if the expected vibration levels are considered excessive. Long-term operation of the proposed Project is not anticipated to result in perceptible levels of groundborne vibration or groundborne noise; regardless, the EIR will also evaluate the Project's potential to generate excessive groundborne vibration and noise in the long-term.</p>				
c) For a project located within the vicinity of a private airstrip or 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project site is located approximately 5.7 miles northeast of the MARB. According to General Plan FEIR Figure 5.4-1, <i>March Reserve Air Base Noise Impact Area</i>, the Project site is located outside of the 60 dBA CNEL noise contour and would not be subjected to excessive noise levels due to operations at the March Air Reserve Base (Moreno Valley, 2006, Figure 5.4-1). The Project would not expose people working on the Project site to excessive noise levels from operations at the MARB.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Moreno Valley General Plan, adopted July 11, 2006 <ul style="list-style-type: none"> • Chapter 6 – Safety Element – Section 6.4 – Noise <ul style="list-style-type: none"> - Figure 6-2 – Buildout Noise Contours 2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006 <ul style="list-style-type: none"> • Section 5.4 – Noise <ul style="list-style-type: none"> - Figure 5.4-1 – March Air Reserve Base Noise Impact Area 3. Moreno Valley Municipal Code Chapter 11.80 Noise Regulations 				
XIV. POPULATION AND HOUSING – Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The proposed Project would result in development of the subject property with industrial land uses that would add employment opportunities to the area. It is anticipated that the employment base for both the construction and operational phases of the Project would come from the existing population in the Inland Empire, which comprises western Riverside County and southwestern San Bernardino County. According to the Bureau of Labor Statistics, the Riverside-San Bernardino-Ontario region's civilian labor force contains approximately 2,092,000 persons with approximately 2,016,000 people employed and an unemployment rate of approximately 3.6% (approximately 76,000 persons) (USBLS, 2019). Accordingly, the Project region already contains an ample supply of potential employees under existing conditions and the Project's labor demand is not expected to draw substantial numbers of new residents to the area. Furthermore, approximately 86% of City of Moreno Valley residents commute outside of the City for work (SCAG, 2019, p. 21); therefore, the Project would provide job opportunities closer to home for existing and future Moreno Valley residents.</p>				
<p>There are no components of the Project that would reasonably result in indirect or unplanned population growth because the surrounding area is mostly developed under existing conditions or approved for development. The Project would install new/expanded infrastructure; however, this infrastructure would either be master-planned facilities (meaning the facilities would be installed with or without the Project)</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>or would be private facilities for the sole use of the Project (meaning they would not be available for general public use). Accordingly, no significant indirect impacts associated with population growth would result from any Project-related improvements because the Project and its required improvements would not induce substantial growth on surrounding properties.</p> <p>Based on the foregoing analysis, neither the Project nor any Project-related component would result in substantial, direct, or indirect population growth that would cause a significant direct or indirect impact to the environment. This impact is considered less than significant. No further analysis is required; therefore, this issue will not be addressed in detail in the EIR.</p>				
<p>b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Under existing conditions, the Project site contains a plant nursery with five (5) associated structures (three residences, one ancillary garage, and one small office space), all of which would be removed as part of the Project. The removal of these structures would not result in the displacement of substantial numbers of existing people or housing and would not necessitate the construction of replacement housing elsewhere. Accordingly, impacts would be less than significant. No further analysis is required; therefore, this issue will not be addressed in detail in the EIR.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Google Earth Pro 2. Southern California Association of Governments (SCAG) – Profile of the City of Moreno Valley, https://www.scag.ca.gov/Documents/MorenoValley.pdf 3. United States Bureau of Labor Statistics – Riverside-San Bernardino-Ontario, CA Economy at a Glance on November 2019, https://www.bls.gov/eag/eag.ca_riverside_msa.htm#eag_ca_riverside_msa.f.p 				
<p>XV. PUBLIC SERVICES – Would the project:</p>				
<p>a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</p>				
<p>i) Fire protection?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Fire protection services in the Project area are provided by Moreno Valley Fire Department (MVFD) Station No. 58, which is located approximately 0.5-mile northwest of the Project site. Station No. 58 was opened in 2008 and MVFD stations are designed to provide service to their service area over a 50-year lifespan (Moreno Valley, 2011, p. 23). Due to the relatively young age of Station No. 58, modifications to the Station are not expected to be needed to provide service to the Project. The Project Applicant would be required to comply with the provisions of the City of Moreno Valley’s Development Impact Fee (DIF) Ordinance (Ordinance No. 695). This ordinance requires a fee payment that the City applies to the funding of public facilities, including fire protection facilities. The City will collect DIF fees for the Project based on building square footage. The Project’s payment of DIF fees, as well as increased tax revenues that would result from development of the Project, would be used by the City to help pay for fire protection services and other public services.</p>				
<p>The Project would incorporate fire prevention and fire suppression design features to minimize the potential demand placed on the MVFD. The proposed building would be of concrete tilt-up construction. Concrete is non-flammable and concrete tilt-up buildings have a lower fire hazard risk than typical wood-frame construction. The Project also would install fire hydrants on-site – the MVFD will review the Project’s site plan to ensure proper spacing of hydrants on-site to provide adequate coverage – and would provide paved primary and secondary emergency access to the Project site to support the MVFD in the event emergency response to the Project site is needed. Lastly, the proposed building would be equipped with fire sprinklers in accordance with the California and Moreno Valley building codes. Based on its size and scale, the proposed building would likely feature ESFR (Early Suppression, Fast</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Response) ceiling mounted fire sprinklers (or a comparable fire suppression system) that exceed the fire protection of traditional sprinkler systems. ESFR high output, high volume systems are located in ceiling spaces as with conventional fire sprinkler systems, but they incorporate large, high-volume, high-pressure heads to provide the necessary fire protection for industrial buildings that may contain high-piled storage. While most other sprinklers are intended to control the growth of a fire, an ESFR sprinkler system is designed to suppress a fire. To suppress a fire does not necessarily mean it will extinguish the fire but rather it is meant to "knock" the fire back down to its source so that it is easier for fire fighters to attack.</p> <p>Based on the foregoing, the Project would receive adequate fire protection service and would not result in the need for new or physically altered fire protection facilities. Impacts to fire protection facilities would be less than significant. No further analysis is required; therefore, this issue will not be addressed in detail in the EIR.</p>				
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Implementation of the Project would result in an incremental increase in demand for police protection services relative to existing uses on the Project site, but the increase not anticipated to be substantial and would not require or result in the construction of new or physically altered police facilities. The Project Applicant would be required to comply with the provisions of the City of Moreno Valley's Development Impact Fee (DIF) Ordinance (Ordinance No. 695). This ordinance requires a fee payment that the City applies to the funding of public facilities, including police protection facilities. The City will collect DIF fees for the Project based on building square footage. The Project's payment of DIF fees, as well as increased tax revenues that would result from development of the Project, would be used by the City to help pay for police protection services and other public services. Based on the foregoing, the proposed Project would receive adequate police protection service, and would not result in the need for new or physically altered police protection facilities. Impacts to police protection facilities would therefore be less than significant. No further analysis is required; therefore, this issue will not be addressed in detail in the EIR.</p>				
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: Implementation of the Project would not create a direct demand for public school services, as the subject property would contain non-residential uses that would not generate any school-aged children requiring public education. The addition of employment-generating uses on the Project site would assist the City in achieving its goal to provide a better jobs/housing balance within the City (allowing more City residents to work within the City rather than commute elsewhere). Thus, the Project is not expected to draw a substantial number of new residents to the region and would therefore not indirectly generate new school-aged students in the City requiring public education. Because the Project would not directly generate students and is not expected to indirectly draw students to the area, the Project would not cause or contribute to a need to construct new or physically altered public school facilities. Although the Project would not create a demand for additional public school services, the 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), which allows school districts to collect fees from new developments to offset the costs associated with increasing school capacity needs (CA Legislative Information, 1998). Mandatory payment of school fees would be required prior to the issuance of a building permit. With mandatory payment of fees in accordance with California Senate Bill 50, impacts to public schools would be less than significant. No further analysis is required; therefore, this issue will not be addressed in detail in the EIR.</p>				
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: As discussed under Responses XVI(a) and XVI(b) below, the Project would not create a demand for public park facilities and would not result in the need to modify existing or construct new park facilities. Accordingly, implementation of the proposed Project would not adversely affect any park facility. No further analysis is required; therefore, this impact will not be analyzed in the EIR.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: The Project is not expected to result in a demand for other public facilities/services, including libraries, community recreation centers, post offices, and animal shelters. As such, implementation of the Project would not adversely affect other public facilities or require the construction of new or modified public facilities and no impact would occur. No further analysis is required; therefore, this impact will not be analyzed in the EIR.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. California Legislative Information – Senate Bill 50 (Greene), Approved August 27, 1998, http://www.leginfo.ca.gov/pub/97-98/bill/sen/sb_0001-0050/sb_50_bill_19980827_chaptered.html 2. Google Earth Pro 3. City of Moreno Valley Municipal Code <ul style="list-style-type: none"> • Chapter 3.42 “Commercial and Industrial Development Impact Fees” – Ordinance 695 				
XVI. RECREATION – Would the project:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: The Project does not include any type of residential use or other land use that may generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities. Accordingly, implementation of the proposed Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park. No further analysis is required; therefore, this issue will not be addressed in detail in the EIR.</p>				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: The Project does not include the construction of any new on- or off-site recreation facilities. The Project would not expand any existing off-site recreational facilities. Additional analysis of this issue is not required and this issue will not be addressed in detail in the EIR.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. Project Application Materials – Site Plan 				
XVII. TRANSPORTATION – Would the project:				
a) Conflict with program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: Implementation of the proposed Project would induce vehicular and non-vehicular travel to and from the Project site. Vehicular traffic has the potential to adversely affect the performance of the local and regional circulation system, on a direct and/or cumulatively considerable level. A Project-specific traffic study will be prepared following the City of Moreno Valley’s traffic study guidelines. The study will quantify the volume of vehicular traffic anticipated to travel to and from the Project site. The EIR will disclose the findings of the traffic study and also will evaluate the Project’s potential to conflict with applicable plans, ordinances, and policies that establish a minimum level of performance for various modes of travel, including transit, roadway, bicycle and pedestrian.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: Pursuant to CEQA Guidelines Section 15064.3(c), the City has until July 1, 2020, to implement CEQA Guidelines Section 15064.3(b). At the time of writing this Initial Study, the City of Moreno Valley had not established a vehicle miles traveled (VMT) thresholds pursuant to CEQA Guidelines Section 15064.3(b). If the City establishes a VMT threshold prior to the release of the Draft EIR for this Project, the EIR will evaluate the Project for consistency with the applicable provisions of CEQA Guidelines Section 15064.3(b).</p>				
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: The EIR will provide a detailed analysis of whether the Project's design or operational characteristics will exacerbate any existing transportation/circulation hazards that may exist in the Project site vicinity or create any new hazards.</p>				
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: During the course of the City of Moreno Valley's design review process, the City will review the proposed site plan to ensure that the Project provides adequate access to-and-from the Project site for emergency vehicles. The City also will review the layout of the proposed building, drive aisles, parking lots, and truck courts to ensure adequate on-site paths of travel for emergency vehicles. Furthermore, the City of Moreno Valley will review all future Project construction drawings to ensure that adequate emergency access is maintained on the abutting segments of Eucalyptus Avenue, Redlands Avenue, and Encelia Avenue. Impacts would be less than significant.</p>				
<p>Sources:</p> <p>1. Project Application Materials – Site Plan</p>				
<p>XVIII. TRIBAL CULTURAL RESOURCES – Would the project:</p>				
<p>a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p>				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: A site-specific cultural resources assessment will be conducted by a professional archaeologist to determine if the Project site contains resources that are listed or eligible for listing on a State or local register of historical resources as defined in Public Resources Code Section 5020.1(k). The results of the site-specific cultural resources assessment will be disclosed in the required EIR.</p>				
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: The City of Moreno Valley will send notification of the proposed Project to Native American tribes with traditional or cultural affiliation to the Project area in accordance with the requirements of SB 18 and AB 52 and will consult with interested tribes regarding the Project's potential to affect a tribal</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
cultural resource. The Project's potential to cause a substantial adverse change in the significance of a tribal cultural resource will be addressed in the EIR.				
Sources: No information sources were used in the preparation of the responses for "Tribal Cultural Resources."				
XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Response: The proposed Project would be required to construct utility service improvements as necessary to serve the Project. The EIR will describe the Project's proposed utility service facilities, and will evaluate whether the construction of such facilities would result in significant environmental effects.				
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Response: Pursuant to CEQA Guidelines Section 15155(a)(1), the Project is considered a "water-demand project" because it involves industrial development that would occupy more than 40 acres of land. In order to evaluate whether the City's current and planned water supplies are adequate to serve the Project, a Water Supply Assessment (WSA) will be prepared for the Project. The results of the WSA will be documented in the EIR.				
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Response: Wastewater generated by the Project would be treated by the Eastern Municipal Water District (EMWD), which operates the Moreno Valley Regional Water Reclamation Facility. Based upon EMWD's wastewater generation rate of 1,700 gallons per day (gpd) per acre for industrial light land uses, the proposed Project would generate approximately 121,805 gallons (0.12 million gallons per day) of wastewater per day (1,700 gpd per acre x 71.65 Project acres = 121,805 gpd) (EMWD, 2006, Table 1). Under existing conditions, the Moreno Valley Regional Water Reclamation Facility has an excess treatment capacity of approximately 4.8 million gallons per day (mgpd). Implementation of the Project would utilize approximately 2.5% of the Moreno Valley Regional Water Reclamation Facility daily excess treatment capacity (121,805 gpd ÷ 4.8 mgpd = 0.025 gpd). (EMWD, 2016) Accordingly, the Moreno Valley Regional Water Reclamation Facility has sufficient capacity to treat wastewater generated by the Project in addition to existing commitments. The Project would not create the need for any new or expanded wastewater facility (such as conveyance lines, treatment facilities, or lift stations). Because there is adequate capacity at existing treatment facilities to serve the Project's projected sewer demand, impacts would be less than significant.				
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Response: The Project would generate an incremental increase in solid waste volumes requiring off-site disposal during short-term construction and long-term operational activities. The EIR will evaluate				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
whether existing landfills have adequate capacity to accommodate the Project's planned increase in solid waste generation.				
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Response: The California Integrated Waste Management Act (AB 939), signed into law in 1989, established an integrated waste management system that focused on source reduction, recycling, composting, and land disposal of waste. In addition, the bill 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. Per the requirements of the Integrated Waste Management Act, the Riverside County Board of Supervisors adopted the County of Riverside Countywide Integrated Waste Management Plan (CIWMP), which outlines the goals, policies, and programs the County and its cities implement to create an integrated and cost-effective waste management system that complies with the provisions of AB 939 and its diversion mandates. (RCDWR, 2020)</p>				
<p>In order to assist the City of Moreno Valley and the County of Riverside in achieving the mandated goals of the Integrated Waste Management Act, the Project's building user(s) would be required to work with future refuse haulers to develop and implement feasible waste reduction programs, including source reduction, recycling, and composting. Additionally, in accordance with the California Solid Waste Reuse and Recycling Act of 1991 (Cal Pub Res. Code § 42911), the Project is required to provide adequate areas for collecting and loading recyclable materials where solid waste is collected. The collection areas are required to be shown on construction drawings and be in place before occupancy permits are issued. (CA Legislative Information, 2005) Additionally, in compliance with AB 341 (Mandatory Commercial Recycling Program), the future occupant(s) of the proposed Project would be required to arrange for recycling services, if the occupant generates four (4) or more cubic yards of solid waste per week (CA Legislative Information, 2011). The implementation of these mandatory requirements would reduce the amount of solid waste generated by the Project and diverted to landfills, which in turn will aid in the extension of the life of affected disposal sites. The Project would be required to comply with all applicable solid waste statutes and regulations; as such, impacts related to solid waste statutes and regulations would be less than significant.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> 1. California Legislative Information – Assembly Bill 341 Solid Waste: Diversion, Approved October 5, 2011, https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120AB341 2. California Legislative Information – Public Resources Code § 42911 – California Solid Waste Reuse and Recycling Access Act of 1991, Effective January 1, 2005, https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC&sectionNum=42911. 3. Eastern Municipal Water District – Sanitary Sewer System Planning & Design, Revised September 1, 2006, https://www.emwd.org/sites/main/files/file-attachments/emwdsewer_system_design.pdf?1542760914 Eastern Municipal Water District – Moreno Valley Regional Water Reclamation Facility, October 2016, https://www.emwd.org/sites/main/files/file-attachments/mvrwrffactsheet.pdf?1537294991 4. Riverside County Department of Waste Resources – Countywide Integrated Waste Management Plan, 2020, https://www.rcwaste.org/business/planning/ciwmp 				
<p>XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</p>				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Response: The Project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones (CalFire, 2007); therefore, the Project would not exacerbate wildfire hazard risks or expose people or the environment to adverse environmental effects related to wildfires. As such, no impact would occur. No further analysis is required; therefore, this issue will not be addressed in detail in the EIR.</p>				
<p>Sources:</p> <ol style="list-style-type: none"> California Department of Forestry and Fire Protection – Western Riverside County Fire Hazard Severity Zones in SRA, Adopted on November 7, 2007, https://osfm.fire.ca.gov/media/6752/fhszs_map60.pdf 				
XXI. 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, substantially 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: The Project has the potential to substantially reduce the habitat of a wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. The EIR will evaluate the Project's potential to degrade the quality of the environment and/or result in substantial adverse effects to biological and cultural resources.</p>				
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 project, and the effects of probable future projects.)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: Development of the Project site, in addition to concurrent construction and operation of other development projects in the area, has the potential to result in cumulatively considerable impacts, particularly with respect to the following issue areas: air quality, greenhouse gas emissions, noise, and transportation. The EIR will evaluate the Project's potential to result in cumulatively considerable contributions to cumulatively significant impacts.</p>				

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Response: The potential for the proposed Project to directly or indirectly affect human beings will be evaluated in the required EIR particularly with respect to the following issue areas: air quality and greenhouse gas emissions (including emissions from Project-related traffic), seismic activity, and noise.</p>				



**Community Development Department
Planning Division**
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

Date: March 16, 2020
To: Responsible and Trustee Agencies/Interested Organizations and Individuals
Subject: **Notice of Preparation of a Draft Environmental Impact Report**

Lead Agency:

CITY OF MORENO VALLEY
Community Development Department
14177 Frederick Street
PO Box 88005
Moreno Valley, California 92552
(951) 413-3226
Contact: Gabriel Diaz

EIR Consulting Firm:

T&B PLANNING, INC.
3200 El Camino Real
Suite 100
Irvine, California
(714) 505-6360
Contact: Tracy Zinn

The City of Moreno Valley, as lead agency under the California Environmental Quality Act (CEQA), will prepare an Environmental Impact Report (EIR) for the Moreno Valley Trade Center project (Project). In accordance with Section 15082 of the CEQA Guidelines, the City has issued this Notice of Preparation (NOP) to provide responsible agencies, trustee agencies, and other interested parties with information describing the proposed project and its potential environmental effects.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but no later than 30 days after receipt of this notice or April 14, 2020.

Please send your response to Mr. Gabriel Diaz at the City of Moreno Valley address listed above. Please include the name, phone number, and address of a contact person in your response. If your agency or organization will be a responsible or trustee agency for this Project, please so indicate.

Project Title: Moreno Valley Trade Center
(PEN19-0191, PEN19-0192, PEN19-0193, PEN19-0234)

Location: The Project site is located in the eastern portion of the City of Moreno Valley, Riverside County, California. The Project site is south of Eucalyptus Avenue, west of Redlands Boulevard, and north of Encelia Avenue. Refer to Figure 1.

Description: The Project includes the following discretionary actions under consideration by the City of Moreno Valley:

- 1) **PEN19-0191 (General Plan Amendment)** would amend the City of Moreno Valley General Plan Land Use Map to change the land use designation for all

parcels within the Project site from “Residential: Max 2 du/ac (R2)” to “Business Park/Light Industrial (BP).” Refer to Figure 2.

- 2) **PEN19-0192 (Change of Zone)** would amend the City of Moreno Valley Zoning Map to change the zoning designation for all parcels within the Project site from “Residential Agriculture, 2 du/ac (RA2)” and “Primary Animal Keeping Overlay Zone (PAKO)” to “Light Industrial (LI).” Refer to Figure 3.
- 3) **PEN19-0193 (Plot Plan)** provides a development plan for a light industrial building with 1,332,380 square feet of building floor area, inclusive of warehouse/storage space and supporting office space. Refer to Figure 4. The proposed building would operate as a cross-dock warehouse with 104 loading docks on the north side of the building and 120 loading docks on the south side of the building. Truck trailer parking spaces (278 total) also would be provided within the truck courts/loading areas on the north and south sides of the building. The truck courts/loading areas would be enclosed and screened from public viewing areas by solid screen walls. Automobile parking areas would be provided on the western and eastern sides of the building; a total of 637 automobile parking spaces would be provided on-site. Access to the Project site would be provided by up to eight (8) driveways: two (2) driveways from Eucalyptus Avenue, two (2) driveways from Redlands Avenue, and at least two (2) or no more than four (4) driveways from Encelia Avenue. The proposed driveways to Encelia Avenue would be restricted to automobile traffic only; no heavy trucks would be permitted to enter/exit the site from the proposed Encelia Avenue driveways.

The Project Applicant is pursuing the proposed building on a speculative basis and the future occupant(s) of the Project are unknown at this time. The Project Applicant expects that the proposed light industrial building would be occupied by either a warehouse distribution/logistics operator(s) or a fulfillment center use. (In the event that the building is occupied by a fulfillment center use, the truck court/loading area on the south side of the building would be used for up to 1,449 automobile parking spaces in lieu of the 120 loading docks and 150 truck trailer parking spaces described in the preceding paragraph. Refer to Figure 5 for an optional/conceptual parking plan for a fulfillment center occupant.) Regardless of the occupant(s) of the proposed building, the building is expected to operate 24 hours a day, seven days per week.

- 4) **PEN19-0234 (Tentative Parcel Map)** would consolidate the Project site’s 11 existing parcels (Assessor Parcel Numbers 488-340-002 through -012) into one, approximately 71.65-acre (net) parcel. In addition, Tentative Parcel Map provides for the dedication of public right-of-way to the City of Moreno Valley for Redlands Boulevard, Encelia Avenue, and Eucalyptus Avenue. The Tentative Parcel Map also provides for the vacation of public right-of-way for Redlands Boulevard that is no longer needed by the City and the vacation of an on-site paper street segment (Quincy Street).

ENVIRONMENTAL ISSUES TO BE EVALUATED IN THE EIR

The City of Moreno Valley has determined that an EIR will be prepared for the Project based on its scale and potential to cause significant environmental effects. Based on the information presented in the Initial Study that accompanies this NOP, the following topics will be evaluated in detail in the EIR:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

The Initial Study further describes the anticipated scope of the environmental analysis for each topic.

The EIR will assess the effects of the Project on the environment, identify potentially significant impacts, identify feasible mitigation measures to reduce or eliminate potentially significant environmental impacts, and discuss potentially feasible alternatives to the Project that may accomplish basic objectives while lessening or eliminating any potentially significant Project-related impacts. A mitigation monitoring program also will be developed as required by Section 15150 of the CEQA Guidelines.

This NOP is subject to a minimum 30-day public review period per Public Resources Code Section 21080.4 and CEQA Guidelines Section 15082. During the public review period, public agencies, interested organizations, and individuals have the opportunity to comment on the proposed Project and identify those environmental issues that have the potential to be affected by the Project and should be addressed further by the City of Moreno Valley in the EIR.

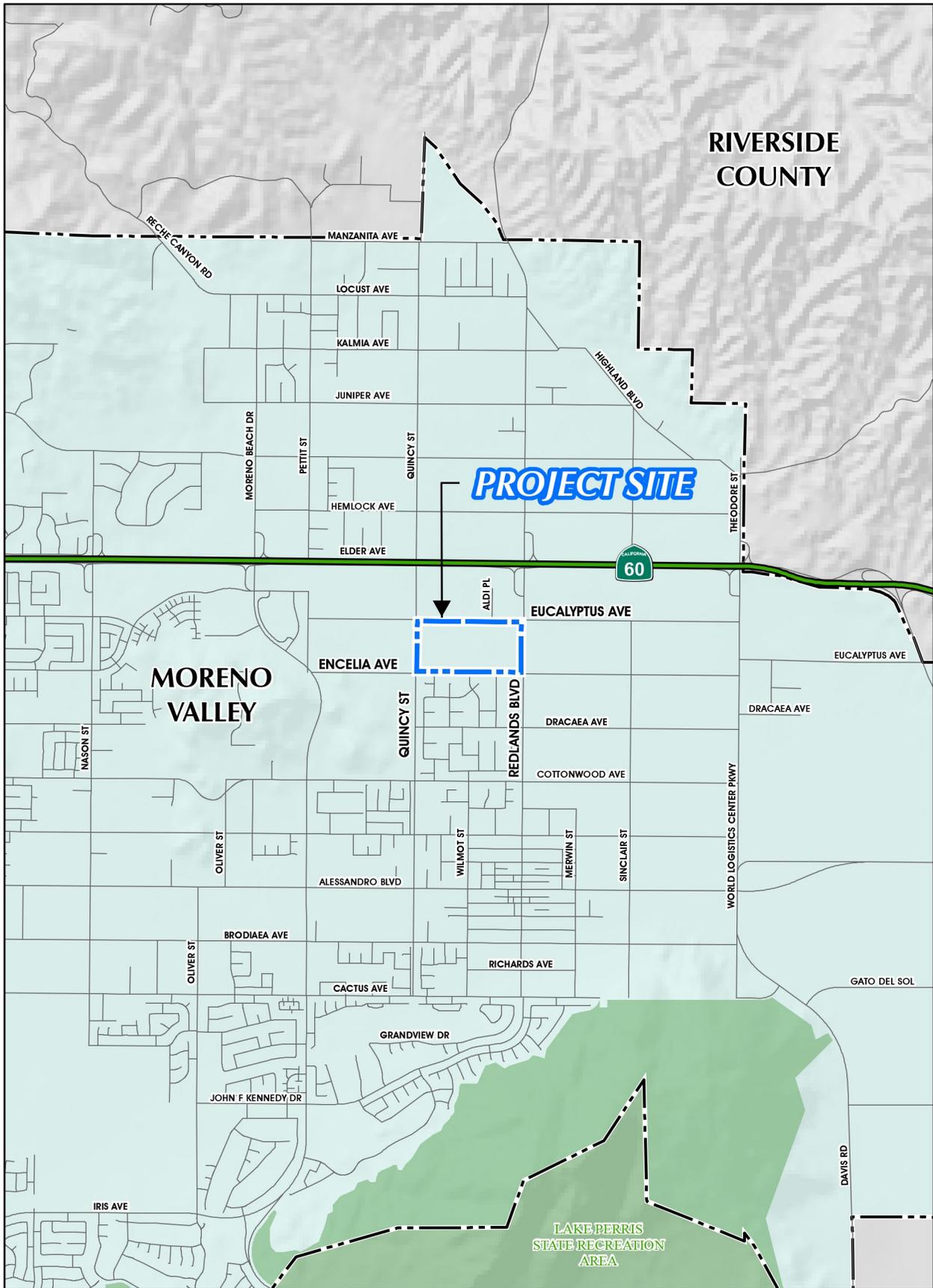
SCOPING MEETING

In accordance with Section 21083.9(a)(2) of the Public Resources Code and CEQA Guidelines Section 15082(c), the City will hold a public scoping meeting, where agencies, organizations, and members of the public will receive a brief presentation on the Project and will have the opportunity to provide comments on the scope of the information and analysis to be included in the EIR. The scoping meeting will be held on April 8th, 2020, at 6:00 PM at the Moreno Valley City Hall (City Council Chambers), 14177 Frederick Street, Moreno Valley, California 92552

Please contact the Community Development Department, Planning Division at (951) 413-3226 if you have any questions.

Sincerely,

Gabriel Diaz
Associate Planner

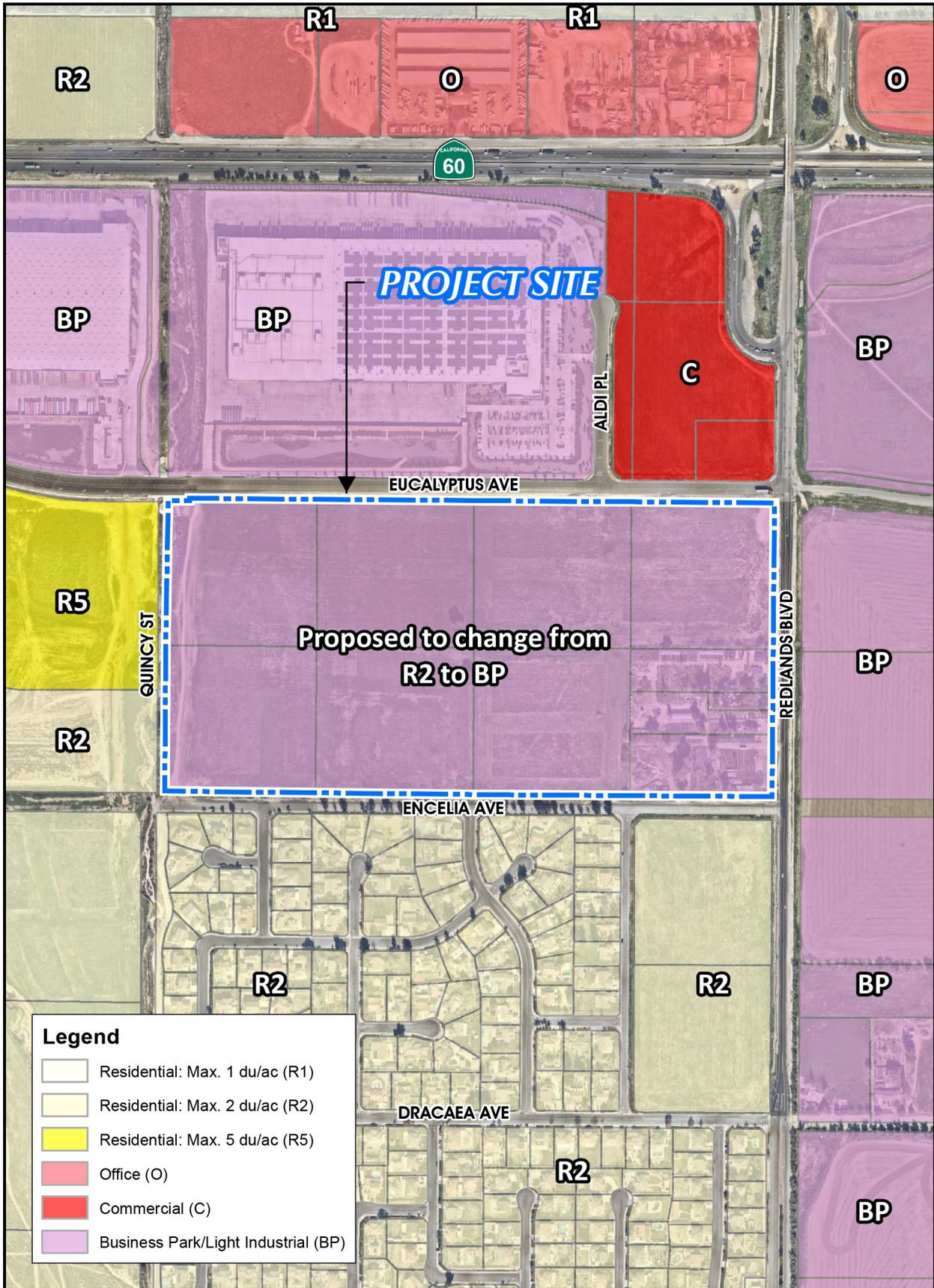


Source(s): ESRI, RCTLMA (2019)

Figure 1



Vicinity Map

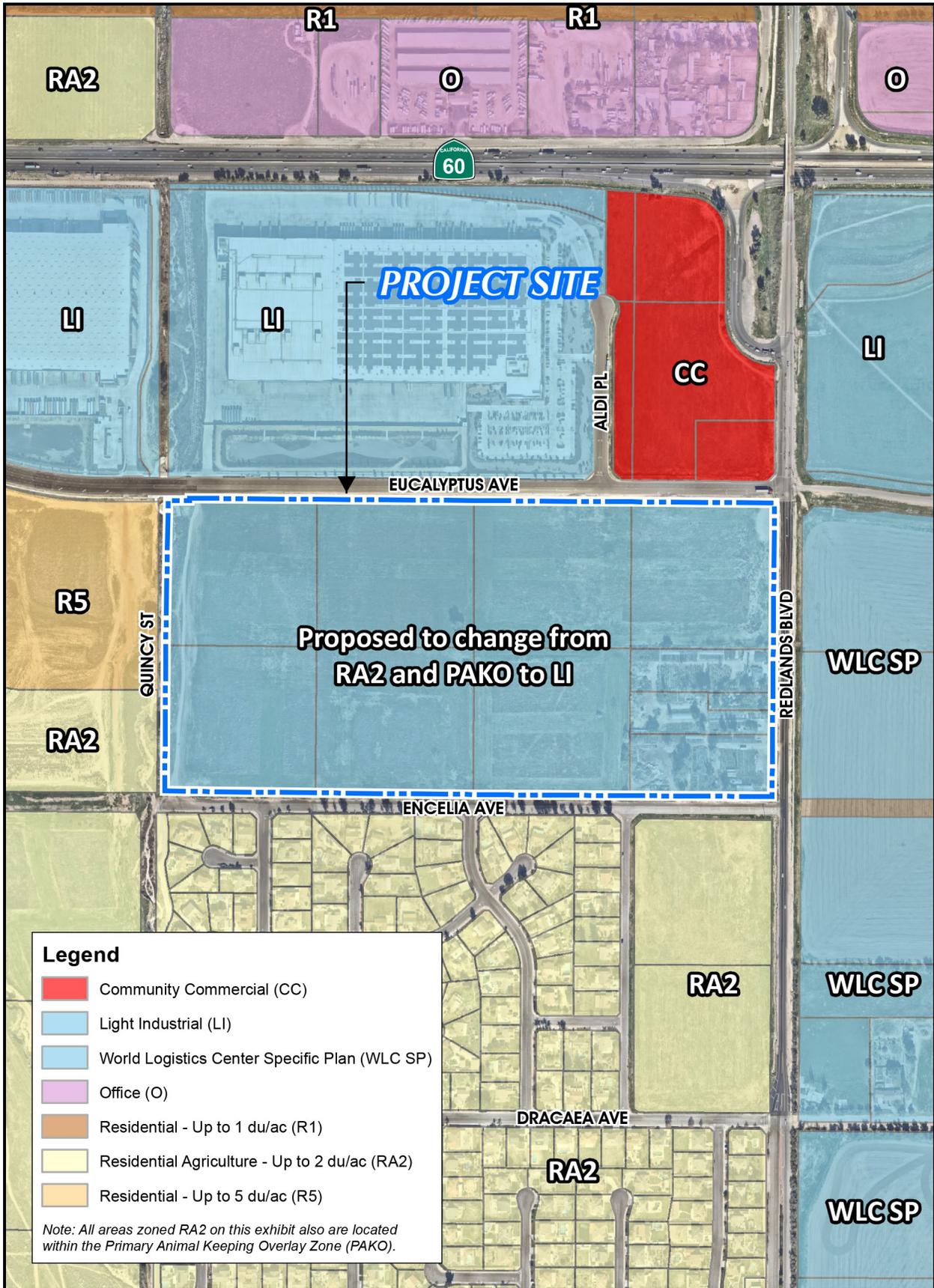


Source(s): City of Moreno Valley (2019), ESRI, Nearmap Imagery (2019), RCTLMA (2019)

Figure 2



General Plan Amendment (PEN19-0191)

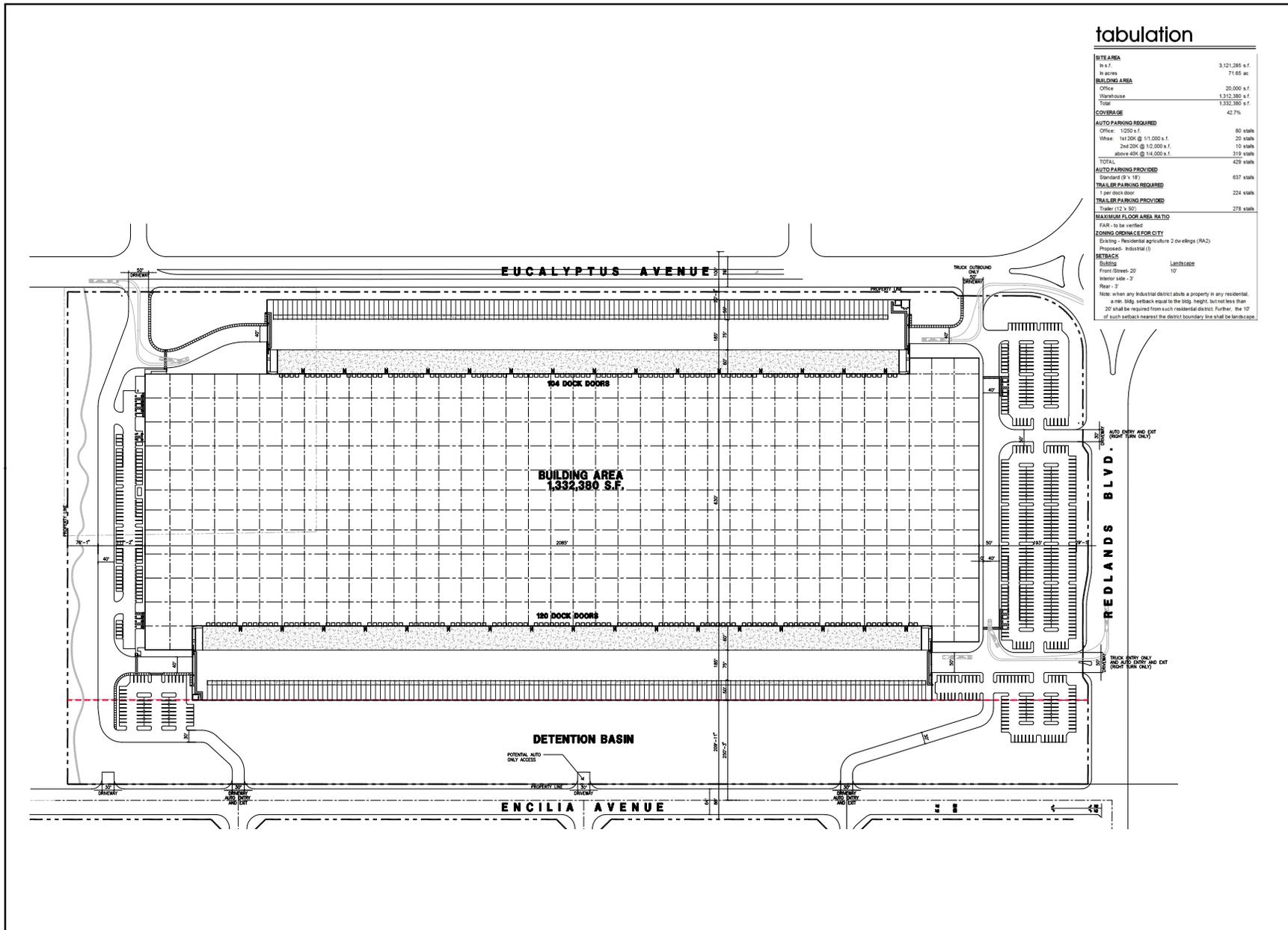


Source(s): City of Moreno Valley (2019), ESRI, Nearmap Imagery (2019), RCTLMA (2019)

Figure 3



Change of Zone (PEN19-0192)

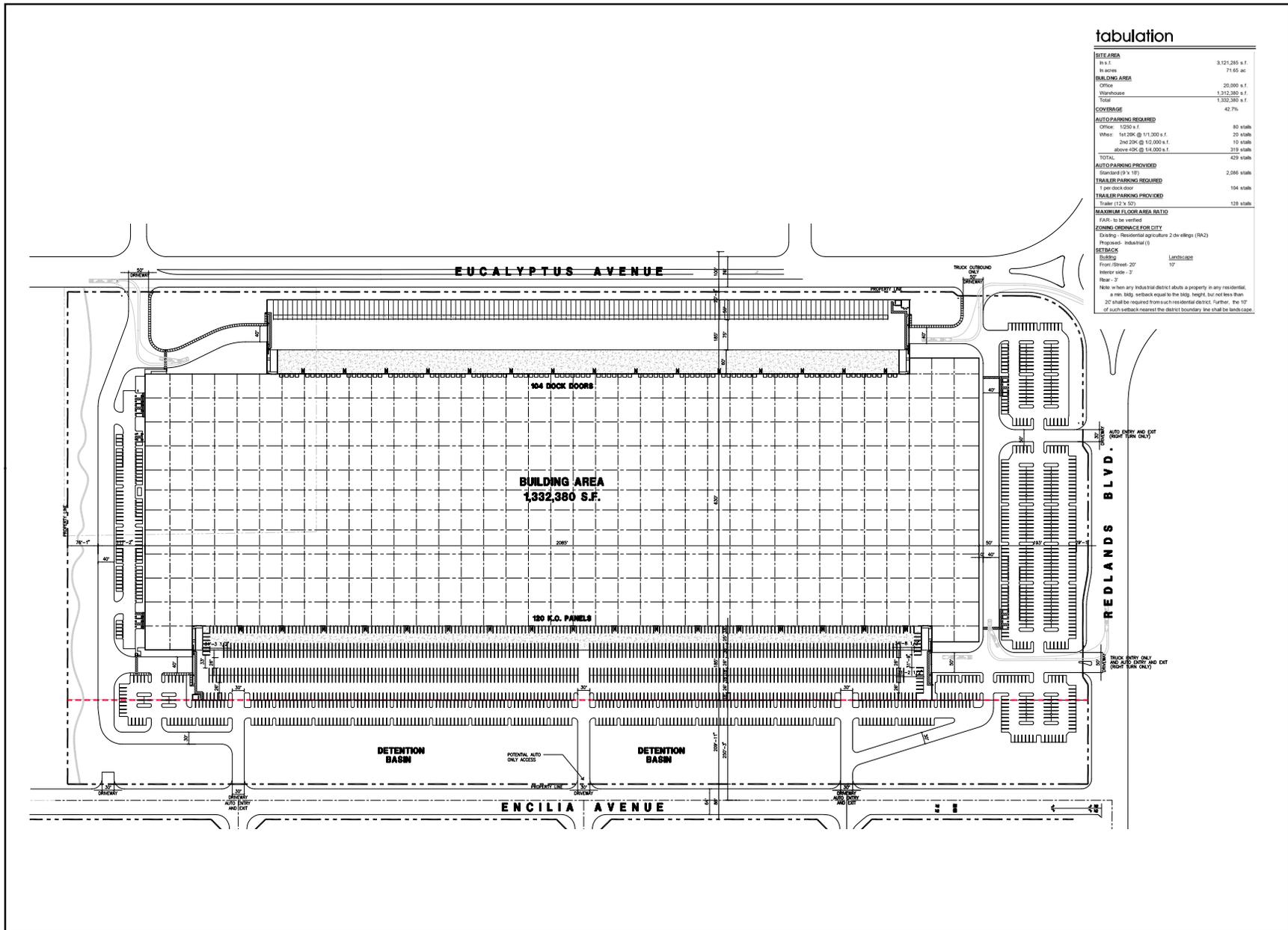


Source(s): HPA (09-16-2019)

Figure 4



Preliminary Site Plan (PEN19-0193)



Source(s): HPA (10-03-2019)

Figure 5



Optional Site Parking Layout

Lauren Fujimori

From: Tracy Hodge <hodge.tracy@yahoo.com>
Sent: Tuesday, April 14, 2020 9:56 AM
To: Gabriel Diaz
Subject: Moreno Valley Trade Center - EIR Questions

Follow Up Flag: Follow up
Flag Status: Flagged

Warning: External Email – Watch for Email Red Flags!

Gabriel,

I trust this email will find you well.

As a stakeholder in the east end community I do have concerns that I would like to see addressed in this EIR:

1. Will the developer be charged the full Development Impact Fee or is there a known negotiation with the City regarding this fee?
2. Will the developer be required to expand the freeway overpass bridge at Moreno Beach Drive and Redlands Boulevard?
3. Will the street at Encilia be expanded at the intersection of Encilia/Redlands Blvd as a requirement for this project at their sole cost?
4. Will the City require beautification from Encilia to the 60 Freeway as a condition of approval?
5. Will the City require upgrade of Drainage along Redlands Blvd. from the 60 Freeway to Dracaea Ave. on the west side of the street?
6. What cost will be passed on to the residential property owners of Moreno Valley as it pertains to this development over the next 50 years? Please break this down per year.
7. What use restriction will be placed on this building without additional measures to be taken by the operator to protect the immediate neighboring residential neighborhoods for things such as pollutants that require special HVAC filtration for each resident within a specific perimeter. And who will make this decision?

No other commercial construction should be permitted without contributing to beautifying the artery roads they will utilize daily. Why hasn't this been a requirement for the current construction that has already been completed on Eucalyptus?

Respectfully,
Tracy Hodge

Lauren Fujimori

From: Ebru Ozdil <eozdil@pechanga-nsn.gov>
Sent: Monday, April 13, 2020 12:06 PM
To: Gabriel Diaz
Cc: Tina Thompson Mendoza; Andrea Fernandez; Juan Ochoa
Subject: Pechanga Tribe Comments on the NOP for Moreno Valley Trade Center; PEN19-0191, PEN19-0192, PEN19-0193, PEN19-0234

Warning: External Email – Watch for Email Red Flags!

Dear Mr. Diaz:

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”). Please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archaeological reports, and all documents pertaining to this Project. The Tribe further 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.

The Tribe submits these comments concerning the Project's potential impacts to cultural resources in conjunction with the environmental review of the Project and to assist City of Moreno Valley in developing appropriate avoidance and preservation standards for cultural and archaeological resources that may be impacted by the proposed Project.

THE DISTRICT 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 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.

PROJECT IMPACTS TO CULTURAL RESOURCES AND REQUESTED EIR ANALYSIS

The proposed Project is located in a highly sensitive region of Luiseño territory and the Tribe believes that the possibility for recovering surface and 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 the Tribe relies on to make fairly accurate predictions regarding the likelihood of subsurface resources in a particular location.

The Tribe is concerned about direct impacts to cultural resources, which we believe can be avoided with adequate Project design; however, we are also concerned about any potential indirect impacts that could occur with Project development. The Tribe requests that the City adequately assess all auditory, visual, cumulative and growth-related impacts to cultural resources in the Draft EIR.

The Tribe has not had the opportunity to visit the proposed Project area; however, based on the project exhibits and identified area of potential effect (APE), there are number of known and recorded cultural resources within close vicinity of the project APE. Given the sensitivity of the area, inadvertent discoveries are foreseeable impacts and thus need to be appropriately mitigated for within the confines of the Project. The identification of surface resources during an archaeological survey should not be the sole determining factor in deciding whether mitigation measures for inadvertent discoveries are required. The cultural significance of the area should play a large part in determining whether specifications concerning unanticipated discoveries should be included.

Additionally, long-term protection for cultural resources is also vital to the Project's planning strategy and to the appropriate protection for cultural resources. Given the potential impacts to cultural resources, the Tribe requests to work closely with the City and its consultants to develop a long-term strategy for resource preservation. We ask that the City work diligently with the Tribe to preserve and avoid construction related and long-term impacts to any cultural resources, that may be identified during archaeological surveys, geotechnical studies and during construction activities.

REQUESTED TRIBAL INVOLVEMENT AND MITIGATION

The proposed Project is on land that is within the traditional territory of the Pechanga Band of Luiseño Indians. The 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.

The Tribe requests to be involved and participate with the City and its consultants in assuring that an adequate environmental assessment is completed and in developing appropriate design alternatives to avoid impacts to cultural resources and to the TCP, as well as developing all monitoring and mitigation plans and measures for the duration of the Project. In addition, given the sensitivity of the Project area, it is the position of the Pechanga Tribe that professional Pechanga tribal monitors be required to be present during all ground-disturbing activities conducted in connection with the Project, including any archeological surveys and excavations, geotechnical tastings or other earth moving activities that may be required for the design and performed for the environmental assessment for the project.

The CEQA Guidelines state that lead agencies should make provisions for inadvertent discoveries of cultural resources (CEQA Guidelines §15064.5). As such, it is the position of the Pechanga Tribe that an agreement specifying appropriate treatment of inadvertent discoveries of cultural resources be executed between the City and the Pechanga Tribe.

The Tribe believes that adequate cultural resources assessments and management must always include a component which addresses inadvertent discoveries. Every major State and Federal law dealing with cultural resources includes provisions addressing inadvertent discoveries (See e.g.: CEQA (Cal. Pub. Resources Code §21083.2(i); 14 CCR §1506.5(f)); Section 106 (36 CFR §800.13); NAGPRA (43 CFR §10.4). Moreover, most state and federal agencies have guidelines or provisions for addressing inadvertent discoveries (See e.g.: FHWA, Section 4(f) Regulations - 771.135(g); CALTRANS, Standard Environmental Reference - 5- 10.2 and 5-10.3). Because of the extensive presence of the Tribe's ancestors within the close vicinity of the Project area, it is not unreasonable to expect to find vestiges of that presence. Such cultural resources and artifacts are significant to the Tribe as they are reminders of their ancestors. Moreover, the Tribe is expected to protect and assure that all cultural sites of its ancestors are appropriately treated in a respectful manner. Therefore, as noted previously, it is crucial to adequately address the potential for inadvertent discoveries.

Further, the Pechanga Tribe believes that if human remains are discovered, State law would apply and the mitigation measures for the permit must account for this. According to the California Public Resources Code, § 5097.98, if Native American human remains are discovered, the Native American Heritage Commission must name a “most likely descendant,” who shall be consulted as to the appropriate disposition of the remains. Given the Project’s location in Pechanga territory, the Pechanga Tribe intends to assert its right pursuant to California law with regard to any remains or items discovered in the course of this Project. It is the position of the Pechanga Tribe that human remains must never be moved or other impacted, but rather, they should remain in their original resting place, undisturbed.

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. We look forward to working proactively with the City to ensure that the potential impacts to cultural resources are assessed not only to the standards required by CEQA, but in a manner that acknowledges and respects traditional tribal world views and concerns in the EIR. As we progress further in the environmental review of this Project, we may offer specific mitigation measures. Please note that the comments contained within this letter are our initial concerns and do not contain all of the requested mitigation and avoidance measures that may apply to this Project. Once we have additional information, we can work together with the City on such measures.

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.

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 951-770-6313 or at eozdil@pechanga-nsn.gov once you have had a chance to review these comments so that we can schedule a consultation meeting.

Thank you.

*Ebru T. Ozdil
Cultural Analyst
Pechanga Band of Mission Indians
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Temecula, CA 92593*

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^[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

Lauren Fujimori

From: George Hague <gbhague@gmail.com>
Sent: Wednesday, April 15, 2020 2:14 PM
To: Gabriel Diaz
Cc: City Clerk
Subject: Moreno Valley Trade Center NOP comments -- Moreno Valley Group of the Sierra Club

Warning: External Email – Watch for Email Red Flags!

Dear City of Moreno Valley, April 15, 2020

Re: Notice of Preparation of Moreno Valley Trade Center's Environmental Impact Report

The Moreno Valley Group of the Sierra Club appreciates this opportunity to provide some comments on the Notice of Preparation (NOP) of the Moreno Valley Trade Center (the Project) Environmental Impact Report (EIR). The City is currently going through its General Plan Update (GPU) and is showing this project on its public displays of current land use. This project will prejudice the GPU and could very likely cause adjacent lands to be changed from their currently zoning for homes to zoning which will allow more warehousing. This in turn will have cumulative impacts on the health of families whose existing homes are across the street from the project.

The following link (<https://datausa.io/profile/geo/moreno-valley-ca>) indicates Moreno Valley has a poverty rate of almost 17% or about 34,000 out of a population of more than 203,000. It also shows that almost 58% (118,000) of the population is Latino with about 25% (50,000) of Moreno Valley is foreign born. It is because of this that the Sierra Club has been asking for years that the city to produce all environmental documents in Spanish. This project's must provide all documents in Spanish which are then provided online and on CD's as well as in public places. It is time Moreno Valley takes Environmental Justices seriously.

The maps/figures shared at GPU public meetings and similar ones found below indicated Moreno Valley has a large disadvantaged areas south of SR-60. Many of those areas are also disadvantaged because of their proximity to approved warehouse projects as well as their diesel truck traffic. The Draft EIR must show these maps/figures and the location of this project as well as how the project will make these disadvantaged areas better or worse.

Part of the project is a large plant nursery and therefore there is impact on Agricultural lands. The valley is also known for its 25 species of raptors and this project will contribute to a cumulative loss of important foraging habitat. This cumulative impact needs to be addressed in the EIR and not just comment that it is insignificant.

Moreno Valley as lead agency needs to implement the following points — if they are going to close their eyes to the project's health impacts on the City's residents and approve it anyway:

1) Require the use of off-road diesel-powered construction equipment that meets or exceeds the CARB and U.S. Environmental Protection Agency (USEPA) Tier 4 Final off-road emissions standards for equipment rated at 50 horsepower or greater during construction of the Proposed Project. Such equipment will be outfitted with Best Available Control Technology (BACT) devices including a CARB certified Level 3 Diesel Particulate Filter (DPFs). Level 3 DPFs

are capable of achieving at least 85 percent reduction in particulate matter emissions²¹. A list of CARB verified DPFs are available on the CARB website.

2) To ensure that Tier 4 Final construction equipment or better would be used during the Proposed Project's construction, South Coast AQMD staff recommends that the Lead Agency include this requirement in applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and CARB or South Coast AQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment.

3) Additionally, the Lead Agency must require periodic reporting and provision of written construction documents by construction contractor(s) to ensure compliance, and conduct regular inspections to the maximum extent feasible to ensure compliance.

4) In the event that construction equipment cannot meet the Tier 4 Final engine certification, the Project representative or contractor must demonstrate through future study with written findings supported by substantial evidence that is approved by the Lead Agency before using other technologies/strategies. Alternative applicable strategies may include, but would not be limited to, construction equipment with Tier 4 Interim or Tier 3 emission standards that the Lead Agency has already included in the air quality modeling, reduction in the number and/or horsepower rating of construction equipment, limiting the number of daily construction haul truck trips to and from the Proposed Project, and/or limiting construction phases occurring simultaneously with the remediation activities.

5) Require the use of zero-emission or near-zero emission heavy-duty haul trucks during construction, such as trucks with natural gas engines that meet the California Air Resources Board's (CARB) adopted optional NOx emissions standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, require that operators of heavy-duty haul trucks visiting the Proposed Project during construction commit to using 2010 model year²³ or newer engines that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. Include analyses to evaluate and identify sufficient power available for zero emission trucks and supportive infrastructures in the Energy and Utilities and Service Systems Sections of the Final EIR, where appropriate. Require that contractor(s) maintain records of all trucks visiting the Proposed Project and make these records available to the Lead Agency upon request. The records will serve as evidence to prove that each truck called to the Proposed Project during construction meets the minimum 2010 model year engine emission standards. The Lead Agency should conduct regular inspections of the records to the maximum extent feasible and practicable to ensure compliance with this mitigation measure.

6) Encourage construction contractors to apply for South Coast AQMD "SOON" funds. The "SOON" program provides funds to applicable fleets for the purchase of commercially-available low-emission heavy-duty engines to achieve near-term reduction of NOx emissions from in-use off-road diesel vehicles. More information on this program can be found at South Coast AQMD's website: <http://www.aqmd.gov/home/programs/business/business-detail?title=off-road-diesel-engines>.

7) CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate significant adverse impacts. Since the Proposed Project's mitigated operational NOx emissions would remain significant and unavoidable, it is recommended that the Lead Agency incorporate the following operational mitigation measures in the Final EIR to further reduce those emissions and to facilitate the 2016 AQMD's goals and timeline for reducing Basin-wide NOx emissions and attaining NAAQS for ozone. For more information on potential mitigation measures as guidance to the Lead Agency, please visit South Coast AQMD's CEQA Air Quality Handbook website²⁴. Require the use of zero emission (ZE) or near-zero emission (NZE) heavy-duty trucks during operation, such as trucks with natural gas engines that meet CARB's adopted optional NOx emission standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, require that operators of heavy-duty trucks visiting the Proposed Project during operation commit to using 2010 model year²⁵ or newer engines that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. Include analyses to evaluate and identify sufficient power available for ZE trucks and supportive infrastructure in the Energy and Utilities and Service Systems Sections of the Final EIR, where appropriate.

- 8) To monitor and ensure ZE, NZE, or 2014 model year trucks are used at the Proposed Project, the Lead Agency should require that operators maintain records of all trucks associated with the Proposed Project's operation, and make these records available to the Lead Agency upon request. The records will serve as evidence to prove that each truck called to the Proposed Project during operation meets the minimum 2014 model year engine emission standards. Alternatively, the Lead Agency should require periodic reporting and provision of written records by operators, and conduct regular inspections of the records to the maximum extent feasible and practicable.
- 9) Provide at least six percent of electric vehicle (EV) charging stations. Pursuant to the 2016 California Green Building Standards Code, Part 11, nonresidential projects with 201 vehicle parking spaces or more should include EV charging stations in at least six percent of all vehicle parking spaces²⁶ and should also include designated parking for clean air vehicles in at least eight percent of all vehicle parking spaces²⁷. The Lead Agency should require at least six percent of all vehicle parking spaces to include EV charging stations and at least eight percent of all vehicle parking spaces to be designated for clean air vehicles. Vehicles that can operate at least partially on electricity have the ability to substantially reduce NOx emissions. It is important to make this electrical infrastructure available when the Proposed Project is built. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Additionally, electrical panels should be appropriately sized to allow for future expanded use. Therefore it is recommended the Lead Agency require the WLC to provide the appropriate infrastructure to facilitate sufficient electric charging for vehicles to plug-in in the final project design.
- 10) Additionally, the Lead Agency should include analyses to evaluate and identify sufficient power available for zero emission trucks and supportive infrastructures (e.g., EV charging stations) in the Energy and Utilities and Service Systems Sections of the Final EIR, where appropriate.
- 11) Design the Proposed Project such that the dock doors are located as far away as feasible from the residences located south and east of the Proposed Project. This could minimize the exposure of sensitive receptors to DPM from trucks entering/exiting and idling at the Proposed Project.
- 12) Create a buffer zone of at least 300 meters (roughly 1,000 feet), which can be office space, employee parking, greenbelt, etc. between the Proposed Project and sensitive receptors (e.g., residences), where feasible.
- 13) Design the Proposed Project such that entrances and exits are such that trucks are not traversing past residences, and other sensitive receptors near the Proposed Project.
- 14) Design the Proposed Project such that any check-in point for trucks is well inside the Proposed Project site to ensure that there are no trucks queuing outside of the facility and ensure that truck traffic within the Proposed Project site is located away from the property line(s) closest to the sensitive receptors (e.g., residences).
- 15) Limit the daily number of truck trips allowed at the Proposed Project to the level that was analyzed in the Final EIR. If higher daily truck volumes are anticipated during operation than what was analyzed in the certified Final EIR, the Lead Agency should commit to re-evaluating the Proposed Project's air quality and health risks impacts through a CEQA process prior to allowing higher activity levels (CEQA Guidelines Section 15162).
- 16) Require trucks to use the truck routes that were used to analyze the air quality and HRA impacts in the Draft EIR.
- 17) Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas that are adjacent to portions of the designated truck routes analyzed in the Final EIR.
- 18) Restrict overnight truck parking in residential areas. Establish parking within the Proposed Project where trucks can rest overnight.
- 19) Establish area(s) within the Proposed Project site for repair needs and ensure that these designated areas are away from any sensitive land uses.

- 20) Maximize the use of solar energy including solar panels. Installing the maximum possible number of solar energy arrays on the building roofs and/or on the Proposed Project site to generate solar energy for the warehouse and/or EV charging stations.
- 21) Require the use of electric landscaping equipment, such as lawn mowers and leaf blowers.
- 22) Require use of electric or alternatively fueled sweepers with HEPA filters.
- 23) Maximize the planting of trees in landscaping and parking lots. Do not permit Palm trees. Use light colored paving materials. Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- 24) To facilitate stronger collaboration between Lead Agencies and South Coast AQMD to reduce community exposure to source-specific and cumulative air pollution impacts, South Coast AQMD adopted the *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*³⁰ in 2005. Additional guidance is available in the California Air Resources Board (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*, available at: <https://www.arb.ca.gov/ch/handbook.pdf>. For warehouses that accommodate more than 100 trucks per day, or more than 40 trucks with operating TRUs per day, a 1,000-foot separation between sensitive land uses (e.g., residential uses)³¹ and the operating warehouse is recommended. Because the Proposed Project includes operation of a warehouse that would accommodate up to 640 heavy-duty truck trips per day³², South Coast AQMD staff recommends that the Lead Agency review and consider these guidance when making local planning and land use decisions.
- 25) Implementation of the Proposed Project may require permits from South Coast AQMD. If operation of the Proposed Project will involve the use of any stationary diesel-fueled internal combustion or compression engines (i.e., generators or firefighting equipment), South Coast AQMD Rule 1470 – Requirement for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines³³ and South Coast AQMD Rule Series 1146 – Emissions of Oxides of Nitrogen from Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters³⁴, including Rule 1146.1 – Emissions of Oxides of Nitrogen from Small Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters³⁵ and Rule 1146.2 – Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters³⁶ would apply and should be discussed in the Air Quality Section of the Final EIR. Additionally, in the event that the use of three or more Stationary Emergency Standby Diesel-Fueled Internal Combustion Engines rated at greater than 50 brake horsepower (>50 bhp) is reasonably foreseeable, the Lead Agency should include a discussion on South Coast AQMD Rule 1472 – Requirement for Facilities with Multiple Stationary Emergency Standby Diesel-Fueled Internal Combustion³⁷. Therefore, South Coast AQMD staff recommends that the Lead Agency consult with South Coast AQMD Permitting and Engineering staff as early as feasible to determine permit requirements and any applicable rules and regulations that should be discussed in the Final EIR for the Proposed Project. Additionally, in the event that the Proposed Project will use new stationary equipment that requires a permit from South Coast AQMD, the Lead Agency should identify South Coast AQMD as a Responsible Agency for the Proposed Project in the Final EIR. Questions on permits and applicable South Coast AQMD rules can be directed to South Coast AQMD’s Engineering and Permitting staff at (909) 396-3385. For more general information on permits, please visit South Coast AQMD’s webpage at: <http://www.aqmd.gov/home/permits>.
- 26) Require the installation of both level 2 Electric Vehicle (EV) charging stations and DC Fast/Quick charging stations which are also open to the public.
- 27) Each truck docking locations needs to have electrical hook ups to allow electric Alternative Power Units (APU) to plug in. The diesel emission analysis must include the use of diesel APU’s during the hottest days of the year with the maximum number of trucks allowed on site or it will be inadequate.
- 28) The Project needs to reduce impacts on our non-attainment air quality by reducing idling of all trucks/vehicles as well as their APU's. This can be partially accomplished by having an air-conditioned indoor facility of reasonable size for truck drivers, namely a lounge. It needs to be equipped with vending machines a seating area, restrooms and a television. The lounge shall be regularly maintained, cleaned and stocked. There must be signs indicating the availability of the lounge for truckers to read from their cabs in several highly visible locations. All signs for truckers throughout the project must be in both English and Spanish.

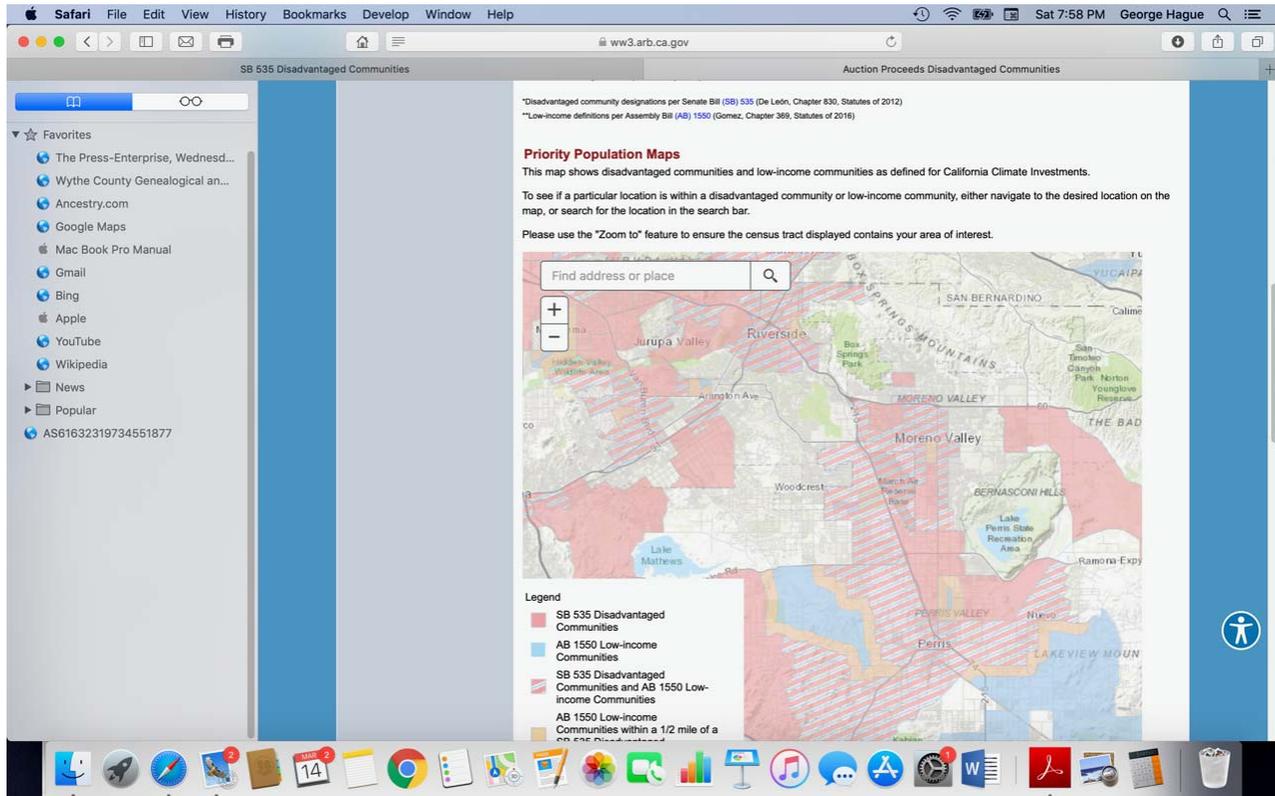
These lands are needed to become transitional uses between existing homes and warehouses. The City's failure to require such means they are failing to protect the Health, Safety and Welfare of Moreno Valley's residents.

The Moreno Valley Group of the Sierra Club is looking forward to reading the draft EIR with the project's direct, indirect, growth inducing and cumulative impacts on people and the environment. We need to be sent all future documents related to the project as well as notices of all meetings. Please keep us informed by using this email address and the address found under my name.

Sincerely,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

P.O. Box 1325
Moreno Valley, CA 92556 -1325



Safari File Edit View History Bookmarks Develop Window Help Not Secure — oehha.maps.arcgis.com Sat 7:05 PM George Hague

SB 535 Disadvantaged Communities

using CalEnviroScreen 3.0 results (June 2018 Update)

Find address or place

Details

This map shows the disadvantaged communities designated by CalEPA for the purpose of SB 535. These areas represent the 25% highest scoring census tracts in CalEnviroScreen 3.0, along with other areas with high amounts of pollution and low populations.

To view AB 1550 maps of disadvantaged and low income communities, go to the California Air Resources Board's [page on Disadvantaged and Low-income Communities Investments](#). Additional information on SB 535 is available at the [CalEPA website](#).

CalEnviroScreen 3.0 information, including a detailed description of

The map displays the Southern California region, with disadvantaged communities highlighted in red. These communities are scattered across the area, with significant concentrations in the Los Angeles basin, particularly in the San Gabriel Valley and San Bernardino County, and in the Orange County and San Diego areas. The map also shows major geographical features like the Santa Ana Mountains and various reservoirs and lakes. A legend, layers panel, and details panel are visible on the left and right sides of the map interface.

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Esri, HERE, Garmin, USGS, NGA, EPA, USDA, NPS

**Law Office of Abigail Smith
A Professional Corporation**

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VIA E-MAIL ONLY

April 15, 2020

Mr. Gabriel Diaz
Planning Department
City of Moreno Valley
141777 Frederick Street
Moreno Valley, CA 92552
gabrield@moval.org

Re: Notice of Preparation of Environmental Impact Report—Moreno Valley Trade Center

Dear City of Moreno Valley:

On behalf of the Sierra Club-San Gorgonio Chapter, thank you for the opportunity to comment on the Notice of Preparation (“NOP”) for the Environmental Impact Report (“EIR”) for the Moreno Valley Trade Center project (“the Project”). This Project proposes the development of a 1,332,380 square foot industrial building at the southwest corner of Eucalyptus Avenue and Redlands Boulevard in the City. The Project includes a General Plan Amendment to amend the City’s General Plan land use designation for the Project site from Residential (R2) to Business Park/Light Industrial (BP). The Project will operate as a warehouse for goods distribution with 224 total loading docks, 278 truck trailer parking spaces, and 637 automobile parking spaces. Existing single-family residences are located immediately south of the Project site on the south side of Encelia Avenue.

Project Design

With respect to the proposed development footprint, Sierra Club strongly encourages the City to follow the recommendation of the California Air Resources Board (“CARB”) that any warehouse distribution land uses should not be located within 1,000 feet of residential uses.¹ Conformance with this recommendation would also serve as mitigation for any potentially significant Project impacts.

¹ www.arb.ca.gov/ch/handbook.pdf. This hyperlink and all hyperlinks are fully incorporated herein by reference.

Air Quality

The Draft EIR for the Project must propose enforceable mitigation measures that are designed to address conformance with applicable air quality standards as well as State legislation and regulations targeting the reduction of Greenhouse Gas Emissions (GHGs). Particular emphasis must be paid to measures to address tail pipe emissions insofar as the majority of harmful air quality emissions and GHGs are attributable to mobile sources. For instance, it is estimated that NOx emissions will need to be reduced by approximately two-thirds by 2023 and three-quarters by 2030 to meet applicable air quality standards.^{2 3} Thus the Project must be required to utilize the cleanest available technologies by establishing fleet efficiency requirements. This should include, at a minimum, requirements that the Project's fleet shall consist exclusively of zero emission light and medium-duty delivery trucks and vans as well as zero emission service equipment such as forklifts and yard trucks. The Project must include the phase-in of zero emission heavy duty trucks. On feasibility of zero emission vehicles, *see, e.g.*, <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks> ; <https://ww2.arb.ca.gov/resources/fact-sheets/advanced-clean-trucks-fact-sheet> .

According to CARB, actions to deploy both zero emission and cleaner combustion technologies will be essential to meet air quality goals in California. *See*, <https://ww3.arb.ca.gov/planning/sip/2016sip/2016mobsrc.pdf> . Accordingly, the Project must adopt measures consistent with the policies and goals of the State's Zero Emission Vehicle (ZEV) Action Plan⁴ and Executive Order B-48-18 (setting a target of 5 million ZEVs in California by 2030). With respect to goods movement, CARB is working towards the implementation of a sustainable freight transport system that relies on zero and near-zero emission equipment powered by renewable energy sources. CARB states that a zero and near-zero emission freight system will demand not only new equipment and fuels but also *new transportation infrastructure*, communications and *industry operating practices*. *See, id.* Therefore, in addition to requirements for zero emission vehicles, including heavy duty trucks, the Project must include charging and refueling stations and other zero-emission vehicle infrastructure including direct current fast chargers and electrification of loading docks.

Energy

The Project shall propose measures to ensure compliance with and the advancement of the policies and goals of Senate Bill 100 which commits to 100% clean energy in California by 2045. The Project should adopt measures that promote energy efficiency beyond existing regulatory requirements. Electricity generation accounts for approximately

² <http://rtpscs.scag.ca.gov/Documents/2012/final/f2012RTPSCS.pdf>

³ <https://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2012-air-quality-management-plan/vision-for-clean-air-2012/draft-vision-for-clean-air-a-framework-for-air-quality-and-climate-planning.pdf?sfvrsn=4>

⁴ <https://business.ca.gov/industries/zero-emission-vehicles/zev-action-plan/>

See also, <https://www.ca.gov/archive/gov39/2018/01/26/governor-brown-takes-action-to-increase-zero-emission-vehicles-fund-new-climate-investments/index.html>

30% of California's GHG emissions.⁵ Utilization of solar energy is one feasible means to ensure that the State can meet its laudable energy efficiency goals.

Greenhouse Gas Emissions

With respect to GHGs, Executive Order S-3-05 establishes a 2030 target of a 40 percent GHG reduction below 1990 levels; Executive Order S-3-05 establishes a GHG emission reduction target of 80% below 1990 levels by 2050; and Executive Order B-16-2012 establishes a target for the reduction of GHG emissions from the transportation sector of 80% below 1990 levels by 2050. Therefore, the Project must adopt all feasible mitigation to ensure that GHG impacts are minimized. The transportation sector is the largest source of GHG emissions in the State, accounting for roughly 40 percent of California's GHGs. In addition to setting fleet requirements, the Project should also include a transit stop and ride-share or carpool incentives for employees, among other measures that are capable to reducing GHG impacts by reducing vehicle miles traveled (VMT).

Consistency with Land Use Plans

The Project must be fully consistent with all regional planning documents, including the SCAG's 2012-2035 Regional Transportation Plan ("RTP") including, but not limited to, the RTP's "regional commitment for the broad deployment of zero- and near-zero emission transportation technologies in the 2023-2035 time frame and clear steps to move toward this objective."⁶ In addition, the RTP identifies "environmental justice" as a potential area of impact. According to the RTP, "potential mitigation for environmental justice impacts" includes: "*fund proactive measures* to improve air quality in neighboring homes, schools and other sensitive receptors"; "*provide education programs* about environmental health impacts to better enable residents to make informed decisions about their health and community"; and "*engage in proactive measures to train and hire local residents* for construction or operation of the project to improve their economic status and access to health care." (emphasis added). To the extent the Project adversely impacts disadvantaged communities, mitigating measures must be adopted.

Transportation

The traffic study must be based on the most current modeling data from South Coast Air Quality Management District ("SCAQMD") and must accurately assume travel distances and vehicle mix based on SCAQMD guidance. In addition, to the extent that the Project results in significant transportation impacts, the Project must be conditioned to implement or providing funding for implementation of all future transportation improvements. To the extent a funding program does not exist for a particular improvement, the City should create one, even if the improvements are outside the City's jurisdiction.

⁵ <http://rtpscs.scag.ca.gov/Documents/2012/final/f2012RTPSCS.pdf>

⁶ http://rtpscs.scag.ca.gov/Documents/2012/final/2012fRTP_ExecSummary.pdf

Truck Routes

The Project must be conditioned so that trucks are specifically prohibited on Encelia Avenue and do not utilize residential streets or impact sensitive receptors such as schools. All truck routes for the Project must be designated and made enforceable through tenant lease conditions. Additionally, the Project must be conditioned to specifically disallow truck parking or idling on roadways and made enforceable through tenant lease conditions.

Conclusion

Thank you for your consideration of these comments as you prepare the Draft Environmental Impact Report.

Sincerely,

A handwritten signature in cursive script that reads "Abigail Smith".

Abigail Smith, Esq.



South Coast Air Quality Management District

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

SENT VIA E-MAIL:

April 1, 2020

Gabrield@moval.org

Gabriel Diaz, Associate Planner
City of Moreno Valley, Community Development Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552

Notice of Preparation of a Draft Environmental Impact Report for the Proposed Moreno Valley Trade Center¹

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. South Coast AQMD staff's comments are recommendations regarding the analysis of potential air quality impacts from the Proposed Project that should be included in the Draft Environmental Impact Report (EIR). Please send South Coast AQMD a copy of the Draft EIR upon its completion and public release. Note that copies of the Draft EIR that are submitted to the State Clearinghouse are not forwarded to South Coast AQMD. Please forward a copy of the Draft EIR directly to South Coast AQMD at the address shown in the letterhead. **In addition, please send with the Draft EIR all appendices or technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files². These include emission calculation spreadsheets and modeling input and output files (not PDF files). Without all files and supporting documentation, South Coast AQMD staff will be unable to complete our review of the air quality analyses in a timely manner. Any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis

South Coast AQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. South Coast AQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from South Coast AQMD's Subscription Services Department by calling (909) 396-3720. More guidance developed since this Handbook is also available on South Coast AQMD's website at: [http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-\(1993\)](http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-(1993)). South Coast AQMD staff also recommends that the Lead Agency use the CalEEMod land use emissions software. This software has recently been updated to incorporate up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and replaces the now outdated URBEMIS. This model is available free of charge at: www.caleemod.com.

¹ The Proposed Project consists of construction of 1,332,380 square feet of warehouses on 71.65 acres.

² Pursuant to the CEQA Guidelines Section 15174, the information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. Placement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of supporting information and analyses as appendices to the main body of the EIR. Appendices to the EIR may be prepared in volumes separate from the basic EIR document, but shall be readily available for public examination and shall be submitted to all clearinghouses which assist in public review.

South Coast AQMD has also developed both regional and localized significance thresholds. South Coast AQMD staff requests that the Lead Agency quantify criteria pollutant emissions and compare the results to South Coast AQMD's CEQA regional pollutant emissions significance thresholds to determine air quality impacts. South Coast AQMD's CEQA regional pollutant emissions significance thresholds can be found here: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>. In addition to analyzing regional air quality impacts, South Coast AQMD staff recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LSTs can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the Proposed Project, it is recommended that the Lead Agency perform a localized analysis by either using the LSTs developed by South Coast AQMD staff or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, for phased projects where there will be an overlap between construction and operational activities, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's regional air quality CEQA *operational* thresholds to determine the level of significance.

Operation of the Proposed Project generates or attracts heavy-duty diesel-fueled vehicles. It is recommended that the Lead Agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("*Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*") can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>. An analysis of all toxic air contaminant impacts due to the use of equipment potentially generating such air pollutants should also be included.

In addition, guidance on siting incompatible land uses (such as placing homes near freeways) can be found in the California Air Resources Board's *Air Quality and Land Use Handbook: A Community Health Perspective*, which can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. Guidance³ on strategies to reduce air pollution exposure near high-volume roadways can be found at: https://www.arb.ca.gov/ch/rd/technical_advisory_final.PDF.

³ In April 2017, CARB published a technical advisory, *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways: Technical Advisory*, to supplement CARB's Air Quality and Land Use Handbook: A Community Health Perspective. This technical advisory is intended to provide information on strategies to reduce exposures to traffic emissions near high-volume roadways to assist land use planning and decision-making in order to protect public health and promote equity and environmental justice. The technical advisory is available at: <https://www.arb.ca.gov/ch/landuse.htm>.

South Coast AQMD staff is concerned about potential public health impacts of siting warehouses within close proximity of sensitive land uses, especially in communities that are already heavily affected by the existing warehouse and truck activities. The South Coast AQMD's Multiple Air Toxics Exposure Study (MATES IV), completed in May 2015, concluded that the largest contributor to cancer risk from air pollution is diesel particulate matter (DPM) emissions, and that the South Coast Air Basin portion of Riverside County has an estimated population-weighted average cancer risk at 223 in one million⁴. Operation of warehouses generates and attracts heavy-duty diesel-fueled trucks that emit DPM. When the health impacts from the Proposed Project are added to those existing impacts, residents living in the communities surrounding the Proposed Project will possibly face an even greater exposure to air pollution and bear a disproportionate burden of increasing health risks. Thus, cumulative impacts from warehouse projects in communities with existing industrial sources should be evaluated and disclosed.

Trip Rates for High Cube Warehouse Projects

The Proposed Project will include, among others, construction of 1,332,380 square feet of warehouses on 71.65 acres. South Coast AQMD staff recommends the use of truck trip rates from the Institute of Transportation Engineers (ITE) for high cube warehouse projects located in South Coast AQMD (i.e. 1.68 average daily vehicle trips per 1,000 square feet and 0.64 average daily truck trips per 1,000 square feet). Consistent with CEQA Guidelines, the Draft EIR for the Proposed Project may use a non-default trip rate if there is substantial evidence supporting another rate is more appropriate for the air quality analysis.

Mitigation Measures

In the event that the Proposed Project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize these impacts. Pursuant to CEQA Guidelines Section 15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Several resources are available to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project, including:

- Chapter 11 "Mitigating the Impact of a Project" of South Coast AQMD's *CEQA Air Quality Handbook*. South Coast AQMD's CEQA web pages available here: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>
- South Coast AQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook for controlling construction-related emissions and Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities
- South Coast AQMD's Mitigation Monitoring and Reporting Plan (MMRP) for the 2016 Air Quality Management Plan (2016 AQMP) available here (starting on page 86): <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf>
- California Air Pollution Control Officers Association (CAPCOA)'s *Quantifying Greenhouse Gas Mitigation Measures* available here: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

Additional mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider in the Draft EIR may include the following:

- Require zero-emissions or near-zero emission on-road haul trucks such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02

⁴ South Coast AQMD. May 2015. *Multiple Air Toxics Exposure Study in the South Coast Air Basin*. Accessed at: <http://www.aqmd.gov/docs/default-source/air-quality/air-toxic-studies/mates-iv/mates-iv-final-draft-report-4-1-15.pdf>

grams per brake horsepower-hour (g/bhp-hr), if and when feasible. At a minimum, require that vendors, contractors, and/or haul truck operators commit to using 2010 model year⁵ trucks (e.g., material delivery trucks and soil import/export) that meet CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks⁶. Include environmental analyses to evaluate and identify sufficient power available for zero emission trucks and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document, where appropriate. The Lead Agency should include the requirement of zero-emission or near-zero emission on-road haul trucks in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards, and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.

- Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas.
- Limit the daily number of trucks allowed at the Proposed Project 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 Proposed Project through CEQA prior to allowing this land use or higher activity level.
- Should the Proposed Project generate significant regional emissions, the Lead Agency should require mitigation that requires accelerated phase-in for non-diesel powered trucks. For example, natural gas trucks, including Class 8 HHD trucks, are commercially available today. Natural gas trucks can provide a substantial reduction in health risks, and may be more financially feasible today due to reduced fuel costs compared to diesel. In the Final CEQA document, the Lead Agency should require a phase-in schedule for these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency.
- Provide electric vehicle (EV) Charging Stations (see the discussion below regarding EV charging stations).
- Trucks that can operate at least partially on electricity have the ability to substantially reduce the significant NOx impacts from this project. Further, trucks that run at least partially on electricity are projected to become available during the life of the project as discussed in the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016-2040 RTP/SCS)⁷. It is important to make this electrical infrastructure available when the project is built so that it is ready when this technology becomes commercially available. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Therefore, South Coast AQMD staff recommends the Lead Agency require the Proposed Project and other plan areas that allow truck parking to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in. Similar to the City of Los Angeles requirements for all new projects, South Coast AQMD staff recommends that the Lead Agency require at least 5% of all vehicle parking spaces

⁵ The CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

⁶ Based on a review of the California Air Resources Board's diesel truck regulations, 2010 model year diesel haul trucks should have already been available and can be obtained in a successful manner for the project construction California Air Resources Board, March 2016. Available at: <http://www.truckload.org/tca/files/ccLibraryFiles/Filename/000000003422/California-Clean-Truck-and-Trailer-Update.pdf> (See slide #23).

⁷ Southern California Association of Governments. Accessed at: <http://scagrtpscs.net/Pages/FINAL2016RTPSCS.aspx>.

(including for trucks) include EV charging stations⁸. Further, electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. At a minimum, electrical panels should be appropriately sized to allow for future expanded use.

- Design the Proposed Project such that entrances and exits are such that trucks are not traversing past neighbors or other sensitive receptors.
- Design the Proposed Project such that any check-in point for trucks is well inside the Proposed Project site to ensure that there are no trucks queuing outside of the facility.
- Design the Proposed Project to ensure that truck traffic within the Proposed Project site is located away from the property line(s) closest to nearby sensitive receptor neighbors.
- Restrict overnight parking in residential areas.
- Establish overnight parking within the Proposed Project where trucks can rest overnight.
- Establish area(s) within the Proposed Project site for repair needs.
- Develop, adopt and enforce truck routes both in and out of city, and in and out of facilities.
- Create a buffer zone of at least 300 meters (roughly 1,000 feet), which can be office space, employee parking, greenbelt, etc. between the Proposed Project and sensitive receptors.

Additional mitigation measures for operational air quality impacts from area sources that the Lead Agency should consider in the Draft EIR may include the following:

- Maximize use of solar energy including solar panels.
- Install the maximum possible number of solar energy arrays on the building roofs and/or on the project site to generate solar energy for the facility and/or to power EV charging stations.
- Maximize the planting of trees in landscaping and parking lots.
- Use light colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Require use of electric or alternatively fueled sweepers with HEPA filters.
- Use of water-based or low VOC cleaning products that go beyond the requirements of South Coast AQMD Rule 1113.

Alternative

In the event that the Proposed Project generates significant adverse air quality impacts, CEQA requires the consideration and discussion of alternatives to the project or its location which are capable of avoiding or substantially lessening any of the significant effects of the project. The discussion of a reasonable range of potentially feasible alternatives, including a “no project” alternative, is intended to foster informed decision-making and public participation. Pursuant to CEQA Guidelines Section 15126.6(d), the Draft EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the Proposed Project.

Permits and South Coast AQMD Rules

In the event that implementation of the Proposed Project requires a permit from South Coast AQMD, South Coast AQMD should be identified as a Responsible Agency for the Proposed Project. The assumptions in the air quality analysis in the Final EIR will be the basis for permit conditions and limits. For more information on permits, please visit South Coast AQMD’s webpage at: <http://www.aqmd.gov/home/permits>. Questions on permits can be directed to South Coast AQMD’s Engineering and Permitting staff at (909) 396-3385.

⁸ City of Los Angeles. Accessed at: http://ladbs.org/LADBSWeb/LADBS_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf.

Data Sources

South Coast AQMD rules and relevant air quality reports and data are available by calling South Coast AQMD's Public Information Center at (909) 396-2001. Much of the information available through the Public Information Center is also available at South Coast AQMD's webpage at: <http://www.aqmd.gov>.

South Coast AQMD staff is available to work with the Lead Agency to ensure that project air quality and health risk impacts are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at lsun@aqmd.gov.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS

RVC200317-01

Control Number

April 14, 2020

Gabriel Diaz
Associate Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552

Dear Gabriel Diaz:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Notice of Preparation (NOP) for the Moreno Valley Trade Center (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2020039038. The Project consists of the construction and operation of a light industrial building with a total floor area of 1,332,380 square feet, a tentative parcel map, and associated general plan and zoning code amendments. Although the future occupant(s) of the Project are unknown, the Applicant expects that the proposed light industrial building would be occupied by either a warehouse/logistics operator(s) or a fulfillment center. The Project is proposed within the City of Moreno Valley (City), California, which is the lead agency for California Environmental Quality Act (CEQA) purposes.

Freight facilities, such as warehouse and distribution facilities, can result in high daily volumes of heavy-duty diesel truck traffic and operation of on-site equipment (e.g., forklifts and yard tractors) that emit toxic diesel emissions, and contribute to regional air pollution and global climate change.¹ The Initial Study confirms this high daily volume of heavy-duty diesel truck traffic, indicating that the Project will include 224 loading docks and 278 truck trailer parking spaces within the truck court/loading areas on the Project site. If the Project use is a fulfillment center, then one of the truck court/loading areas will be replaced with 1,449 automobile parking spaces, which may include many diesel-fueled vehicles. Given the large scope of the project and its associated high daily volume of vehicle trips implied in the Initial Study, CARB requests that the City properly address the air pollution and health risk impacts that would result should the City approve the Project.

¹ With regard to significant adverse impacts associated with greenhouse gas emissions from this project, CARB has been clear that local governments and project proponents have a legal responsibility to mitigate these impacts. CARB's guidance, set out in detail in the Scoping Plan issued in 2017, makes clear that in CARB's expert view local mitigation is critical to achieving climate goals and reducing greenhouse gases below levels of significance.

I. The Project Would Increase Exposure to Air Pollution in Disadvantaged Communities

The Project, if approved, will expose nearby disadvantaged communities to elevated levels of air pollution. Residences are located north, northwest, and south of the Project site, with the closest residences situated within approximately 60 feet from the Project's southern boundary. In addition to residences, 2 schools (Calvary Chapel Christian School and Valley View High School) are located within 2 miles of the Project. The community is surrounded by existing toxic diesel particulate matter (diesel PM) emission sources, which include existing industrial uses and vehicular traffic along State Route 60 (SR- 60). Due to the Project's proximity to residences and schools already disproportionately burdened by multiple sources of air pollution, CARB is concerned with the potential cumulative health impacts associated with the construction and operation of the Project.

The State of California has placed additional emphasis on protecting local communities from the harmful effects of air pollution through the passage of Assembly Bill 617 (AB 617) (Garcia, Chapter 136, Statutes of 2017). AB 617 highlights the need for further emission reductions in communities with high exposure burdens, like those in which the Project is located. The South Coast Air Quality Management District (SCAQMD) submitted a report to CARB recommending that CARB select the City of Moreno Valley for community air monitoring and/or the preparation of a community emission reduction program due to, in large part, the significant level of diesel PM within the community.² Diesel PM emissions generated during the construction and operation of the Project would negatively impact the community, which is already disproportionately impacted by air pollution from existing industrial uses and traffic on SR-60.

Through its authority under Health and Safety Code section 39711, the California Environmental Protection Agency (CalEPA) is charged with the duty to identify disadvantaged communities. CalEPA bases its identification of these communities on geographic, socioeconomic, public health, and environmental hazard criteria (Health and Safety Code, section 39711, subsection (a)). In this capacity, CalEPA currently defines a disadvantaged community, from an environmental hazard and socioeconomic standpoint, as a community that scores within the top 25 percent of the census tracts, as analyzed by the California Communities Environmental Health Screening Tool Version 3.0 (CalEnviroScreen). CalEnviroScreen uses a screening methodology to help identify California communities currently disproportionately burdened by multiple sources of pollution. The census tract containing the Project is within the top 20 percent for Pollution Burden³ and is considered a disadvantaged community; therefore, CARB

² South Coast Air Quality Management District, 2018. Community Recommendations for AB 617 Implementation Final Submittal from South Coast Air Quality Management District. Accessible at: <http://www.aqmd.gov/docs/default-source/ab-617-ab-134/submittal-to-carb.pdf>.

³ Pollution Burden represents the potential exposures to pollutants and the adverse environmental conditions caused by pollution.

urges the City to ensure that the Project does not adversely impact neighboring disadvantaged communities.

II. It is Unclear Whether the Proposed Light Industrial Buildings Would Include Cold Storage

Since the Project description in the NOP did not explicitly state that the proposed light industrial building would not include cold storage space, there is a possibility that trucks and trailers visiting the Project site would be equipped with transport refrigeration units (TRU).⁴

TRUs on trucks and trailers can emit large quantities of diesel exhaust while operating within the Project site. Residences and other sensitive receptors (e.g., daycare facilities, senior care facilities, and schools) located near where these TRUs could be operating, would be exposed to diesel exhaust emissions that would result in significant cancer risk. CARB urges the Applicant and City to clearly define the final use of the Project in the DEIR so the public can fully understand the potential environmental effects of the Project on their communities.⁵

If the Project will not be used for cold storage, CARB urges the City to include one of the following design measures in the DEIR:

- A Project design measure requiring contractual language in tenant lease agreements that prohibits tenants from operating TRUs within the Project site; or
- A condition requiring a restrictive covenant over the parcel that prohibits the Applicant's use of TRUs on the property unless the Applicant seeks and receives an amendment to its conditional use permit allowing such use.

If the City does allow TRUs within the Project site, CARB urges the City to model air pollutant emissions from on-site TRUs in the DEIR, as well as include potential cancer risks from on-site TRUs in the Project's health risk assessment (HRA). The HRA prepared for the Project should account for all potential health risks from on and off-site sources (e.g., on-site generators, TRUs, heavy-duty truck traffic, etc.) and all the air pollutant reduction measures listed in Attachment A.

⁴ TRUs are refrigeration systems powered by integral diesel engines that protect perishable goods during transport in an insulated truck and trailer vans, rail cars, and domestic shipping containers.

⁵ Project descriptions "must include (a) the precise location and boundaries of the proposed project, (b) a statement of the objectives sought by the proposed project, (c) a general description of the project's technical, economic and environmental characteristics, and (d) a statement briefly describing the intended use of the EIR." (*stopthemillenniumhollywood.com v. City of Los Angeles* (2019) 39 Cal.App.5th 1, 16.) "This description of the project is an indispensable element of both a valid draft EIR and final EIR." (*Ibid.*) Without explicit acknowledgment in the project description that the proposed project will not include cold storage facilities, the current project description fails to meet the bare minimum of describing the project's technical and environmental characteristics.

In addition to the health risks associated with operations, construction health risks should be included in the air quality section of the DEIR and the Project's HRA. Construction of the Project would result in short-term diesel emissions from the use of both on-road and off-road diesel equipment. The Office of Environmental Health Hazard Assessment's (OEHHA) guidance recommends assessing cancer risks for construction projects lasting longer than two months. Since construction would very likely occur over a period lasting longer than two months, the HRA prepared for the Project should include health risks for existing residences near the Project site during construction.

The HRA prepared in support of the Project should be based on the latest OEHHA guidance (2015 Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments),⁶ and the South Coast Air Quality Management District's (SCAQMD) CEQA Air Quality Handbook.⁷ The HRA should evaluate and present the existing baseline (current conditions), future baseline (full build-out year, without the Project), and future year with the Project. The health risks modeled under both the existing and the future baselines should reflect all applicable federal, state, and local rules and regulations. By evaluating health risks using both baselines, the public and City planners will have a complete understanding of the potential health impacts that would result from the Project.

III. The DEIR Should Consider the Project's Individual and Cumulatively Considerable Air Quality and Greenhouse Gas Impacts and Associated Public Health Effects, and Not Rely on the Legally Inadequate Greenhouse Gas Impact Analysis Approach Used in the World Logistics Center Final Environmental Impact Report

CARB is concerned about the potential individual and cumulative air quality and greenhouse gas (GHG) impacts if the City approves the Project. As acknowledged in the Project's Initial Study, the Project could result in the exposure of existing and future residences to diesel PM that, when coupled with past, new, and reasonably foreseeable projects, may contribute to a significant cumulative air quality impact that is cumulatively considerable. Likewise, the Project's GHG emissions could result in a cumulatively considerable significant impact under CEQA.

CEQA requires lead agencies to consider whether the incremental effects of a proposed project are cumulatively considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. (See Title 14, Cal. Code of Regs., § 15064, subd. (h)(1).) Numerous projects are currently being constructed within the City and will be operational at the same time as the Project.

⁶ Office of Environmental Health Hazard Assessment (OEHHA). Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments. February 2015. Accessed at: <https://oehha.ca.gov/media/downloads/cmr/2015guidancemanual.pdf>.

⁷ SCAQMD's 1993 Handbook can be found at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>.

The most notable of these projects is the World Logistics Center (WLC), which is located within 60 feet from the Project's eastern boundary and is expected to be fully operational in the year 2035. The WLC includes the construction and operation of over 40 million square feet of warehouse space and includes 70,000 daily heavy-duty truck trips. The City released the Revised Final Environmental Impact Report (RFEIR) for the WLC (State Clearinghouse No. 2012021045) in 2018, and later in 2019, the RFEIR was revised and recirculated for public review as the Revised Recirculated Final Environmental Impact Report (RRSFEIR).^{8,9} Both the RFEIR and the RRSFEIR concluded that the operation of the WLC would expose nearby residences to volatile organic compounds (VOC), nitrogen oxides (NO_x), carbon monoxide (CO), and particulate matter 2.5 and 10 micrometers in diameter (PM_{2.5} and PM₁₀) emissions that would exceed the SCAQMD's significance thresholds by a considerable margin. Consequently, the City concluded that the WLC would result in a significant and unavoidable impact on air quality under CEQA.

CARB submitted a comment letter on the RFEIR released in 2018.¹⁰ The RRSFEIR released by the City in 2019 did not address the issues identified in CARB's 2018 comment letter. CARB's comment letter highlighted emission reduction measures to reduce the WLC's public health impacts. CARB also strongly disagreed with the City's GHG analysis approach, noted that the RFEIR mischaracterized the scope of the Cap-and-Trade Program (Program), and clarified that the Program cannot be used to avoid analyzing and mitigating the WLC's very significant GHG impacts. In both the RFEIR and the RRSFEIR, the City and Applicant declined to thoroughly analyze or mitigate project-level GHG emission sources. Instead, they improperly purported to rely on the Program to address the Project's GHG impacts. As noted by CARB in its comment letters on the WLC project, the Program does not, and was never designed to, adequately address project-level emissions from land-use projects such as freight and logistics facilities. The WLC's unlawful and irresponsible GHG analysis is currently being litigated.

CARB requests that the City not follow the legally inadequate GHG impact analysis presented in the WLC RFEIR and RRSFEIR. To reiterate, the Program does not adequately mitigate emissions from this project or any other land-use development project. Instead, the Program covers, in part, activities related to electricity generation, natural gas suppliers, operators of oil and gas extraction facilities, refinery operators, and transportation fuel suppliers at the rack. (See Title 17 Cal. Code Regs., § 95811.) The Program is not intended nor designed to mitigate GHG from, or otherwise inform, local land-use decisions. CARB strongly urges the City and Applicant to analyze and

⁸ City of Moreno Valley, 2018. Revised Sections of the Final Environmental Impact Report. July 2018. Accessible at <http://www.moval.org/cdd/pdfs/projects/wlc/FEIR-Revision2018/WLC-RevisedFEIRSections.pdf>.

⁹ City of Moreno Valley, 2019. Draft Recirculated Revised Sections of the Final Environmental Impact Report. December 2019. Accessible at <http://www.moval.org/cdd/pdfs/projects/wlc/Draft-RecirculatedRevisedFEIR.pdf>.

¹⁰ California Air Resources Board, 2018. CARB Comments on the World Logistics Center (WLC or project) Revised Final Environmental Impact Report. August 7, 2018. Accessible at <https://ww2.arb.ca.gov/sites/default/files/classic/toxics/ttdceqalist/logisticsfeir.pdf>.

adequately mitigate the Project's significant, adverse, individual and cumulative air quality and GHG impacts, especially the cumulative impacts when viewed in connection with the impacts of the WLC project. The thresholds used to evaluate the significance of air quality and GHG impacts in the DEIR must be consistent with CEQA Guidelines sections 15064 and 15064.7 and related case law.

As required under CEQA Guidelines section 15125(d), the DEIR must discuss any inconsistencies between the proposed project and applicable regional plans. Regional plans are defined, in part, as "the applicable air quality attainment or maintenance plan (or State Implementation Plan) .. regional transportation plans [and] plans for the reduction of greenhouse gas emissions." (CEQA Guidelines, § 15125(d).) In compliance with CEQA Guidelines section 15125(d), the analysis of GHG and air quality impacts must, at a minimum, evaluate the inconsistency between the Project and CARB's 2017 Scoping Plan. The DEIR must also evaluate the inconsistency between the Project and the Southern California Association of Governments' most recently adopted regional transportation plan, which includes a Sustainable Communities Strategy element¹¹ (California Government Code Section 65080, as amended by Senate Bill (SB) 375, Steinberg, [2008]).

IV. Conclusion

To reduce the exposure of toxic diesel emissions in disadvantaged communities already disproportionately impacted by air pollution, the final design of the Project should include all existing and emerging zero-emission technologies to minimize diesel and NO_x emission exposure to all neighboring communities, as well as the GHGs that contribute to climate change. CARB encourages the City and Applicant to implement the measures listed in Attachment A of this comment letter to reduce the Project's construction and operational air pollution emissions, carefully consider the Project's cumulative impact on air quality and climate change, and to not follow the legally inadequate GHG impact analysis presented in the WLC RFEIR.

Given the breadth and scope of projects subject to CEQA review throughout California that have air quality and greenhouse gas impacts, coupled with CARB's limited staff resources to substantively respond to all issues associated with a project, CARB must prioritize its substantive comments here based on staff time, resources, and its assessment of impacts. CARB's deliberate decision to substantively comment on some issues does not constitute an admission or concession that it substantively agrees with the lead agency's findings and conclusions on any issues on which CARB does not substantively submit comments.

CARB appreciates the opportunity to comment on the NOP for the Project and can provide assistance on zero-emission technologies and emission reduction strategies, as

¹¹ Southern California Association of Governments, 2012. Regional Transportation 2012-2035 Sustainable Communities Strategy. April 2012. Accessible at: <http://rtpscs.scag.ca.gov/Documents/2012/final/f2012RTPSCS.pdf>.

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needed. Please include CARB on your State Clearinghouse list of selected State agencies that will receive the DEIR as part of the comment period. If you have questions, please contact Stanley Armstrong, Air Pollution Specialist, at (916) 440-8242 or via email at stanley.armstrong@arb.ca.gov.

Sincerely,



Richard Boyd, Chief
Risk Reduction Branch
Transportation and Toxics Division

Attachment

cc: See next page.

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April 14, 2020
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ATTACHMENT A

Recommended Air Pollution Emission Reduction Measures for Warehouses and Distribution Centers

The California Air Resources Board (CARB) recommends developers and government planners use all existing and emerging zero to near-zero emission technologies during project construction and operation to minimize public exposure to air pollution. Below are some measures, currently recommended by CARB, specific to warehouse and distribution center projects. These recommendations are subject to change as new zero-emission technologies become available.

Recommended Construction Measures

1. Ensure the cleanest possible construction practices and equipment are used. This includes eliminating the idling of diesel-powered equipment and providing the necessary infrastructure (e.g., electrical hookups) to support zero and near-zero equipment and tools.
2. Implement, and plan accordingly for, the necessary infrastructure to support the zero and near-zero emission technology vehicles and equipment that will be operating on site. Necessary infrastructure may include the physical (e.g., needed footprint), energy, and fueling infrastructure for construction equipment, on-site vehicles and equipment, and medium-heavy and heavy-heavy duty trucks.
3. In construction contracts, include language that requires all off-road diesel-powered equipment used during construction to be equipped with Tier 4 or cleaner engines, except for specialized construction equipment in which Tier 4 engines are not available. In place of Tier 4 engines, off-road equipment can incorporate retrofits, such that, emission reductions achieved equal or exceed that of a Tier 4 engine.
4. In construction contracts, include language that requires all off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers) used during project construction be battery powered.
5. In construction contracts, include language that requires all heavy-duty trucks entering the construction site, during the grading and building construction phases be model year 2014 or later. All heavy-duty haul trucks should also meet CARB's lowest optional low-oxides of nitrogen (NO_x) standard starting in the year 2022.¹

¹: In 2013, CARB adopted optional low-NO_x emission standards for on-road heavy-duty engines. CARB encourages engine manufacturers to introduce new technologies to reduce NO_x emissions below the current mandatory on-road heavy-duty diesel engine emission standards for model year 2010 and later. CARB's optional low-NO_x emission standard is available at: <https://www.arb.ca.gov/msprog/onroad/optionnox/optionnox.htm>.

6. In construction contracts, include language that requires all construction equipment and fleets to be in compliance with all current air quality regulations. CARB is available to assist in implementing this recommendation.

Recommended Operation Measures

1. Include contractual language in tenant lease agreements that requires tenants to use the cleanest technologies available, and to provide the necessary infrastructure to support zero-emission vehicles and equipment that will be operating on site.
2. Include contractual language in tenant lease agreements that requires all loading/unloading docks and trailer spaces be equipped with electrical hookups for trucks with transport refrigeration units (TRU) or auxiliary power units. This requirement will substantially decrease the amount of time that a TRU powered by a fossil-fueled internal combustion engine can operate at the project site. Use of zero-emission all-electric plug-in TRUs, hydrogen fuel cell transport refrigeration, and cryogenic transport refrigeration are encouraged and can also be included in lease agreements.²
3. Include contractual language in tenant lease agreements that requires all TRUs entering the project site be plug-in capable.
4. Include contractual language in tenant lease agreements that requires future tenants to exclusively use zero-emission light and medium-duty delivery trucks and vans.
5. Include contractual language in tenant lease agreements requiring all TRUs, trucks, and cars entering the Project site be zero-emission.
6. Include contractual language in tenant lease agreements that requires all service equipment (e.g., yard hostlers, yard equipment, forklifts, and pallet jacks) used within the project site to be zero-emission. This equipment is widely available.
7. Include contractual language in tenant lease agreements that requires all heavy-duty trucks entering or on the project site to be model year 2014 or later, expedite a transition to zero-emission vehicles, and be fully zero-emission beginning in 2030.

² CARB's Technology Assessment for Transport Refrigerators provides information on the current and projected development of TRUs, including current and anticipated costs. The assessment is available at: https://www.arb.ca.gov/msprog/tech/techreport/tru_07292015.pdf.

8. Include contractual language in tenant lease agreements that requires the tenant be in, and monitor compliance with, all current air quality regulations for on-road trucks including CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation,³ Periodic Smoke Inspection Program (PSIP),⁴ and the Statewide Truck and Bus Regulation.⁵
9. Include contractual language in tenant lease agreements restricting trucks and support equipment from idling longer than 5 minutes while on site.
10. Include contractual language in tenant lease agreements that limits on-site TRU diesel engine runtime to no longer than 15 minutes. If no cold storage operations are planned, include contractual language and permit conditions that prohibit cold storage operations unless a health risk assessment is conducted, and the health impacts fully mitigated.
11. Include rooftop solar panels for each proposed warehouse to the extent feasible, with a capacity that matches the maximum allowed for distributed solar connections to the grid.

³. In December 2008, CARB adopted a regulation to reduce greenhouse gas emissions by improving the fuel efficiency of heavy-duty tractors that pull 53-foot or longer box-type trailers. The regulation applies primarily to owners of 53-foot or longer box-type trailers, including both dry-van and refrigerated-van trailers, and owners of the heavy-duty tractors that pull them on California highways. CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation is available at: <https://www.arb.ca.gov/cc/hdghg/hdghg.htm>.

⁴. The PSIP program requires that diesel and bus fleet owners conduct annual smoke opacity inspections of their vehicles and repair those with excessive smoke emissions to ensure compliance. CARB's PSIP program is available at: <https://www.arb.ca.gov/enf/hdvp/hdvp.htm>.

⁵. The regulation requires that newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. CARB's Statewide Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

XAVIER BECERRA
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April 15, 2020

Gabriel Diaz
City of Moreno Valley
Community Development Department
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RE: Notice of Preparation for Moreno Valley Trade Center (PEN19-0191, PEN19-0192, PEN19-0193, PEN19-0234)

Dear Mr. Diaz:

The Office of the Attorney General appreciates this opportunity to provide comments regarding the City of Moreno Valley's proposed Moreno Valley Trade Center project ("Project") and the scope of the accompanying Draft Environmental Impact Report (DEIR) being prepared pursuant to the California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq.¹ Scoping pursuant to CEQA helps agencies identify "the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in an EIR."² In addition, "[s]coping has been found to be an effective way to bring together and resolve the concerns of affected federal, state, and local agencies, the proponent of the action, and other interested persons including those who might not be in accord with the action on environmental grounds."³ Our Office writes this letter to ensure that the City is aware of CEQA's legal requirements for this Project.

The Project consists of several discretionary actions to be taken by the City regarding a permit application to build a 1,332,380 square foot warehouse or fulfillment center on mostly vacant land currently zoned for residential use. These actions generally include (1) amendment of the City's General Plan to change the 71.65 acre Project site's land use designation from residential to industrial; (2) rezoning the Project site from residential to industrial use; (3)

¹ The Attorney General submits these comments pursuant to his independent power and duty to protect the environment and natural resources of the State. (*See* Cal. Const., art. V, § 13; Gov. Code, §§ 12511, 12600-12612; *D'Amico v. Bd. of Medical Examiners* (1974) 11 Cal.3d 1.)

² Cal. Code Regs., tit. 14, § 15000 et seq. (CEQA Guidelines), § 15083, subd. (a).

³ *Id.*, § 15083, subd. (b).

consolidation of 11 separate parcels; and (4) approval of a development plan to permit the construction and operation of a warehouse facility. Upon construction, the Project is anticipated to operate nonstop, 24 hours a day, seven days a week. The Project site would be designed for access by large numbers of heavy-duty truck trailers and would include a total of 224 truck loading docks and 178 truck trailer parking spaces, in addition to 637 automobile parking spaces.⁴

I. THE CITY MUST ANALYZE THE PROJECT’S IMPACT ON THE PUBLIC HEALTH AND SAFETY OF NEARBY SENSITIVE RECEPTORS ALREADY EXPOSED TO HIGH POLLUTION BURDENS.

The City must analyze the Project’s impacts on existing sensitive receptors to pollution, including nearby residents and schoolchildren.⁵ Such an analysis is particularly critical where, as here, the industrial Project will be located directly across the street from a large residential neighborhood.⁶ In addition, two schools are located within two miles of the Project. The City must adequately consider the Project’s impacts on the nearby communities.

Moreno Valley contains some of the most pollution-burdened census tracts in the State according to California Environmental Protection Agency’s CalEnviroScreen tool.⁷ According to CalEnviroScreen, the census tract in which the Project will be located is already exposed to substantially more pollution than the average California community, including exposure to ozone, a smog precursor, in the *98th percentile*. Such conditions can lead to serious lung damage and respiratory illness and is especially dangerous to children, older adults, and individuals with asthma, emphysema, and bronchitis. Furthermore, City residents generally experience ozone and particulate matter (PM)_{2.5} at rates higher than 90% of the State. The South Coast Air Basin in which the City is located similarly exceeds federal public health standards for ozone, ozone precursors, and PM. Exposure to these noxious air contaminants contributes to area-wide increases in asthma, lung cancer, and cardiovascular disease. Indeed, City residents experience

⁴ If the Project is developed as a fulfillment center rather than a warehouse/logistics center, an alternative site configuration includes 104 truck loading docks, 128 truck trailer parking spaces, and 1,440 automobile parking spaces.

⁵ CEQA Guidelines, § 15126.2, subd. (a); CEQA Guidelines, App. G.

⁶ The Project is located substantially closer to residents than existing CARB guidelines suggesting that distribution centers like the Project be at least 1,000 feet away from sensitive land uses. *Air Quality and Land Use Handbook: A Community Health Perspective* (April 2005) (“CARB Handbook”), p. 4.

⁷ CalEnviroScreen is a tool that uses environmental, health, and socioeconomic information to produce scores and rank every census tract in the state. A census tract with a high score is one that experiences a much higher pollution burden than a census tract with a low score. (See CalEnviroScreen 3.0 Report, Office of Environmental Health Hazard Assessment, January 2017, available at: <https://oehha.ca.gov/media/downloads/calenviroscreen/report/ces3report.pdf>.)

higher than average emergency room visits due to asthma and higher than average rates of cardiovascular disease, particularly residents living along freeways.⁸

Environmental justice concerns are also significant for City residents. Moreno Valley residents are predominately people of color, made up of 58% Hispanic and 18% African American populations.⁹ The rates of poverty are higher in Moreno Valley compared to the state—according to U.S. Census data, 15.9% of Moreno Valley residents live in poverty, compared with the statewide poverty rate of 12.8%.¹⁰ City residents experience high rates of unemployment and housing burdens (paying more than 50% of their income for housing costs). These socioeconomic characteristics of City residents increase their sensitivity to the health effects of the heavy pollution burdens they experience.

The City must consider these sensitive receptors when analyzing the Project’s anticipated environmental impacts. The City also must sufficiently relate pollutant data to specific adverse human health effects on this community in the Project’s EIR. In *Friant Ranch*, the California Supreme Court found a project’s air quality impact analysis to be inadequate under CEQA because its “general description of symptoms that are associated with exposure” “fail[ed] to indicate the concentrations at which such pollutants would trigger the identified symptoms” and did not provide the public with an “idea of the health consequences that result when more pollutants are added to a nonattainment basin.”¹¹ Here, the City should detail the existing conditions and project the impact that such significant environmental impacts from the Project will have on the community. For example, in the context of air quality analysis, the Project EIR must “make[] a reasonable effort to substantively connect a project’s air quality impacts to likely health consequences” to be suffered by impacted communities.¹²

II. THE CITY MUST PROPERLY DISCLOSE AND ANALYZE THE PROJECT’S FORESEEABLE IMPACTS, INCLUDING CUMULATIVE IMPACTS FROM NEARBY INDUSTRIAL PROJECTS.

The purpose of CEQA is to ensure that a lead agency fully evaluates, discloses, and, whenever feasible, mitigates a project’s significant environmental effects.¹³ An EIR serves as an

⁸ Due in large part to these existing air pollution burdens, the South Coast Air Quality Management District (SCAQMD) has recommended that the City be selected for community air monitoring and/or the preparation of a community emission reduction program under AB 617, a California program designed to protect disadvantaged communities disproportionately impacted by industrial air pollution.

⁹ United States Census Bureau, Quick Facts for Moreno Valley, California, <https://www.census.gov/quickfacts/fact/table/morenovalleycitycalifornia,CA/PST045219> (as of April 15, 2020).

¹⁰ *Ibid.*, and United States Census Bureau, Quick Facts for California, <https://www.census.gov/quickfacts/fact/table/CA/PST045219> (as of April 15, 2020).

¹¹ *Sierra Club v. County of Fresno [Friant Ranch]* (2018) 6 Cal.5th 502, 519.

¹² *Ibid.* at 510.

¹³ Pub. Resources Code, §§ 21000–21002.1.

“informational document” that discloses to the public and decisionmakers the significant environmental effects of a project and ways in which those effects can be minimized.¹⁴ CEQA requires an EIR to include “enough detail ‘to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project.’”¹⁵

The City’s DEIR must analyze the full environmental impacts of the Project, which will add a considerable number of diesel truck trips and the corresponding air pollution to this already overburdened area. In addition, the DEIR must appropriately analyze the Project’s cumulative impacts, or the impact the Project will have as a result of the combination of the Project with other projects causing related impacts.¹⁶

This Project is part of a wave of warehouse construction occurring in Moreno Valley, and will add to the existing environmental impacts created by the existing approximately 825,000 square-foot and 1.6 million square-foot distribution facilities located immediately to the north of the Project site. Most significantly, across the street from the Project to the east, the City has approved the construction of the World Logistics Center, a massive 40 million square foot industrial warehouse and logistics complex on a 2,610 acre site that is anticipated to draw 14,000 daily truck trips to the City from western ports. Upon completion, the World Logistics Center operations will expose nearby residents to levels of volatile organic compounds (VOC), nitrogen oxide (NOx), carbon monoxide (CO), PM_{2.5}, and PM₁₀ well above the SCAQMD thresholds of significance.¹⁷ Such a massive increase in truck traffic will have significant environmental impacts in other areas, including noise and traffic. Here, the City must evaluate the incremental impact of this Project when added to the impacts from the several existing warehouses and “reasonably foreseeable probable future projects” such as the World Logistics Center.¹⁸

III. THE CITY MUST PROPERLY ACCOUNT FOR THE PROJECT’S GREENHOUSE GAS EMISSIONS.

Unlike its approach to other recent project approvals, the City cannot shirk its responsibility to address climate change and must accurately disclose, analyze, and mitigate the Project’s anticipated greenhouse gas GHG emissions. As the City is aware, its approval of the

¹⁴ CEQA Guidelines, § 15121, subd. (a).

¹⁵ *Friant Ranch* at 516.

¹⁶ CEQA Guidelines, § 15130, subd. (a)(1).

¹⁷ Revised Sections of the Final Environmental Impact Report for World Logistics Center (July 2018), available at <http://www.moval.org/cdd/pdfs/projects/wlc/FEIR-Revision2018/WLC-RevisedFEIRSections.pdf>; see also Draft Recirculated Revised Sections of the Final Environmental Impact Report (December 2019), available at: <http://www.moval.org/cdd/pdfs/projects/wlc/Draft-RecirculatedRevisedFEIR.pdf>.

¹⁸ CEQA Guidelines, § 15355.

World Logistics Center has been the subject of litigation for several years.¹⁹ Most recently, this Office and the California Air Resources Board (CARB) jointly filed an amicus brief arguing that the City's approval of the World Logistics Center failed to comply with CEQA as required by California law. Specifically, the City improperly relied on CARB's statewide Cap-and-Trade climate program, which does not impose any regulatory requirements on the World Logistics Center, as an excuse not to analyze and mitigate the industrial complex's climate change impacts. The environmental analysis therefore improperly ignored roughly 95% of the GHG emissions from the World Logistics Center, disregarded the significance of those emissions, failed to adopt all feasible mitigation measures, and did not properly disclose this substantial pollution to the public. The City's previously-employed approach for analyzing GHG emissions related to the World Logistics Center mischaracterizes the way state climate policies work and violates CEQA.²⁰

Rather than relying on inapplicable programs to conceal a project's actual environmental impacts, the City here must accurately evaluate the Project's GHG emissions. CEQA does not allow a lead agency to avoid its CEQA obligations by pointing to a regulation that is not binding on the project.²¹ For this Project, the City must accurately account for the anticipated GHG emissions, without reliance on the State's Cap-and-Trade regulatory scheme that will impose no regulatory requirements on the Project.

IV. THE CITY MUST ADOPT ALL FEASIBLE MITIGATION MEASURES TO MINIMIZE THE PROJECT'S ENVIRONMENTAL IMPACTS.

Pursuant to CEQA, the City must incorporate all feasible mitigation measures that minimize the Project's significant impacts.²² The mitigation must be developed in an open and public process,²³ and it must be fully enforceable and nondeferrable.²⁴ If the Project is

¹⁹ See *Paulek, et al. v. Moreno Valley Community Services District, et al.*, Fourth Appellate District (Case No. E071184). The Moreno Valley Community Services District is a special financing district within the City's Public Works Department, see: http://www.moreno-valley.ca.us/city_hall/departments/pub-works/csd.shtml.

²⁰ See Brief of Amici Curiae the Attorney General and the California Air Resources Board in Support of Plaintiffs and Respondents Albert Thomas Paulek, et al. and Plaintiffs and Appellants Laborers International Union of North America, Local 1184, et al. (Jan. 10, 2020), available at: <https://oag.ca.gov/system/files/attachments/press-docs/WLC%20-%20Amicus.pdf>; see also Comment Letter on Final EIR submitted by California Attorney General's Office (Sept. 7, 2018), available at: <https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/comments-revised-sections-feir.pdf>.

²¹ CEQA Guidelines, § 15064.4.

²² Pub. Resources Code, § 21100, subd. (b)(3).

²³ *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 93.

²⁴ CEQA Guidelines, § 15126.4.

determined to have significant environmental impacts, the City should consider all available mitigation conditions to eliminate or diminish those impacts.

Proper siting and design are some of the most effective ways to mitigate the exposure of sensitive receptors to the environmental impacts from warehouse and logistics facilities like the Project. Best practices and potential mitigation for siting and designing warehouse facilities include:

- Siting warehouse facilities at least 1,000 feet from the nearest sensitive receptors, per CARB guidance.²⁵
- Creating physical, structural, and/or vegetative buffers between warehouses and any areas where sensitive receptors are likely to be present, such as homes, schools, daycare centers, community centers, and parks.
- Providing adequate areas for on-site parking, on-site queuing, and truck check-in that prevent trucks and other vehicles from parking or idling on public streets.
- Placing facility entry and exit points away from sensitive receptors.
- Locating warehouse dock doors and onsite areas with significant truck traffic away from sensitive receptors.
- Screening dock doors and onsite areas with significant truck traffic with physical, structural, and/or vegetative barriers.
- Posting signs clearly showing the designated entry and exit points for trucks and service vehicles.
- Posting signs indicating that all parking and maintenance of trucks must be conducted within designated on-site areas and not within the surrounding community or public streets.

Measures to mitigate air quality and greenhouse gas impacts from construction include:

- Requiring off-road construction equipment to be electric, where available, and all diesel-fueled off-road construction equipment, to be equipped with CARB Tier IV-compliant engines or better.
- Prohibiting off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day.
- Requiring on-road haul trucks to be model year 2010 or newer if diesel-fueled.
- Providing electrical hook ups to the power grid for electric construction tools, such as saws, drills and compressors, and using electric tools whenever feasible.
- Limiting the amount of daily grading disturbance area.
- Prohibiting grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone for the project area.
- Forbidding idling of heavy equipment for more than three minutes.
- Keeping onsite and furnishing to the lead agency or other regulators upon request, all equipment maintenance records and data sheets, including design specifications and emission control tier classifications.

²⁵ CARB Handbook, at ES-1.

- Conducting an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts.
- Using paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L.
- Providing information on transit and ridesharing programs and services to construction employees.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations.

Measures to mitigate air quality and greenhouse gas impacts from operation include:

- Requiring that all facility-owned and operated fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the site meet or exceed 2010 model-year emissions equivalent engine standards as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Facility operators shall maintain records on-site demonstrating compliance with this requirement and shall make records available for inspection by the local jurisdiction, air district, and state upon request.
- Requiring all heavy-duty vehicles entering or operated on the project site to be zero-emission beginning in 2030.
- Requiring on-site equipment, such as forklifts and yard trucks, to be electric with the necessary electrical charging stations provided.
- Requiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations.
- Forbidding trucks from idling for more than three minutes and requiring operators to turn off engines when not in use.
- Posting both interior- and exterior-facing signs, including signs directed at all dock and delivery areas, identifying idling restrictions and contact information to report violations to CARB, the air district, and the building manager.
- Installing and maintaining air filtration systems at sensitive receptors within a certain radius of facility.
- Installing and maintaining an air monitoring station proximate to sensitive receptors and the facility. While air monitoring does not mitigate the air quality or greenhouse gas impacts of a facility, it nonetheless benefits the affected community by providing information that can be used to improve air quality.
- Constructing electric truck charging stations proportional to the number of dock doors at the project.
- Constructing plugs for transport refrigeration units at every dock door, if the warehouse use could include refrigeration.
- Constructing electric light-duty vehicle charging stations proportional to the number of parking spaces at the project.
- Installing solar photovoltaic systems on the project site of a specified electrical generation capacity.
- Requiring all stand-by emergency generators to be powered by a non-diesel fuel.

- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
- Requiring operators to establish and promote a rideshare program that discourages single-occupancy vehicle trips and provides financial incentives for alternate modes of transportation, including carpooling, public transit, and biking.
- Meeting CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking.
- Achieving certification of compliance with LEED green building standards.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations.
- Posting signs at every truck exit driveway providing directional information to the truck route.
- Improving and maintaining vegetation and tree canopy for residents in and around the project area.
- Requiring that every tenant train its staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses. Facility operators shall maintain records on-site demonstrating compliance with this requirement and shall make records available for inspection by the local jurisdiction, air district, and state upon request.
- Requiring tenants to enroll in the United States Environmental Protection Agency's SmartWay program, and requiring tenants to use carriers that are SmartWay carriers.
- Providing tenants with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets.

These feasible mitigation measures have been adopted by similar projects throughout California and must be considered here.²⁶ The Attorney General's Office is happy to assist the City when considering the best applicable mitigation measures, including but those related to other potential significant impacts such as noise and traffic.

²⁶ For more in-depth information about potential air quality mitigation measures near high volume roadways, see CARB's Technical Advisory on the topic and, more generally, the CARB Handbook, which offers more mitigation ideas. Both are available at <https://www.arb.ca.gov/ch/landuse.htm>. The mitigation measures included here are focused on air quality; however, additional mitigation measures may be necessary for traffic, noise, or other significant impacts.

CONCLUSION

We appreciate the opportunity to submit these comments regarding the scope of the City's environmental analysis for Project approval. The Office of the Attorney General looks forward to continuing to work with the City to further CEQA's goals of ensuring that the Project's impacts are disclosed to the City's decisionmakers and the public and that all possible measures are taken to mitigate the Project's significant environmental impacts. Please feel free to contact me with any questions or concerns.

Sincerely,

SCOTT LICHTIG
Deputy Attorney General

For XAVIER BECERRA
Attorney General

**Friends of Northern San Jacinto Valley
1610 Sams Canyon
Beaumont, California 92223**

April 14, 2020

Via: U.S. Postal Service and Email: Gabrield@moval.org

Mr. Gabriel Diaz, Planning Official
City of Moreno Valley
Community Development Department
14177 Frederick Street
PO Box 88005
Moreno Valley, California 92552

Re: Notice of Preparation of a Draft Environmental Impact Report (EIR) for the Moreno Valley Trade Center Project – General Plan Amendment [PEN19-0191], Change of Zone [PEN19-0192], Plot Plan [PEN19-0193], Tentative Parcel Map [PEN19-0234].

We have reviewed the Initial Study and Notice of Preparation of a Draft Environmental Impact Report (EIR) for the Moreno Valley Trade Center Project. In performing the Biological Resource analysis for the Moreno Valley Trade Center Project it is imperative to recognize/acknowledge the City of Moreno Valley is a signatory to the 1995 Stephen's Kangaroo Rat Habitat Conservation Plan (SKRHCP) and the 2004 Multiple Species Habitat Conservation Plan (MSHCP). It is imperative also for the City of Moreno Valley to recognize that merely expressing compliance with the SKRHCP and/or the MSHCP is **not compliance** with the California Environmental Quality Act (CEQA).

In enacting the California Environmental Quality Act (CEQA) our legislature declared it is the policy of the state to: *“prevent the elimination of fish and wildlife species due to man’s activities, insure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representatives of all plant and animals communities.”* (Public Resources Code § 21001(3)). *“Public agencies should not approve projects if there are **feasible alternatives** or **feasible mitigation measures**, which would substantially lessen*

significant environmental effects.” (Public Resources Code § 21002). *“The purpose of an Environmental Impact Report (EIR) is to identify the **Significant effects** [impacts] on the environment, to identify **alternatives** to the project, and to indicate the manner in which those **significant effects** can be **mitigated** or **avoided**. (Public Resources Code § 21001.1(a)). “...it is the policy of the state that noncompliance with the information disclosure provisions of this division [CEQA] which precludes relevant information from being presented to the public agency, or noncompliance with the substantive requirements of this division [CEQA] may constitute a prejudicial abuse of discretion...”* (Public Resources Code § 21005(a)).

The City of Moreno Valley, the CEQA Lead Agency for the Moreno Valley Trade Center Project, continues to fail to properly acknowledge/recognize that the federal Endangered Species Act (ESA) prohibits the “take” [kill, capture and habitat destruction] of listed endangered or threatened species. More importantly and in a like manner, the California Endangered Species Act (CESA) prohibits the “take” of endangered or threatened species listed by the California Fish and Game Commission. Under the 2004 Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) the “take” of **146 plant and animal species** [many of which are found within the City of Moreno Valley] are permitted for 75 years throughout western Riverside County. The “take” is allowed in exchange for the assembly and management of coordinated **MSHCP Conservation Areas**, the most prominent being the California Department of Fish and Wildlife (CDFW) San Jacinto Wildlife Area (SJWA) partially located within the City of Moreno Valley eastern boundary.

Both the federal and state endangered species statutes provide for exceptions to their “take” prohibitions. The federal exception requires applicants to submit a Habitat Conservation Plan [the MSHCP]. If approved by the U.S. Fish and Wildlife Service the applicant will be issued an incidental “take” permit. Under California law the “take” exception is authorized pursuant to the Natural Community Conservation Planning Act (NCCP Act – Fish and Game Code §§ 2800-2835). After approval of a NCCP Act Conservation Plan, the CDFW permits the “take” of any covered species whose conservation and management is provided for in the NCCP approved by the CDFW. The NCCP Act section 2826 provides: **“Nothing in this chapter exempts a project proposed in a natural community planning area from Division 13 (commencing with section 21000) of the Public Resources Code [CEQA] or otherwise alters the applicability of that division.”** The holding of the

California Supreme Court bolsters this legislative intent: “CESA can be harmonized with CEQA.” (Mountain Lion Foundation v. Fish and Game Commission (1997) 16 Cal. 4th 105, 111).

The City of Moreno Valley Initial Study for the Moreno Valley Trade Center Project provides nebulous explanations for Biological Resources potentially impacted and neglected to properly recognize the important purposes of the CEQA **Initial Study**: “Initial Study means a preliminary analysis prepared by the Lead Agency to determine whether an EIR or a Negative Declaration must be prepared **or to identify the significant environmental effects to be analyzed in the EIR.**” (CEQA Guidelines § 15365)

With regard to the “take” of MSHCP Covered/Endangered species, we assert the City of Moreno Valley is endeavoring to ignore/avoid CEQA Guideline § 15065 (a)(1) and (a)(3) – **Mandatory Finding of Significance**. CEQA requires that an agency contemplating an action having the potential “to...reduce the number or restrict the range [“take”] of an endangered species” may have a **significant effect** on the environment (15065(a)(1). Equally important, 15065(a)(3) requires the assessment of the incremental effects [cumulative impacts] of the “take” of individual species lost to Project implementation. This cumulative analysis will be crucial to the tracking of individual species [e.g., Stephen’s kangaroo rat] conservation or extirpation.

When the City of Moreno Valley avoids/disregards **Mandatory Findings of Significance** it is able to avoid the identification/consideration of the “take” of MSHCP Covered species [Endangered species] as being a **significant** project impact. This error allows the City to avoid the required analysis of direct project impacts [“take” of MSHCP Covered species on the project site] and indirect project impacts [“take” of MSHCP covered species on adjacent undeveloped lands and conservation lands]. It avoids the required analysis of “take” **alternatives** or **mitigation measures** to minimize the “take” impact. This error will be compounded if the Draft EIR fails to consider the Cumulative impact of the “take” of MSHCP covered species as to each species ultimate conservation or extirpation (**Guidelines § 15065(a)(1) and (a)(3) – Mandatory Finding of Significance**).

“[W]hen an agency fails to proceed as CEQA requires, harmless error analysis is inapplicable. The failure to comply with the law subverts the purposes of CEQA if

it omits material necessary to informed decision making and informed participation. Case law is clear that in such cases, the error is prejudicial.”
(California Supreme Court, December 24, 2018, Sierra Club v. County of Fresno)
[515]

Because the Draft EIR will be prepared by an EIR Consulting Firm [T&B PLANNING, INC.] the Lead Agency [City of Moreno Valley] must subject the draft to the agency’s own review and analysis. The Draft EIR which is sent out for public review must reflect the independent judgement of the City of Moreno Valley. The City of Moreno Valley will be responsible for the **adequacy** and **objectivity** of the Draft EIR. (CEQA Guideline § 15084(e))

Please ensure we receive timely notice of completion of the Draft EIR for the Moreno Valley Trade Center Project and the scheduling of any public hearings for this project.

Thank you for your courtesy.

Tom Paulek, CWB®.
FNSJV Conservation Chair

Susan Nash
FNSJV President



**MORENO VALLEY
UNIFIED SCHOOL DISTRICT**

FACILITIES PLANNING &
DEVELOPMENT
25634 Alessandro Blvd.
Moreno Valley, CA 92553
951-571-7500
www.mvUSD.net

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Chief Academic Officer

DR. ROBERT VERDI
*Chief Human
Resources Officer*

SUSANA LOPEZ
Chief Business Official

*The mission of Moreno Valley
Unified School District is to
ensure all students graduate
high school prepared to
successfully enter into higher
education and/or pursue a
viable career path.*

March 24, 2020

Gabriel Diaz
City of Moreno Valley
Community Development Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552

FAX: 951-413-3210

Project: Moreno Valley Trade Center (PEN19-0191, 19-0192, 19-0193, 19-0234)

Subject: Comments to the Notice of Preparation of a Draft Environmental Impact Report dated March 16, 2020

Dear Mr. Diaz,

The Moreno Valley Unified School District (District) appreciates the opportunity to review the Moreno Valley Trade Center NOA of a Draft Environmental Impact Report (EIR) dated March 16, 2020.

The District's focus continues to be the health and well-being of our students and staff, specifically to air pollution and increase in traffic that may negatively impact the School District.

Additionally, it should be noted that there will be developer impact fees associated with this project, payable to the Moreno Valley Unified School District. Those fees are currently \$.61 per square foot. These fees are subject to change and contact should be made with our Facilities and Planning Department's Demographics Technician, Cheryl Acevedo (cacevedo@mvusd.net) prior to processing a certificate of compliance and payment of fees.

Please keep us informed as to the City's progress in this matter, and any notifications relating to this project.

Sincerely,

Samer Alzubaidi
Director
Facilities Planning & Development
salzubaidi@mvusd.net

RECEIVED

MAR 24 2020

CITY OF MORENO VALLEY
Planning Division

03-20-2020

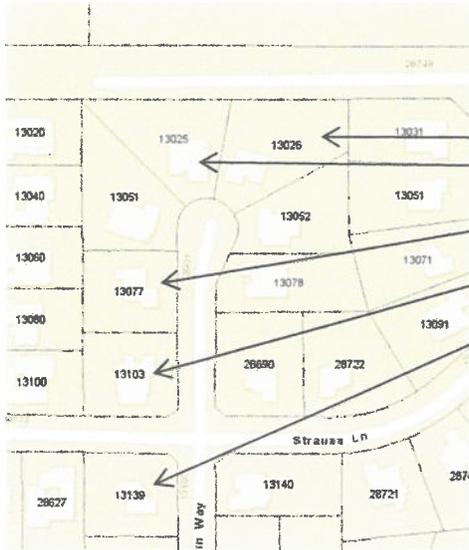
To: Mr. Gabriel Diaz

Reference: **Notice of Preparation of Draft Environmental Impact Report** dated March 16, 2020
Project title: Moreno Valley Trade Center

Mr. Diaz,

After reviewing your correspondence regarding notice of the proposed zoning change and projected impact to the environment surrounding the project, I have concerns that I believe should be addressed in the upcoming EIR report.

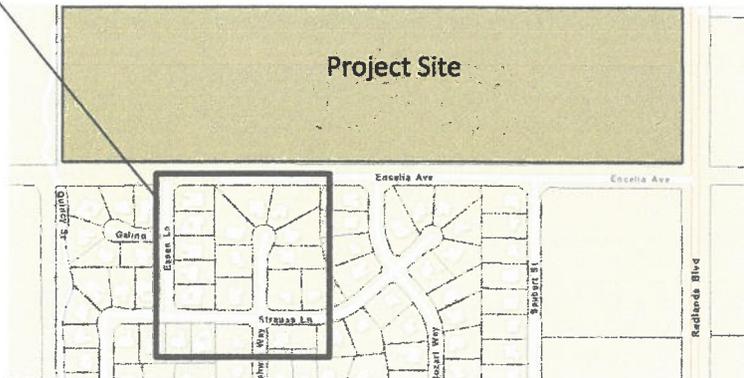
I live on Gershwin Way, just south of the project, which is also downhill and down wind. I've lived in my home since 1994 and have seen my neighbors come and seen some go. Over the past 25 years, I've had a family member in my household battle cancer and knew some of my neighbors experienced the same. I've even lost a pet (dog) to cancer. Now looking at the map you provided, a pattern of concern regarding health appears present in my neighborhood. Please have the EIR address any possible causes and describe mitigation measures for water, soil and air toxins that would impact or elevate risk to these health issues if the project is approved.



- 13026 Gershwin- Cancer
- 13025 Gershwin- Child born w/autism
- 13077 Gershwin- Child born w/autism
- 13103 Gershwin- Cancer
- 13139 Gershwin- Cancer

Thank you for allowing me to participate in this process.

Randy Thomas
13103 Gershwin Way
Moreno Valley, CA. 92555
951-486-9524



Residents for a Livable Moreno Valley

29177 Stevens Avenue, Moreno Valley, CA 92555

April 16, 2020

Gabriel Diaz
Community Development Department
City of Moreno Valley
141777 Frederick Street
Moreno Valley, CA 92553
gabrield@moval.org

Sent via E-mail

Tracy Zinn
T&B Planning, Inc.
3200 El Camino Real, Suite 100
Irvine, CA, 92602
tzinn@tbplanning.com

Subject: Notice of Preparation for Moreno Valley Trade Center

Dear Mr. Diaz,

On behalf of concerned area residents through the Residents for a Livable Moreno Valley, I hereby submit these comments on the Notice of Preparation for the Program Environmental Impact Report for the Moreno Valley Trade Center. It appears the City will be embarking on yet another general plan amendment (GPA) in conflict with the current land uses in place. Additionally, the City has begun the MoVal 2040 General Plan Update and should have placed all GPA requests on hold until such time that the city has evaluated all land use opportunities city wide and come forth with a compressive land use plan that makes the best use of all the remaining vacant land and the land use needs. Therefore, I respectfully ask that city management explain whether they attempted to discourage the developer on the grounds of this project being inconsistent with the general plan land uses or if it was encouraged – if so, why?

The comments that follow reflect the concerns of neighboring local residents and members of the community at large.

1. The proper distance separation between residential development and warehousing with a heavy use of diesel-fuel trucks to should be of a significant distance to lower air quality, noise, and aesthetic impacts. Multiple factors play into the need for greater setbacks.
 - a. Air pollution from diesel truck exhaust is a major air quality impact and only distances of 1,000 feet or greater should be considered. Multiple studies and agencies back this figure and the City's current General Plan indicates that industrial uses (warehouses) should be separated from residential use by lower impact/transitional uses such as Business Park and Office. Explain why buffer uses are not being considered?
 - b. Noise concerns and concerns for nuisance noises (those that fall below decibel thresholds) need to be addressed. Nuisance noises from businesses permitted to operate 24/7 can

produce irritating noises such as those associated with truck deliveries involving cargo doors opening and closing, backup beeping, trucks idling and building equipment operations. These become distracting background noise that can grate on a person peace and tranquility at their residence. What can be done to address this problem? Currently, the Solars Paper company has loud mechanical equipment running day and night but the sound at night travels up to a mile into the surrounding neighborhoods.

Aesthetics

2. Finding c) & d) have significant impacts to the surrounding neighborhood and mitigation needs to be made a part of this review.
 - a. Finding c): This large (long & tall) building is almost 2,000 feet long with no height limit will create aesthetic obstructions and substantially degrade the existing visual character of public views. Though, by CEQA standard, no “scenic vista” requires protecting the large unarticulated wall visible from the adjacent neighborhood and public rights-of-way will eliminate the distant views of the norther foothill that would not have been obstructed by single family home on half acres lots as prescribed. Therefore, a greater setback, height restriction of 30 feet and vertical plane articulation must be incorporated.
 - b. Finding d): This project will create substantially more light and glare that will affect the nightime views by brightening the night sky and creating a night glow that effective diminishes the tranquility of the adjacent residential development. The on-site lighting would far exceed what would have occurred with the development of the residential neighborhood. Though the city has lighting standards they do not address nor anticipate higher intensity of nightime lighting needs next to residential neighborhoods. First alternative is “no project” or a project with no lighting on the southern side of the building. This means no docks or parking lots on the south side of the building.

Agriculture

3. Finding b) is a Potentially Significant Impact because the zone change is a conflict with the existing zoning which permits “animal keeping.” The last sentence in the response defines this impact yet it is not being addressed, therefore the zone change is an impact in such that it removes an opportunity area in the city’s land use options.

Air Quality & Green House Gases

4. This project will no doubt further contribute air quality impacts above those that would have occurred with development of the property as prescribed by the current R2 land use. Make sure there is a comparison evaluation between the impacts for the warehouse and an R2 development.
5. When it comes to GHG mitigation the ultimate results would be a net zero impact. This is admirable and it is commendable if it can be done. However, if this project would choose to pursue credits they must be sourced locally first before moving onto regional or state credit options. Credits to limit impacts outside of the community do not directly offset a project’s impacts locally thus the danger will remain and add to the cumulative impacts. Make sure this is address in detail with proper mitigation measures to diminish the project’s impact on the community.
6. Evaluations must be done that define acceptable separation of residential uses and sensitive receptor and residential use from all areas/developments generating air quality impacts.
7. State law requires Electric Vehicle (EV) charging station infrastructure only to be provided to a set percentage of parking spaces with no requirement for the chargers themselves. To mitigate vehicle air quality issues include a mitigation measure that assures the EV Chargers will also be installed and ready for use at the time of building occupancy.

8. This project should include mitigation for extensive on-site installation of solar voltaic panels to offset air quality and greenhouse gas imitations. Extensive installation areas are available on the warehouse rooftop and over the large parking areas. The city standards already require the building roof be designed to handle the extra load of solar panels. Make installation mandatory.

Hazards

9. Since the proposed project is speculative, without a known/disclosed tenant, an evaluation must be made to address industrial uses that could have a major hazardous impact based on the proximity to the residential neighborhood to the south. Mitigation measures should be included that preclude high impact uses from utilizing this facility.

Hydrology

10. For Finding e) define the maximum time allowed for standing water to remain in the retention basin. Long standing water would become a vector control issue. Seem to recall that WQMP limit standing water to 48 hours. Include the regulations that address this mater.

Land Use / Population and Housing

11. Finding a) cannot be listed as having “no impact” because it does divide and established community from what should be the future and expected neighbors. The land use north and west of the existing neighborhood, south of the project site, would have been integrated with one another through shared access to a common street, Encilia Avenue. Additionally, future projects to the west would likely require a bridge over the Quincy channel further connecting these neighborhoods. The channel division is no different than backyard fences though a neighborhood.
12. Explain how interweaving of an industrial use would not be considered an impact that divides a community. For example the property west of the project site in set for residential use that would otherwise have been contiguous to other similar land uses on the project site but now it will be isolated by industrial uses on three sides. Pushing a warehouse or other industrial uses in the middle of residential areas diminishes a sense of community.
13. Explain where there are opportunities to replace the R2 land use with Animal Keeping and define when this land use change will occur so the city maintains a diverse mix of residential development. A replacement land use of in-kind acreage should be a mitigation measure for this project with a timetable for the replacement elsewhere in the community.
14. Address when and where the lost residential capacity will be off-set to justify the lose brought on by this project yet maintain the city’s required housing unit as prescribe by state law.

Noise

15. Noise concerns and concerns for nuisance noises (those that fall below the city’s prescribed decibel thresholds) need to be addressed. Nuisance noises from businesses permitted to operate 24/7 can produce irritating noises such as those associated with truck deliveries involving cargo doors opening and closing, backup beeping, trucks idling and building equipment operations. These become distracting background noise that can diminish a person peace and tranquility at and even within their residence. What can be done to address this problem?
16. The best mitigation to these noise impacts are to do away with all loading dock options on the south side of the building along with all employee parking on the south side. This will ensure that there will be limited on-site activity south of the building that would create noise transmitted into the neighbor.
17. Mitigate the project so that it does not permit truck or employee access from Encilia Avenue. Excessive truck and other vehicle traffic have the potential to be generating noise and groundborne

vibrations if they pass directly behind the existing homes. This is also a traffic concern since Encilia Avenue in a local street never intended for truck traffic.

Population & Housing

18. Finding b) is intended to address the displacement of potential housing and to replace it elsewhere. Although the project site is vacant the state now requires that any land use change to residentially designated property be replaced. Therefore, this finding needs to address to verify the proper compliance with state housing law.

Traffic

19. This project will likely contribute to road and highway impacts that will necessitate improvements that must be made. To date impacts from neighboring projects that require upgrades to the SR-60 at Redland Boulevard on/off ramps have not been made. Address the appropriate ways to mitigatable this project impacts whose mitigation measure compliance is reliant on outside agencies out of the city or the developer's control. A traffic related mitigation measures for recent project approvals require the involvement of regional transportation agencies (state & county) that decide when and what improvements should be made. Until improvements can be made the circulation level of streets will likely fall below acceptable standards. Mitigation measures under outside control are not enforceable so they should include timelines and milestones for limiting development until improvements are made in the name of safety and general welfare. Please address and include mitigation to that limits development or offers leverage to assure impacts will be mitigate before problem arise.
20. Redlands Boulevard provides access San Timoteo Canyon for daily commuters. Since this is a heavily travel commuter route, that is designated a truck route, how will the city and the county jointly deal with the impacts created by this project? The LOS for AM & PM traffic is already at level F at Redlands and San Timoteo Canyon per traffic studies associated with the expansion of the Skechers warehouse. Although, this intersection is outside the city limits commuter from this community currently are the primary cause. Future development plus additional truck traffic with require major improvements. How will this project participate in making these improvements?
21. Address how the building occupant will accommodate truck drives during their required down time (non-travel) to avoid on-street parking and intrusion into residential neighborhoods. Appropriate mitigation would require the project to provide on-site rest-area parking and driver access to shower and bathroom facilities within the warehouse. The parking site should also include electrical hook up and recharge stations for future electric trucks.

This project conflicts with the existing land use and is not a use that the General Plan considers a buffer use between residential and industrial. Therefore it is highly recommended that an appropriated development option be considered if this land use continues to be pursued. Any continued push for warehouse development on this site should preclude any access into the site from Encilia Avenue or any onsite activity on the south side of the building to diminish impacts to the southern residential neighborhood.

Should you have any questions feel free to contact me and keep me informed of the progress of the Moreno Valley Trade Center.

Sincerely,

Tom Thornsley
Residents for a Livable Moreno Valley

Rincon Band of Luiseño Indians

CULTURAL RESOURCES DEPARTMENT

One Government Center Lane | Valley Center | CA 92082
(760) 749-1051 | Fax: (760) 749-8901 | rincon-nsn.gov



March 26, 2020

Sent via email: gabrield@moval.org

Gabriel Diaz
City of Moreno Valley
Community Development Department
PO Box 88005
Moreno Valley, CA 92552

Re: NOP of a DEIR Moreno Valley Trade Center (PEN19-0191, PEN19-0192, PEN19-0193, PEN19-0234)

Dear Mr. Diaz,

This letter is written on behalf of the Rincon Band of Luiseño Indians (“Rincon Band” or “Band”), a federally recognized American Indian Tribe and sovereign government. Pursuant to Public Resources Code §21092.2, we request to be notified and involved in the entire CEQA environmental review process for the entirety of the project’s duration. Please also include the Band on all distribution lists for environmental document reviews, consultations, circulation of public documents, and notices for public hearings and scheduled approvals.

The Rincon Band has received the Notice of Preparation of a Draft Environmental Impact Report for the above referenced project and requests additional information as described below. The location identified within project documents is situated within the Territory of the Luiseño people and within the Band’s specific Area of Historic Interest (AHI). As such, Rincon is traditionally and culturally affiliated to the project area.

The Rincon Band reserves its right to fully participate in the environmental review process and to review and submit additional information after the above documentation has been received as well as during our consultation meeting(s).

If you have additional questions or concerns, please do not hesitate to contact our office at your convenience at (760) 297-2635 or via electronic mail at cmadrigal@rincon-nsn.gov. We look forward to working together to protect and preserve our cultural assets.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cheryl Madrigal".

Cheryl Madrigal
Tribal Historic Preservation Officer
Cultural Resources Manager



RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

230333

March 25, 2020

City of Moreno Valley
Community Development Department Planning Division
Post Office Box 88005
Moreno Valley, CA 92552-0805

Attention: Gabriel Diaz

Re: PEN 19-0191, 19-0192, 19-0193, 19-0234
APNs 488-340-002 through 012

The Riverside County Flood Control and Water Conservation District (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.

The District's review is based on the above-referenced project transmittal, received March 18, 2020. The District **has not** reviewed the proposed project in detail, and the following 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:

- This project would not be impacted by District Master Drainage Plan facilities, nor are other facilities of regional interest proposed.
- This project involves District proposed Master Drainage Plan facilities, namely, Moreno MDP Line F-17, along Eucalyptus Avenue, west of Redlands Boulevard. 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.
- 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.
- This project is located within the limits of the District's Moreno Area Drainage Plan for which drainage fees have been adopted. If the project is proposing to create additional impervious surface area, applicable fees should be paid by cashier's check or money order only to the Flood

March 25, 2020

City of Moreno Valley

Re: PEN 19-0191, 19-0192, 19-0193, 19-0234
APNs 488-340-002 through 012

230333

Control District or City prior to issuance of grading or building permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

- An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities, namely, Moreno MDP Line F-2, F-16 and F-17. For further information, contact the District's Encroachment Permit Section at 951.955.1266.
- The District's previous comments are still valid.

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.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, 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.

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Wildlife 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.

Very truly yours,



DEBORAH DE CHAMBEAU
Engineering Project Manager

cc: Riverside County Planning Department
Attn: John Hildebrand
City of Moreno Valley
Attn: Chris Ormsby

SLJ:blm